

Regular

Name Riverbottom Farms
Attn: Jim & Sue Gilmour
Address 30427 SW Stellmacher Dr.
Albany, OR 97320
gilmourmintfarms@gmail.com

Change in POU, POA, APOA
Date Filed 4-24-2023
Initial notice date 5-2-2023
DPD issued date _____
PD issued date 10/13/2025
PD notice date 10/14/2025
Date of FO 12/1/2025 Vol 158 Page 165-169

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well
Trib. of Malheur Slough Basin ; Malheur Lake Basin
Use Irrigation County Harney
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App# G-9182 Per # G-8527 Cert # 959160 PR Date 3/29/1979
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID			FEES REFUNDED		
Date	Amount	Receipt #	Date	Amount	Receipt #
<u>4/24/2023</u>	<u>\$ 2,930.00</u>	<u>140568</u>			

Irrigation District _____
Agent Scott Montgomery - scott@apeands.com
CWRE _____
CC's list Harney County

- Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

December 1, 2025

James & Sue Gilmour
30427 SW Stellmacher Dr
Albany, OR 97320

REFERENCE: Transfer Application T-14226

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, Elyse Hennen, by telephone at (971) 701-5485 or by e-mail at Elyse.d.hennen@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Donald (dally) S. Swindlehurst, Watermaster Dist. # 10 (via email)
Scott D. Montgomery, Agent
County of Harney Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-14226, Harney County)	POINTS 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

RIVERBOTTOM FARMS
JAMES & SUE GILMOUR
30427 SW STELLMACHER DR
ALBANY, OR 97320

Findings of Fact

1. On April 24, 2023, Riverbottom Farms, James & Sue Gilmour filed an application to change the points of appropriation and the place of use under Certificate 95966. The Department assigned the application number T-14226.
2. Notice of the application for transfer was published on May 2, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 12, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14226 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of October 11, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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

4. Transfer Application T-14226 originally included a request to add an additional point of appropriation; however, this change was not necessary to accomplish the requested modifications and is not included in the approved transfer.
5. On October 13, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14226 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on October 14, 2025, and in the Burns Times Herald newspaper on October 22 and 29, 2025 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
6. The right to be transferred is as follows:

Certificate: 95966 in the name of JUSTIN BOWEN and STEPHANIE BOWEN (perfected under Permit G-8527)

Use: IRRIGATION OF 126.7 ACRES

Priority Date: MARCH 29, 1979

Rate: 0.85 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: THREE WELLS in the MALHEUR SLOUGH BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	33 E	WM	1	NE NW	WELL 4 (HARN 51764) ADDITIONAL - 1230 FEET SOUTH AND 1515 FEET EAST FROM THE NW CORNER OF SECTION 1
27 S	33 E	WM	1	NW NW	WELL 3 (HARN 51069) ORIGINAL - 1195 FEET SOUTH AND 1291 FEET EAST FROM THE NW CORNER OF SECTION 1
27 S	33 E	WM	1	NW NW	WELL 1 (HARN 51541) ADDITIONAL - 90 FEET SOUTH AND 235 FEET EAST FROM THE NW CORNER OF SECTION 1

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	33 E	WM	1	NE NW		29.2
27 S	33 E	WM	1	NW NW		37.6
27 S	33 E	WM	1	SE NW		32.1
27 S	33 E	WM	2	NE NE	1	27.8
Total						126.7

7. Water Right Certificate 95966 includes the condition that water must be available at the original point of appropriation. The original point of appropriation is described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	33 E	WM	1	NW NW	WELL 2 (HARN 51070) - 70 FEET SOUTH AND 285 FEET EAST FROM THE NW CORNER OF SECTION 1

8. Transfer Application T-14226 proposes to move authorized points of appropriation Well 3 and Well 4 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POA
27 S	33 E	WM	1	NE NW	KREGER #5 (HARN 52418) - 375 FEET SOUTH AND 2375 FEET EAST FROM THE NW CORNER OF SECTION 1	Well 1 - 2200 Feet SE
						Well 3 - 1450 Feet NE
						Well 4 - 1300 Feet NE
27 S	34 E	WM	5	NW NW	BUFFALO (HARN 50318) - 35 FEET SOUTH AND 975 FEET EAST FROM THE NW CORNER OF SECTION 5	Well 1 - 2.18 Miles E
						Well 3 - 2.00 Miles NE
						Well 4 - 1.96 Miles NE

9. Transfer Application T-14226 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	POA
27 S	33 E	WM	1	NE NW	3	29.2	Well 1 and Kreger #5
27 S	33 E	WM	1	NW NW	4	30.7	Well 1 and Kreger #5
27 S	33 E	WM	1	SE NW		32.1	Well 1 and Kreger #5
27 S	33 E	WM	2	NE NE	1	25.3	Well 1 and Kreger #5
27 S	34 E	WM	6	NE NE	1	8.2	Buffalo
27 S	34 E	WM	6	SE NE		1.2	Buffalo
Total						126.7	

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2200 and OAR 690-380-2110(2)]

10. Confirming Certificate 95966 was issued within the last 5 years prior to the submittal of Transfer Application T-14226. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14226.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

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

Conclusions of Law

The change in points of appropriation and change in place of use proposed in Transfer Application T-14226 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in place of use proposed in Transfer Application T-14226 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 95966 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.
4. Water right Certificate 95966 is cancelled.
5. The quantity of water diverted at the new points of appropriation (Kreger #5 and Buffalo) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 3 and Well 4).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. Water must be available at the original point of appropriation as described in finding of fact #7.
8. The former place of use of the transferred right shall no longer receive water under the right.

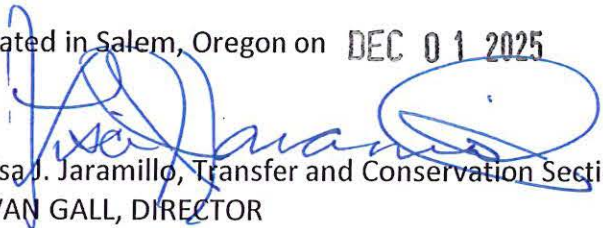
9. Water Use Measurement Conditions:

- 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.

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.

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

Dated in Salem, Oregon on **DEC 01 2025**


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

Mailing Date: DEC 02 2025

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14226

Transfer Specialist: *Elyse*

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: JAMES AND SUE GILMOUR 30427 SW STELLMACHER DR ALBANY, OR 97320 <i>gilmourmintfarms@gmail.com</i>	Agent: SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: County Of Harney	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-9182	G-8527	95966	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: April 24, 2023	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 2930.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 12 Malheur Lake
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: HARNEY
WM District: 10 J R. Johnson	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input checked="" type="checkbox"/>	Name of Newspaper: <i>Burns Times Herald</i>
Newspaper notice sent to coordinator: <i>8/4</i>	Newspaper notice quote requested (NRS1): <i>8259.20</i>
Request for news \$ sent: <i>8/4</i>	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: <i>10/13/25</i>
FO	Date: <i>10/30/25</i> Initials: <i>Elyse</i>	Date: <i>10/30/25</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <i>11/19/25</i> No. of docs for sig: <i>1</i>	Date: <i>12/1/2025</i>

Special Issues: _____

Special Order Volume: Vol. *138* Pages *165-169*

**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 # **146125**

INVOICE # _____

RECEIVED FROM: <u>Gilmour Mint Farms LLC</u>	APPLICATION	
BY: _____	PERMIT	
CASH: <input type="checkbox"/>	TRANSFER	T-14226 T-14399
CHECK:# <input checked="" type="checkbox"/> <u>1973</u>	OTHER: (IDENTIFY) _____	
<input type="checkbox"/>	TOTAL REC'D	\$ <u>504.00</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>46118</u>	\$
<u>0207</u> OTHER:	(IDENTIFY) <u>Newspaper Notices</u>	\$ <u>504.00</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____	0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS		T-14226 = \$259.20	
0407 COPY & TAPE FEES	T-14399 = \$244.80	\$	
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	\$		
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: **146125** DATED: 9-29-25 BY: Gilmour Mint

