

T-11285

PERMIT
AMENDMENT

T-11285

Name Turner Ranch Inc
c/o Melissa Turner
 Address 75655 Baseline Rd
Heppner OR 97836

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellsTrib. of Sand HollowUse IR, SICounty Morrow

Quantity of water (CFS)

No. of Acres

Name of ditch

App # G-15908Per # G-15464

Cert #

PR Date 2003

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

FEES PAID		
Date	Amount	Receipt #
8-24-11	900.00	103729

Change in POU
 Date Filed 8/24/2011
 Initial notice date 8/30/2011
 DPD issued date
 PD issued date
 PD notice date
 Date of FO 9/27/2011 Vol 85 Page 457

C-Date
 COBU due date
 COBU Received date
 Certificate issued

FEES REFUNDED		
Date	Amount	Receipt#

Assignments:

Irrigation District

Agent William Porfily

CWRE

CC's list Morrow County☐ - Oversized map - Location



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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

September 28, 2011

TURNER RANCH INC
75655 BASELINE RD
HEPPNER, OR 97836

REFERENCE: Permit Amendment Transfer Application T-11285

Enclosed is a copy of the order approving your Permit Amendment application.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE CONDITIONS OUTLINED IN THE FINAL ORDER. All other terms and conditions of the permit remain the same.

If you have any questions related to the approval of this permit amendment, you may contact me by telephone at (503) 986-0883 or by e-mail at Jonnine.L.Skaug@wr.d.state.or.us

Sincerely,

Jonnine Skaug
Executive Support
Field Services Division

cc: Watermaster Dist. # 5
William I. Porfily, Agent

Enclosure

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-11285, Morrow County	)	APPROVING A CHANGE IN PLACE
	)	OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

TURNER RANCH, INC
75655 BASELINE RD
HEPPNER, OR 97836

Findings of Fact

Background

1. On August 24, 2011, TURNER RANCH, INC. filed an application to change the place of use under Permit G-15464. The Department assigned the application number T-11285.
2. On September 19, 2011, the applicant submitted an amended application and map clarifying the acreage to be transferred.
3. The permit to be amended is as follows:

Permit: G-15464 in the name of KENNETH TURNER; TURNER RANCH INC.
Use: IRRIGATION USE ON 141.5 ACRES; SUPPLEMENTAL IRRIGATION
USE ON 18.5 ACRES

Priority Date: JANUARY 9, 2003

Quantity: 2.0 CUBIC FEET PER SECOND (CFS); BEING 1 CFS FROM WELL 1
AND 1 CFS FROM WELL 2

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

Period of Use: MARCH 1 THROUGH OCTOBER