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-14226

T-14226 filed by Riverbottom Farms, James and Sue Gilmour, 30427 SW Stellmacher Dr., Albany, OR 97320, proposes changes in points of appropriation and place of use under Certificate 95966. The right allows the use of 0.85 cubic foot per second from three wells in Sec. 1, T27S, R33E, WM for irrigation in Sects. 1 and 2, T27S, R33E, WM. The applicant proposes to move the points of appropriation in Sec. 1, T27S, R33E, WM and Sec. 5, T27S, 34E, WM and to change the place of use to within Sects. 1 and 2, T27S, R33E, WM and Sec. 6, T27S, 34E, 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 file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 10/22/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Publish Oct 15 and 22, 2025

BURNS TIMES-HERALD
355 N. Broadway Ave. - Burns, Oregon 97720
AFFIDAVIT OF PUBLICATION

STATE OF OREGON ()
() S.S.
County of Harney

I, Terri L. Smith, being first and duly sworn, depose and say that I am the Advertising Manager of the Burns Times-Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Burns, in the aforesaid County and State by the Burns Times-Herald that the

Public Notice: T-14226 Riverbottom Farms
(James & Sue Gilmour)

a printed copy of which is hereto annexed, was published in the said newspaper for 2 successive and consecutive weeks in the following issues

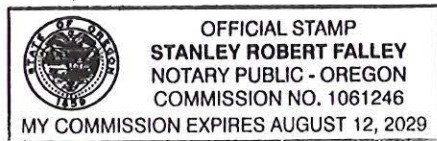
Dates of Publication: 15th & 22nd October 2025

Terri L. Smith

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

Subscribed and sworn before me this 22 day of Oct 2025

Stanley Robert Falley
Notary Public for Oregon



No. _____

STATE OF OREGON
for the
COUNTY OF HARNEY

Filed _____ 2025

Clerk

Deputy

From the office of _____

Attorney For _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

October 13, 2025

VIA CERTIFIED MAIL AND E-MAIL

RIVERBOTTOM FARMS
JAMES AND SUE GILMOUR
30427 SW STELLMACHER DR
ALBANY, OR 97320

SUBJECT: Water Right Transfer Application T-14226

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14226. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Burns Times Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

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

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

Please don't hesitate to contact me at 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14226
Donald (Dally) S. Swindlehurst, District 10 Watermaster *(via e-mail)*
Scott D. Montgomery, 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-14226, Harney County)	PROPOSING APPROVAL OF A CHANGE IN
)	POINTS 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

RIVERBOTTOM FARMS
JAMES & SUE GILMOUR
30427 SW STELLMACHER DR
ALBANY, OR 97320

Findings of Fact

1. On April 24, 2023, Riverbottom Farms/James & Sue Gilmour filed an application to change the points of appropriation and the place of use under Certificate 95966. The Department assigned the application number T-14226.
2. Notice of the application for transfer was published on May 2, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 12, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14226 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of October 11, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer .

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

4. Transfer Application T-14226 originally included a request to add an additional point of appropriation; however, this change was not necessary to accomplish the requested modifications and is not included in the approved transfer.

5. The right to be transferred is as follows:

Certificate: 95966 in the name of JUSTIN BOWEN and STEPHANIE BOWEN (perfected under Permit G-8527)

Use: IRRIGATION OF 126.7 ACRES

Priority Date: MARCH 29, 1979

Rate: 0.85 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: THREE WELLS in the MALHEUR SLOUGH BASIN

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Total						126.7

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27 S	34 E	WM	5	NW NW	BUFFALO (HARN 50318) - 35 FEET SOUTH AND 975 FEET EAST FROM THE NW CORNER OF SECTION 5	WELL 1 – 2.18 MILES EAST WELL 3 – 2.00 MILES NORTHEAST WELL 4 – 1.96 MILES NORTHEAST

8. Transfer Application T-14226 also proposes to change the place of use of the right to:

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Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	POA
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27 S	33 E	WM	1	NW NW	4	30.7	WELL 1 AND KREGER #5
27 S	33 E	WM	1	SE NW		32.1	WELL 1 AND KREGER #5
27 S	33 E	WM	2	NE NE	1	25.3	WELL 1 AND KREGER #5
27 S	34 E	WM	6	NE NE	1	8.2	BUFFALO
27 S	34 E	WM	6	SE NE		1.2	BUFFALO
					Total	126.7	

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2200 and OAR 690-380-2110(2)]

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

Determination and Proposed Action

The change in points of appropriation and change in place of use proposed in Transfer Application T-14226 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

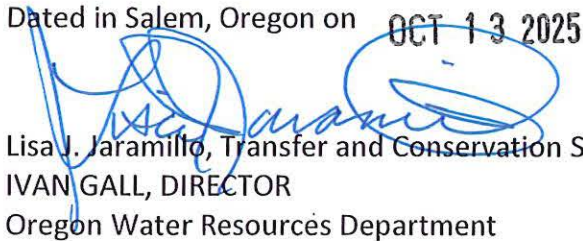
If Transfer Application T-14226 is approved, the final order will include the following:

- 1. The change in points of appropriation and change in place of use proposed in Transfer Application T-14226 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 95966 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.*
- 4. Water right Certificate 95966 is cancelled.*
- 5. The quantity of water diverted at the new points of appropriation (Kreger #5 and Buffalo) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 3 and Well 4).*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 7. Water must be available at the original point of appropriation as described in finding of fact #6.*
- 8. The former place of use of the transferred right shall no longer receive water under the right.*
- 9. 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.*

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.

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

Dated in Salem, Oregon on **OCT 13 2025**


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

This Preliminary Determination was prepared by Elyse Hennen. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the

Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;

- If you are the applicant, a protest fee of \$720 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$1425 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of

receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14226

GW Reviewer Darrick E. Boschmann Date Review Completed: 12/08/2023

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-14226

Applicant Name: Riverbottom Farms

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 12/08/2023

Date Reviewed by GW Mgr. and Returned to WRSD: _____

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

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

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

This application is related to certificate 95966 which authorizes groundwater pumping from three wells (POD 1 = HARN 51764; POD 2 = HARN 51069; POD 3 = HARN 51541) for primary irrigation of 126.7 acres in the Malheur Lake Basin. The following changes are proposed:

1. Change HARN 51069 to HARN 52418
2. Change HARN 51764 to HARN 50318
2. Move 11.3 acres of the POU.

- 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: _____

The authorized and proposed wells develop groundwater occurring in the Younger basin fill and Voltage basalt hydrostratigraphic units. Groundwater occurs in multiple hydrostratigraphic units, and groundwater within these units is hydraulically connected, making a single groundwater system composed of multiple hydrostratigraphic units (Gingerich and others, 2022).

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

- 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No _____

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

- 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: _____

The proposed wells are located up to 2+ miles east of the currently authorized wells. This will result in an incremental increase in interference with wells to the east.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

- Yes No If yes, explain: _____

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

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

Yes No Comments: _____

There are no perennial surface water sources in the vicinity of the authorized or proposed wells.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ Minimal Significant

Stream: _____ Minimal Significant

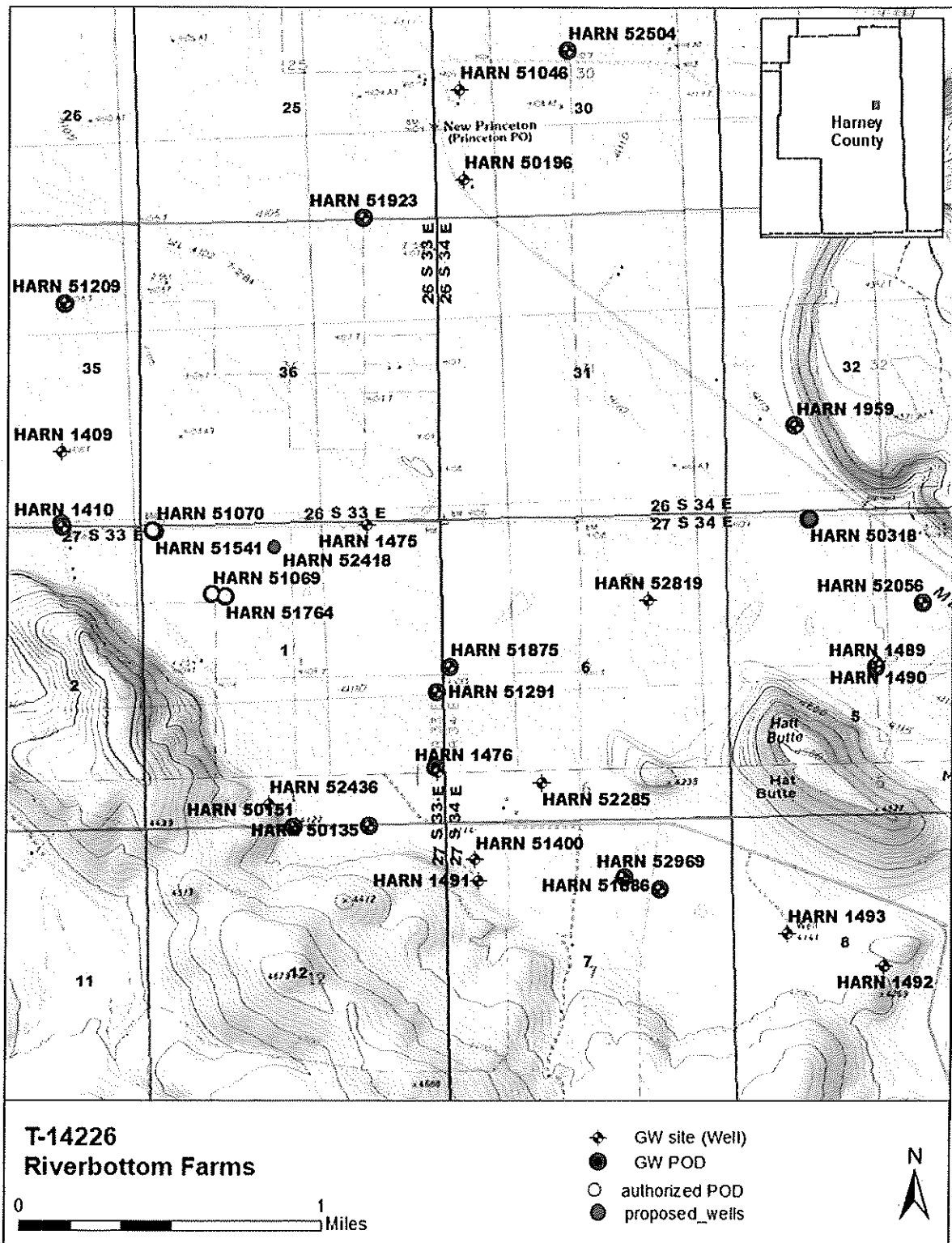
Provide context for minimal/significant impact: _____

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

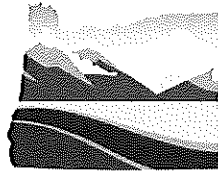
Yes No Comments: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: none.

8. Any additional comments: none.



Watermaster Review Form: Water Right Transfer



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

Transfer Application: T- 14226

Review Due Date: _____

Applicant Name: Riverbottom Farms/ Jim&Sue Gilmour

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Dally Swindlehurst

Date of Review: 05/30/23

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

9. For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain: _____
10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____
11. For POU changes that involve micro-irrigation: N/A Add here
- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement? Yes No If "Yes", explain: _____
 - b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer? Yes No If "Yes", answer the following:
 - i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No
If "Yes", explain: _____
 - ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No
If "No", explain: _____
 - iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain: _____
 - iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe: _____
 - v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No
If "No", explain: _____
 - c. To the best of your knowledge, if this transfer is approved, does it appear that:
 - i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain: _____
 - ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain: _____
12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"? Yes No If "Yes", explain: _____

13. What alternatives may be available for addressing any issues identified above: _____

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked and provided below:

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

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

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

Weir

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: _____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14226

In order to avoid enlargement of the right or injury to other rights, a _____ will be required to be installed **prior to diversion of water**, as a condition of this transfer:

at each point of diversion/appropriation (new and existing) OR

at each new point of diversion/appropriation.

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

Watermaster name: Dally Swindlehurst

District: 10

Address: 450 N Buena Vista

City/State/Zip: Burns OR 97720

Phone: 541-573-2591

Email: donald.s.swindlehurst@water.oregon.gov

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

Approval of an Alternate Measurement Device T- _____

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

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

Watermaster signature

District

Date

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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

April 28, 2023

JAMES AND SUE GILMOUR
30427 SW STELLMACHER DR
ALBANY, OR 97320

Reference: Application T-14226

On April 24, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$2930.00. Receipt number 140568 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.

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) 986-0935.

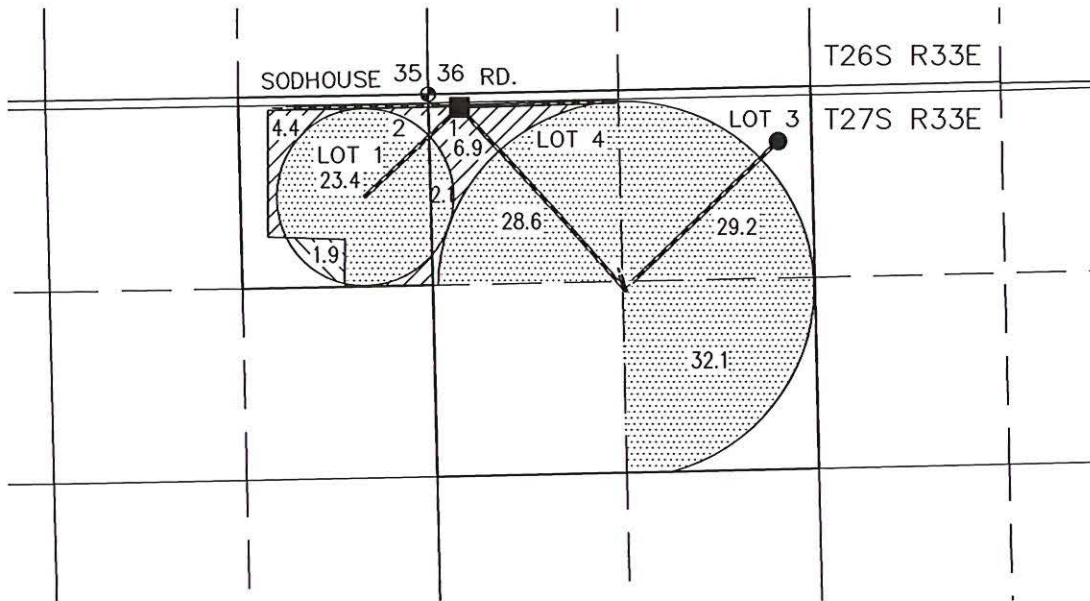
Cc: Watermaster Dist. #10, J R. Johnson (*via email*)
Scott D. Montgomery, Agent
Harney County

Enclosure

TRANSFER MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND A POINT OF APPROPRIATION FOR JAMES & SUE GILMOUR

TOWNSHIP 27 SOUTH, RANGE 33 EAST, SECTIONS 1 & 2, W.M.
TAX LOT: 200

RECEIVED
APR 24 2023
OWRD



■ KREGER #1 (HARN 51541)
LOCATED IN THE NW 1/4 NW 1/4 SECTION 1, T27S
R33E, W.M. AND 90 FEET SOUTH AND 235 FEET EAST
FROM THE NW CORNER OF SECTION 1.

● KREGER #5 (HARN 52418)
LOCATED IN THE NE 1/4 NW 1/4 SECTION 1, T27S
R33E, W.M. AND 375 FEET SOUTH AND 2375 FEET
EAST FROM THE NW CORNER OF SECTION 1.

- 1.9 ACRES WATER RIGHTS FROM
CERTIFICATE 95966 (PERMIT G-8527),
TRANSFERRED 'ON', AS SHOWN.
- 11.3 ACRES WATER RIGHTS FROM
CERTIFICATE 95966 (PERMIT G-8527),
TRANSFERRED 'OFF', AS SHOWN.
- 115.4 ACRES WATER RIGHTS FROM
CERTIFICATE 95966 (PERMIT G-8527),
REMAIN, AS SHOWN.



RENEWAL DATE: 12/31/2024

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

PROJECT No. 22-136

PREPARED AT THE REQUEST OF:
RIVERBOTTOM FARMS
30427 STELLMACHER DRIVE
ALBANY, OR 97321

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

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

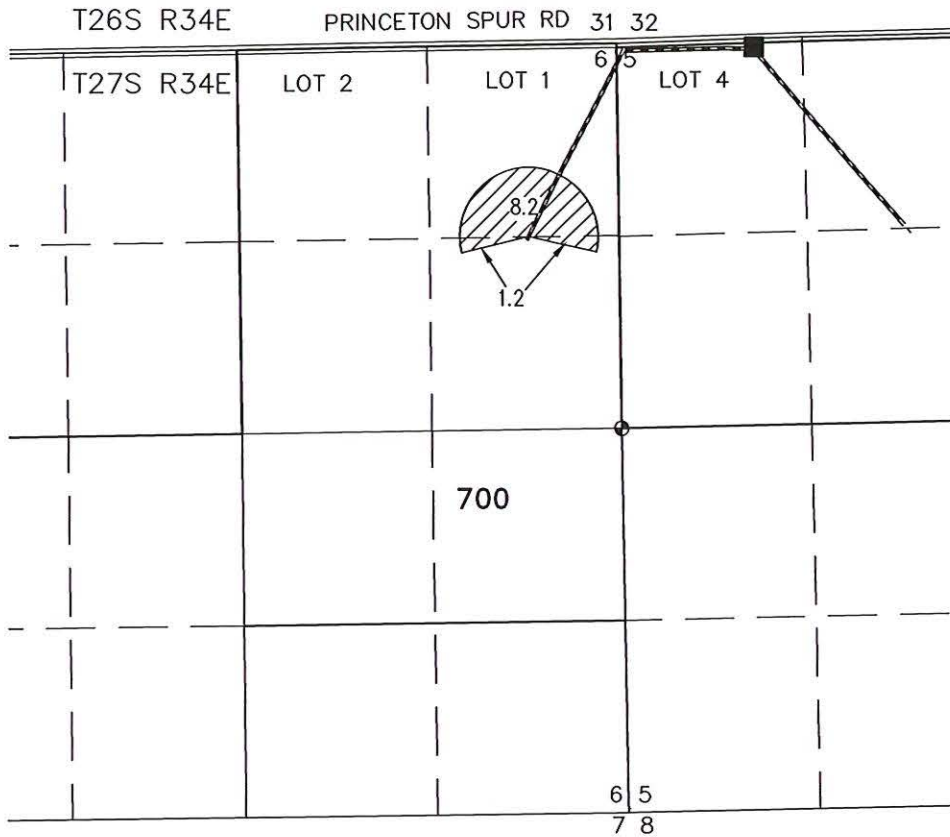
TRANSFER MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND ADD A POINT OF APPROPRIATION FOR JAMES & SUE GILMOUR

TOWNSHIP 27 SOUTH, RANGE 34 EAST, SECTIONS 5 & 6, W.M.
TAX LOTS: 601
"TO"

RECEIVED

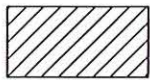
APR 24 2023

OWRD



BUFFALO WELL (HARN 50318)

LOCATED IN THE NW 1/4 NW 1/4 SECTION 5, T27S R34E, W.M. AND 35 FEET SOUTH AND 975 FEET EAST FROM THE NW CORNER OF SECTION 5.



9.4 ACRES WATER RIGHTS FROM CERTIFICATE 95966 (PERMIT G-8527), TRANSFERRED 'ON', AS SHOWN.



RENEWAL DATE: 12/31/2024

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

PROJECT No. 22-136

PREPARED AT THE REQUEST OF:
RIVERBOTTOM FARMS
30427 STELLMACHER DRIVE
ALBANY, OR 97321

ALL POINTS ENGINEERING
& SURVEYING, INC.



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

**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 # **140568**

INVOICE # _____

RECEIVED FROM: Galimour Mint Farms LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14226

CASH: CHECK:# 2625 OTHER: (IDENTIFY)

TOTAL REC'D \$ 2,930.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS				
0407	COPY & TAPE FEES	\$		
0410	RESEARCH FEES	\$		
0408	MISC REVENUE: (IDENTIFY) _____	\$		
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$		
0240	EXTENSION OF TIME	\$		
WATER RIGHTS:			RECORD FEE	
0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ <u>2,930.00</u>		
WELL CONSTRUCTION			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: **140568** DATED: 4-24-23 BY: Lead Miner

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

Application for Permanent Water Right Transfer



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

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.

RECEIVED

APR 24 2023

OWRD

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.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: C 95966**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. 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°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Riverbottom Farms/Jim & Sue Gilmour			PHONE NO. 541-979-4120	ADDITIONAL CONTACT NO.
ADDRESS 30427 SW Stellmacher Dr				FAX NO.
CITY Albany	STATE OR	ZIP 97320	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 Scott D Montgomery/All Points Engr & Surveying, Inc			PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767				FAX NO.
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.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:
Propose to move corner areas, that are inconvenient and inefficient to irrigate, to a new field watered by a center pivot sprinkler only making the use of water more efficient and convenient.

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

Check One Box

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

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Burns Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



[Signature]
Applicant signature

Sue Gilmour
Applicant signature

Jim Gilmour, Owner
Print Name (and Title if applicable)

Sue Gilmour, Owner
Print Name (and Title if applicable)

4/2/23
Date

4/12/23
Date

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

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

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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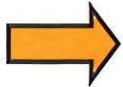
RECEIVING LANDOWNER NAME NA		PHONE NO.	ADDITIONAL CONTACT NO. OWRD	
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME NA	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 NA	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	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 95966

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Description of Water Delivery System

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System capacity: 0.85 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from the authorized POAs and conveyed to a center pivot sprinkler and to mainlines for handlines that irrigate corner areas outside of the center pivot sprinkler.**

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)
Kreger #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 51541	27	S	33	E	1	NW	NW	200	90' S & 235' E from NW cor, Sec 1
Kreger #3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 51069	27	S	33	E	1	NW	NW	200	1195' S & 1291' E from NW cor, Sec 1
Kreger #4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 51764	27	S	33	E	1	NE	NW	200	1230' S & 1515' E from NW cor, Sec 1
Kreger #5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 52418	27	S	33	E	1	NE	NW	200	375' S & 2375' E from NW cor, Sec 1
Buffalo	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 50318	27	S	34	E	5	NW	NW	601	35' S & 975' E from NW cor, Sec 5

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> 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 # 95966

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				
27	S	33	E	1	NE	NW	200	3	29.2	IR	1,3,4	1979	POA	27	S	33	E	1	NE	NW	200	3	29.2	IR	1 & 5	1979
					NW	NW		4	37.6				POA/POU						NW	NW		4	28.6			
					SE	NW			32.1				POA						SE	NW			32.1			
				2	NE	NE		1	27.8				POA/POU					2	NE	NE		1	25.3			
													POA/POU	27	S	34	E	6	NE	NE	700	14	8.2		Buffalo	
													POA/POU						SE	NE			1.2			
TOTAL ACRES:							126.7							TOTAL ACRES:							126.7					

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Additional remarks: **Kreger #3 is replaced by Kreger #5 and Kreger #4 is replaced by Buffalo.**

For Place of Use or Character of Use Changes

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

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



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

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

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

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
See well logs										

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of HARNEY)

I, JAMES GILMOUR, in my capacity as LANDOWNER,

mailing address 30427 STELLMACHER DR, ALBANY, OR 97321

telephone number (541) 979-4124 ~~(541) 589-4884~~, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

- Confirming Certificate # 95966 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]
Signature of Affiant

4-12-23
Date

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



[Signature]
Notary Public for Oregon

My Commission Expires: 7/29/25

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • 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
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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T27S R 34E, W.M.

June 2020 aerial imagery from NRCS Gateway website imported into ArcMap GIS software in statewide Lambert projection.



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STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

JUSTIN BOWEN
STEPHANIE BOWEN
55288 HWY 78
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-8527. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: THREE WELLS, IN THE MALHEUR SLOUGH BASIN

PURPOSE OR USE: IRRIGATION OF 126.7 ACRES

MAXIMUM RATE: 0.85 CUBIC FEET PER SECOND

DATE OF PRIORITY: MARCH 29, 1979

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	33 E	WM	1	NE NW	WELL 4 (HARN 51764) ADDITIONAL - 1230 FEET SOUTH AND 1515 FEET EAST FROM NW CORNER, SECTION 1
27 S	33 E	WM	1	NW NW	WELL 3 (HARN 51069) ORIGINAL - 1195 FEET SOUTH AND 1291 FEET EAST FROM NW CORNER, SECTION 1
27 S	33 E	WM	1	NW NW	WELL 1 (HARN 51541) ADDITIONAL - 90 FEET SOUTH AND 235 FEET EAST FROM NW CORNER, SECTION 1

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	33 E	WM	1	NE NW		29.2
27 S	33 E	WM	1	NW NW		37.6
27 S	33 E	WM	1	SE NW		32.1
27 S	33 E	WM	2	NE NE	1	27.8

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.

The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	33 E	WM	1	NW NW	WELL 2 (HARN 51070) – 70 FEET SOUTH AND 285 FEET EAST FROM NW CORNER, SECTION 1

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or measuring devices, as approved by the Director, in good working order, at each point of appropriation (new and existing).
- B. 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.

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

The water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered July 5, 2016, at Special Order Volume 101, Page 393, approving Transfer Application T-11706, supercedes Certificate 88919, State record of Water Right Certificates.

Issued JUL 01 2022



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

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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

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Applicant(s): James & Sue Gilmour

Mailing Address: 30427 Stellmacher Dr

City: Albany

State: OR

Zip Code: 97321

Daytime Phone: 541-979-4120

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>27S</u>	<u>33E</u>	<u>1</u>	<u>NE NW</u>	<u>200</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>33E</u>	<u>1</u>	<u>NW NW</u>		<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>33E</u>	<u>1</u>	<u>SE NW</u>		<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>33E</u>	<u>2</u>	<u>NE NE</u>		<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>34E</u>	<u>5</u>	<u>NW NW</u>	<u>601</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>34E</u>	<u>5</u>	<u>SW NW</u>		<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>

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

Harney

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.85
 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:

Propose to move corner areas to a new ½ center pivot 1 ½ miles east and rearrange a wheel line field into a sm center pivot.

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.

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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): Hc 20 3.010 (EPRV-1)
- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: Brandon McMullen Title: Planning Director

Signature: [Signature] Phone: (541) 573-6655 Date: 2-27-2023

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: _____

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

HARN 51541

WELL LABEL # L 96564

START CARD # 1006152

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

(1) LAND OWNER Owner Well I.D.
 First Name Jim Last Name Gilmour
 Company _____
 Address 30427 S.W. Stellmacher
 City ALBANY State OR Zip 97321

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard: Yes (attach copy)
 Depth of Completed Well 120 ft.

BORE HOLE			SEAL			Amount	Ccks/lbs
Dia	From	To	Material	From	To		
28"	0	18	Bentonite	0	18		
32"	18	120					

How was seal placed: Method A B C D E
 Other Poured DRY & Tamped
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from 0 ft. to 120 ft. Material Per gravel Size 3/8
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Csng/Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	12"	+2	120	120	.250	X		X	
X	20"	+1	20	20	.250	X			

Shoe Inside Outside Other Location of shoe(s) _____
 Temporary casing Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS
 Perforations Method Saw cut Steel
 Screens Type Rossness Material Stainless

Perf	Scrn	Csng	Linr	Screen Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size
X			X	12"	100	120		3"	480	
	X		X	12"	60	100	125	Cont.	2	

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
 Yield gal/min 70 Drawdown 10' Drill stem/Pump depth _____ Duration (hr) 1 hr

Temperature 59 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)
 From _____ To _____ Description _____ Amount _____ Units _____

(9) LOCATION OF WELL (legal description)
 County Harney Twp 27 N or S Range 33 E or W W.M.
 Sec 1 NW 1/4 of the NW 1/4 Tax Lot 200
 Tax Map Number 200 Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street Address of Well (or nearest address) 57935 Lava Bed Rd.
Princeton

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	<u>1-28-09</u>		<u>2</u>	<u>12</u>

Flowing Artesian? Yes Dry Hole? Yes
 WATER BEARING ZONES Depth water was first found 35

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>1-28-09</u>	<u>35</u>	<u>120</u>	<u>600</u>		<u>2</u>	<u>12</u>

(11) WELL LOG Ground Elevation _____

Material	From	To
clay loam topsoil	0	2
clay, brn	2	35
clay green	35	40
clay, blk	40	43
clay green	43	75
sand fine blk	75	85
clay stone green	85	100
silt grey	100	110
clay green	110	120

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Date Started 1-21-09 Completed OWR-28-09

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

License Number _____ Date _____
 Signed _____

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

License Number 1424 Date 2-3-09
 Signed [Signature]
 Contact Info. (optional) _____

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

HARN
 51069

WELL I.D. # L 26620
 START CARD # 155953

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

(1) **LAND OWNER** Well Number _____
 Name Fred Kregen
 Address 57935 Lava Bed Rd
 City Princeton State Or Zip 97721

(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 or Completed Well 30 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16	0	31	Bent	0	31	17
12	42	130	-	-	-	-

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: 12	42	78	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

(7) **PERFORATIONS/SCREENS:**

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

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

Yield gal/min	Drawdown	Drill stem at	Time
400+	70'	80'	1 hr.

Temperature of water 66 Depth Artesian Flow Found _____
 Was a water analysis done No Yes By whom _____
 Did any strata contain water not suitable for intended use? No Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) **LOCATION OF WELL by legal description:**
 County Haney Latitude _____ Longitude _____
 Township 27S N or S Range 33E E or W. WM.
 Section 1 NW 1/4 NW 1/4
 Tax Lot 200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 57935 Lava Bed Rd
Princeton, Or. 97721

(10) **STATIC WATER LEVEL:**
9 ft. below land surface. Date 7-12-04
 Artesian pressure _____ lb. per square inch Date _____

(11) **WATER BEARING ZONES:**

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
8.5	128	400	9

(12) **WELL LOG:**
 Ground Elevation _____

Material	From	To	SWL
Top Soil	0	7	5
Brown Sand	7	16	-
Brown Clay	16	38	-
Grey Sand	38	67	-
Green Clay	67	85'	-
Broken Gabeen			
Clay w/cinder			
Layers (w/b)	8.5	128	9
Grey Clay	128	130	9

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JUL 15 2004

WATER RESOURCES DEPT
SALEM, OREGON

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AUG 05 2004

WATER RESOURCES DEPT
SALEM, OREGON

Date started 7-9-04 Completed 7-12-04

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 621
 Signed Donald W. Head Date 7-12-04

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STATE OF OREGON

WATER SUPPLY WELL REPORT

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

02-17-2011

WELL LABEL # L 88119

START CARD # 185605

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

First Name JIM Last Name GILMOUR
Company
Address 30427 SW STELLMACHER
City ALBANY State OR Zip 97321

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

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

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

(5) BORE HOLE CONSTRUCTION Special Standard [] (Attach copy)

Table with columns: Dia, From, To, Material, SEAL, To, Amt, sacks/lbs. Row 1: 32, 0, 20, Cement, 0, 20, 62, S.

How was seal placed: Method [] A [] B [] C [] D [] E
[X] Other Tremie Pipe
Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from 0 ft. to 140 ft. Material Gravel Size pea gravel
Explosives used: [] Yes Type _____ Amount _____

(6) CASING/LINER Table with columns: Casing, Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Includes shoe location and temp casing info.

(7) PERFORATIONS/SCREENS
Perforations Method _____
Screens Type Johnson Material Stainless

Table with columns: Perf/S, Casing/Screen, Liner, Dia, From, To, Scm/slot width, Slot length, # of slots, Tele/pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour
[X] Pump [] Bailer [] Air [] Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
950 83 120 10

Temperature 59 °F Lab analysis [] Yes By _____
Water quality concerns? [] Yes (describe below)
Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County Harney Twp 27.00 S N/S Range 33.00 E E/W WM
Sec 1 NW 1/4 of the NW 1/4 Tax Lot 200
Tax Map Number _____ Lot _____
Lat _____ or _____ DMS or DD
Long _____ or _____ DMS or DD
[] Street address of well [] Nearest address

57935 LAVA BED RD, PRINCETON; ALSO SECTION 2

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft)

Table with columns: Existing Well / Predeepening, Completed Well, Date, SWL(psi), SWL(ft). Row 1: Completed Well, 08-05-2008, 17.

WATER BEARING ZONES Depth water was first found 28

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Row 1: 07-08-2008, 28, 140, 17.

(11) WELL LOG

Table with columns: Material, From, To, Ground Elevation. Includes 'RECEIVED APR 24 2023 OWRD' stamp.

Date Started 06-17-2008 Completed 08-05-2008

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

License Number _____ Date _____
Electronically Filed
Signed _____

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

License Number 1675 Date 02-17-2011
Electronically Filed
Signed GEORGE VALENTINE (E-filed)
Contact Info (optional) _____

KREGER APOA

(1) LAND OWNER Owner Well I.D. _____
 First Name JIM Last Name GILMOUR
 Company _____
 Address 30427 STELLMACHER DR.
 City ALBANY State OR Zip 97321-9402

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(9) LOCATION OF WELL (legal description)
 County HARNEY Twp 27.00 S N/S Range 33.00 E E/W WM
 Sec 1 NE 1/4 of the NW 1/4 Tax Lot 00200
 Tax Map Number _____ Lot _____
 Lat _____ " or 37° S DMS or DD
 Long _____ " or 237° E NW COR DMS or DD
 Street address of well Nearest address
 1/2 MILE WEST OF LAVA BED ROAD ON NARROWS-PRINCETON ROAD,
 SOUTH SIDE O

(2a) PRE-ALTERATION

Casing:	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
Seal:									

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

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

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 362.00 ft.

BORE HOLE			SEAL			sacks/lbs
Dia	From	To	Material	From	To	Amt
16	0	42	Bentonite Chips	0	42	39 S
12	42	292			Calculated	33.11
14	292	303	Cement	292	303	8 S
10	303	362			Calculated	2.03

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	8/8/2015		18

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 18.00

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
8/2/2015	18	34	10		18
8/5/2015	45	292	200		18
8/8/2015	292	362	1500		18

How was seal placed: Method A B C D E
 Other BENTONITE FROM SUR
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount	Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="radio"/>	<input type="radio"/>	12	<input checked="" type="checkbox"/>	1.5	303	.250	<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Shoe Inside Outside Other Location of shoe(s) 303
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type _____ Material _____

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

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1000		360	4

Temperature 59 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 692
 From _____ To _____ Description _____ Amount _____ Units _____

(11) WELL LOG Ground Elevation 4095.00

Material	From	To
gravel driveway	0	1
clay brown	1	18
soft clay with sand WB	18	27
fractured clay WB	27	34
clay blue	34	45
fractured clay blue	45	67
fractured clay grey with sand	67	180
soft clay grey with sand	180	292
fractured rock black	292	362

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 APR 24 2023
 OWRD

Date Started 8/1/2015 Completed 8/8/2015

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

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1899 Date 8/13/2015
 Signed SAM P KINGREY (E-filed)
 Contact Info (optional) _____

HARN
50318

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WELL I.D. # L 18168

START CARD # 106124

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

(1) OWNER: Well Number _____

Name Roger & Virginia Hawthorn
Address P.O. Box 3030
City Princeton State OR Zip 97121

(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 208 ft.

Explosives used Yes No Type _____ Amount _____

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pieces	
20"	0	20'	Cement	0	20'	2.6	
12"	20'	208'					

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:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing: 12"	12"	0	202'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 202'

(7) PERFORATIONS/SCREENS:

Perforations Method _____

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>NONE</u>							

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

Pump Bailer Air Flowing
Yield gal/min Drawdown Drill stem at Time

950	44			6 hr
950	44			6 hr

Temperature of water 56 Depth Artesian Flow Found _____

Was a water analysis done? Yes By whom _____

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

Salty Muddy Odor Colored Other _____

Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County Halney Latitude _____ Longitude _____

Township 27 or S Range 34 E or WM

Section 5 NW 1/4 SE 1/4

Tax Lot 600 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) _____

Princeton Spur Rd.

(10) STATIC WATER LEVEL:

14 ft. below land surface. Date 6-24-98

Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 21'

From	To	Estimated Flow Rate	SWL
21"	23"	5 GPM	14'
96"	124"	100 GPM	14'
203"	208"	1200	14'

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL
Top Soil Sandy Loam	0	3'	
Brown Clay	3'	96'	14
Brown Sand	96'	124'	
Brown Clay	124'	162'	
Gray Clay	162'	203'	14
Coarse Sand	203'	208'	14

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JUL 21 1998

WATER RESOURCES DEPT.
SALEM, OREGON

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APR 24 2023

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Date started 4-14-98 Completed 6-24-98

(unbonded) Water Well Constructor Certification:

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

Signed George Valentini WWC Number 1675 Date 7-16-98

(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 Joe Valentini WWC Number 1435 Date 7-16-98



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

Ownership Update for Certificated Rights Only

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

NOTICE: A certificate of water right typically stays with the land. To track water right ownership, the Department requests that this form be submitted to the Department. **To update multiple rights, a separate form is required for each right.** If you have any questions about this form, please contact your local watermaster, or call the Water Resources Department at (503) 986-0900.

Note: Use the [assignment](#) form to change ownership on pending applications, permits, transfers, groundwater registrations, or limited licenses.

Current Landowner Information					
Name:	James + Sue Gilmour				
Mailing Address:	30427 Stellmacher Dr				
City:	Albany	State:	OR	Zip:	97321
Phone:		Email:			

Property Information							
County:	Harney	Township:	27S	Range:	33E	Section:	1+2
Tax Lot #:	200						
Street Address of Water Right:	No situs Princeton Spur Rd				RECEIVED APR 24 2023 OWRD		
Water Right Information							
Application:							
Permit:							
Certificate:	C-95966						
Are all the lands associated with this water right owned by the requestor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
(If no, include a map showing the portion of the water right involved)							

Signature and Date	
Name of individual completing form:	Denise Montgomery, All Points Eng & Surveying
Phone or email:	neecee@apeand.s.com Date: 02/26/23
Signature of requestor:	Denise Montgomery

The Department does not change names on water right certificates. This form will be placed in the file for future reference only. If mailed, the Department will not provide acknowledgment of receipt.

This form can be mailed to the address above or sent by email to wrd_dl_customerservice@water.oregon.gov



Property Profile

Prepared For:
Denise Montgomery
All Points Engineering & Surveying, Inc.

Property Address:
57935 Lava Bed Road, Princeton, OR 97721
Property Parcel Number:
27S33E000000200

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Includes the following:

- Harney County Property and Tax Information
- Tax Maps
- Last Vesting Document

Prepared by:
Lori Takayesu

Please email your customer service requests to prineville@amerititle.com

Serving Crook, Jefferson, Deschutes, Wheeler and Harney Counties!

The following information is provided at no cost and is for informational purposes only. This report is based on a search of our tract indexes of the county records. This is not a title or ownership report and no examination of the title to the property described has been made. For this reason, the company assumes no liability for any errors or omissions contained herein.

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2023

NOT OFFICIAL VALUE

February 27, 2023 11:20:46 am

Account # XXXXXXXXXX
 Map # 27S33E000000200
 Code - Tax # 0420-10611

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

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

Mailing Name GILMOUR, JAMES L

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser DANIEL BIRCH

Mailing Address 30427 STELLMACHER SW
 ALBANY, OR 97321-9402

Prop Class 559 MA SA NH Unit
 RMV Class 559 04 00 042 3704-1

Situs Address(s)	Situs City
ID# 57935 LAVA BED RD	PRINCETON

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0420 Land	479,260			Land	0
0420 Impr.	345,020			Impr.	0
Code Area Total	824,280	446,230	353,372		0
Grand Total	824,280	446,230	353,372		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown				Trended RMV	
						TD%	LS	Size	Land Class		LUC
0420	2	<input type="checkbox"/>		EFRU-1	Farm Use Zoned	100	A	166.51	2	006*	416,280
0420	4	<input type="checkbox"/>		EFRU-1	Farm Use Zoned	100	A	28.73	7A	006*	8,620
0420	5	<input type="checkbox"/>		EFRU-1	Farm Use Zoned	100	A	2.00	HS	006*	4,360
0420	7	<input type="checkbox"/>		EFRU-1	Farm Use Zoned	100	A	0.00	IW	006*	10,000
0420					SITE AMENTIES	100					20,000
0420					SITE AMENTIES	100					20,000
Grand Total								197.24			479,260

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
					TD%						
0420	3		110	Residential Other Improvements	100		0			2,960	
0420	6		312	MAINLINE 6"	100		894			7,220	
0420	7		312	MAINLINE 6"	100		1,432			12,170	
0420	2	1983	452	MS Double wide	100		1,344		E - 73012	41,590	
0420	5		304	GP BUILDING	100		8,640			95,570	
0420	8	2021	337	HAY COVER	100		17,820			185,510	
Grand Total								30,130			345,020

MS Account(s): 0420-P-76984

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SUMMARY OF TAX ACCOUNT

HARNEY COUNTY TAX COLLECTOR

HARNEY COUNTY COURTHOUSE

BURNS, OREGON 97720

(541) 573-8365

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27-Feb-2023

GILMOUR, JAMES L
30427 STELLMACHER SW
ALBANY OR 97321-9402

Tax Account #	██████████	Lender Name	232 - GILMOUR, JIM & SUSAN
Account Status	A	Lender ID	
Roll Type	Real	Property ID	0420
Situs Address	57935 LAVA BED RD PRINCETON OR 97721	Interest To	Mar 15, 2023

Tax Summary

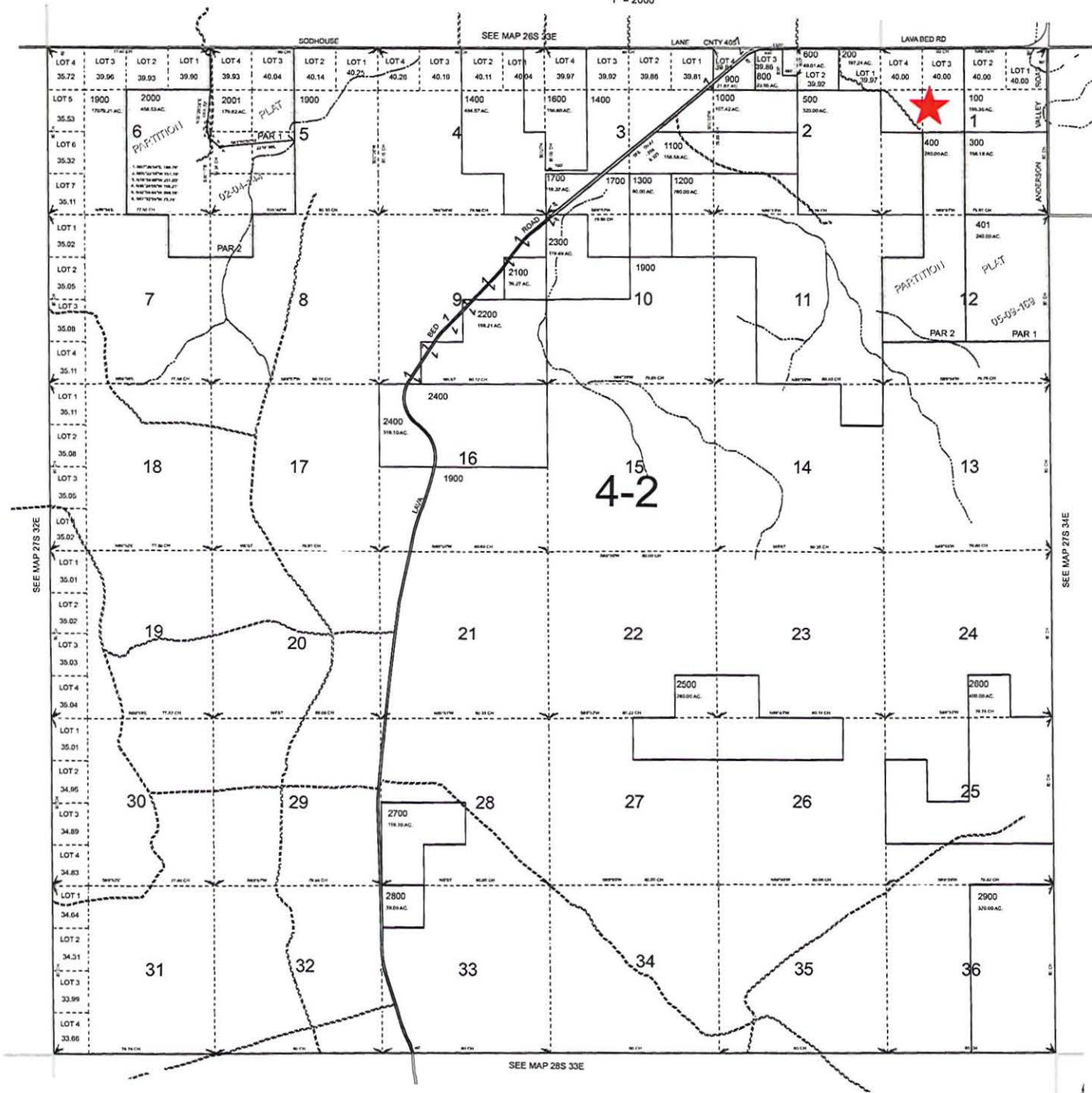
Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$4,182.40	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,345.03	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,278.34	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,213.47	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,150.68	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$2,090.13	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,606.18	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,560.84	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,516.96	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,474.40	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,432.89	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,103.94	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$874.99	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$850.95	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$827.62	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$804.98	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$517.88	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$504.23	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$491.01	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$478.11	Nov 15, 2003
Total		\$0.00	\$0.00	\$0.00	\$0.00	\$29,305.03	

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.27S. R.33E. W.M. HARNEY COUNTY

27S33E

1" = 2000'



Cancelled Nos.
700 (2009)
1500
1601
1800

N

**COMPLIMENTS OF
AmeriTitle**

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.

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27S33E

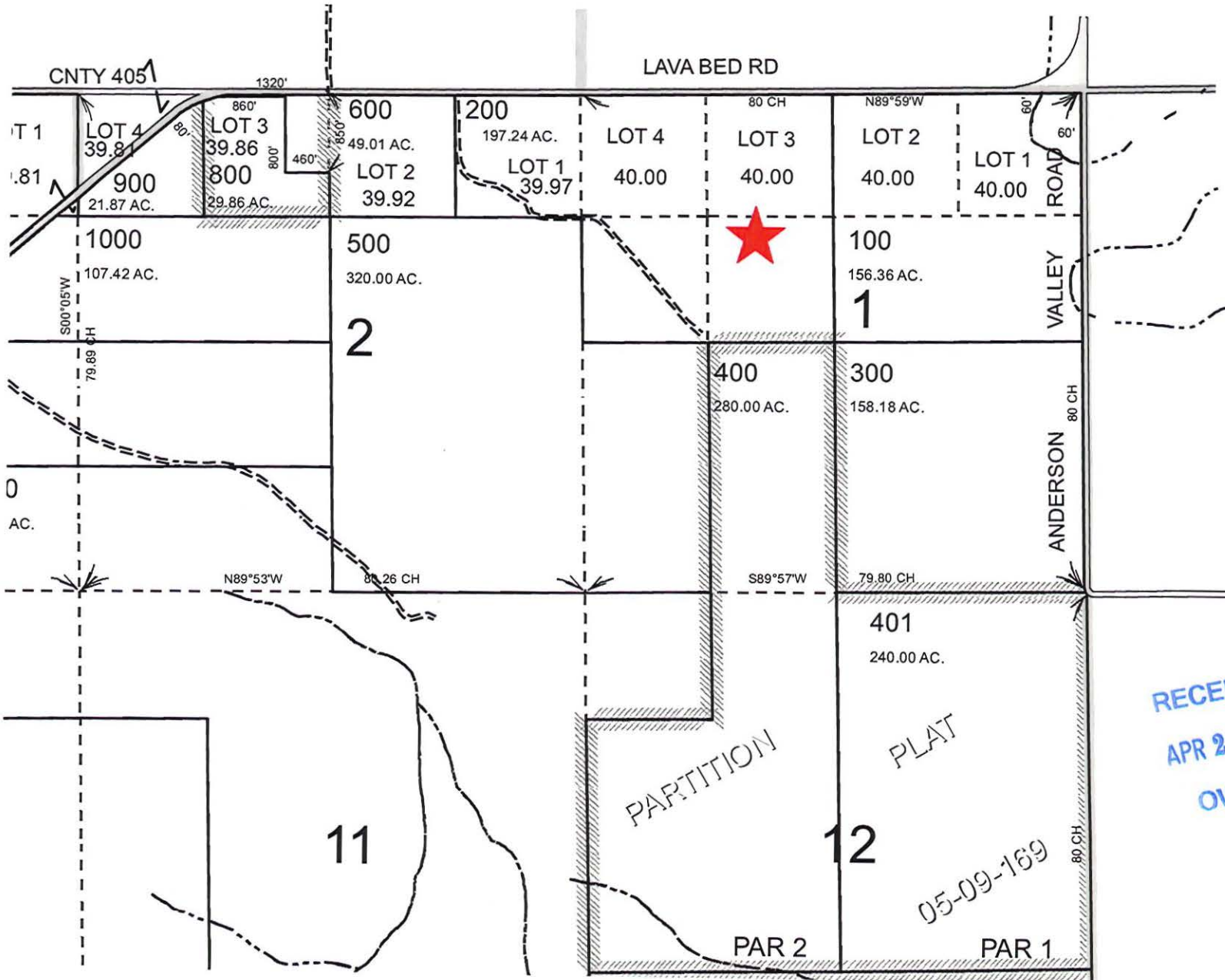
V.M.

Y



COMPLIMENTS OF
AmeriTitle

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05-09-169

20070468
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, FRED KREGER AND CONNIE KREGER, husband and wife, Grantors for and in consideration of the sum of TWO HUNDRED TEN THOUSAND AND 00/100 Dollars (\$210000.00) to me paid by the grantees herein,, do hereby grant, bargain, sell and convey unto, JAMES L. GILMOUR AND MARVIN J. GILMOUR, not as tenants in common, but with the right of survivorship, that is fee shall vest in the survivor, Grantees, the following tract of land in the County of Harney and State of Oregon, more particularly described as follows:

Township 27 South, Range 33 East, Willamette Meridian
Section 1: Government Lots 3 and 4, and the SE1/4NW1/4.
Section 2: Government Lot 1.

TO HAVE AND TO HOLD the granted premises unto the said Grantees, their, heirs and assigns forever.
And the Grantors do covenant they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT:

- 1. Easements, reservations & restrictions of record.
- 2. The rights of the public in roads and highways.
- 3. The described premises is specially assessed as Farm Use Land.
- 4. Any mobile home on premises, is subject to registration.
- 5. Right of way for road, Recorded February 20, 1947, in Book 45, Page 480.

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and they will, their heirs, executors and administrators, shall Warrant and forever defend the granted premises against the lawful claims and demands of all persons, except as above stated.

WITNESS my Hand and Seal this 13th day of February, in the year Two Thousand and Seven.

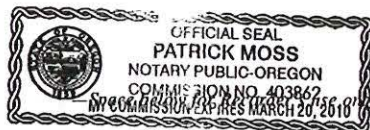
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and Regulations. Before signing or accepting this Instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against Farming or Forest practice as defined in ORS 30.930

Fred Kreger
FRED KREGER
Connie Kreger
CONNIE KREGER

STATE OF OREGON
COUNTY OF HARNEY

BE IT REMEMBERED, that on this 13th day of February 2007, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named FRED KREGER AND CONNIE KREGER, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Patrick Moss
Notary Public for the State of Oregon
My Commission Expires: 3/20/2010



Until a change is requested all tax statements:
James Gilmour
Marvin Gilmour
30427 SW Stellmacher Rd.
Albany, Or 97321

After Recording Return To:
James Gilmour
Marvin Gilmour
30427 SW Stellmacher Rd.
Albany, Or 97321

STATE OF OREGON } ss
County of Harney
I certify that the within instrument was received for record on the 13th day of February 2007 at 2:07 o'clock P.M. and recorded Microfilm number 20070468
Deed Records of said County.
Maria Hurrigana, County Clerk
Deputy

Permanent Transfer Application Intake Checklist

Checked by <u>LY</u>	Type of Change(s) Proposed:					
Date <u>4/25/23</u>	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input checked="" type="checkbox"/> APOD	<input checked="" type="checkbox"/> POA	<input type="checkbox"/> APOA	<input type="checkbox"/> USE
Calculated Fee \$ <u>2930⁰⁰</u>	<input type="checkbox"/> Substitution	<input type="checkbox"/> Gov't Action	<input type="checkbox"/> Sup to Primary	<input type="checkbox"/> SW to GW		
Fee Received \$ <u>2930⁰⁰</u>	Certificate(s): <u>959166</u>					
Check all Certs in WRIS to make sure they are not cancelled						
If application involves multiple certificates, does it meet OAR 690-380-3220? If no, why?					<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	
Is the application complete? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If no, why?						
Notes:						

1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have all the applicants signed? If not, whose signature is missing?	
2.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included?	
3.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Land Use Form included?
4.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Consent Form included
5.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		Part 5 of application: Has the applicant completed the entire page and does the information match the description of the explanation on Part 4 of the application?
6.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Has the applicant indicated that the place of use is in <u>or</u> near an irrigation district? Name of the District
	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	If Yes, have they included a Form D?
7.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<i>For multiple certificates:</i> Do each of the certificates listed on the Min Req Checklist Page 1 have their own separate completed Part 5, Tables 1 & 2? If no, which certificates are missing a separate Part 5, Tables 1 & 2?
8.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	If a change in point of appropriation, have the well logs been included?
9.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		Has the map been completed and signed by a CWRE?
10.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		Does the map meet the requirements? If not, what is missing?
11.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	Map waiver included?
12.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	If a change in place of use is within Umatilla County, is there a Supplemental Form U included?

If there are no deficiencies identified, accept the application. Put this checklist in the transfer folder. If this application is deficient, it **CANNOT** be accepted. It should be returned with a letter explaining the deficiencies identified.

Application Returned Date: _____

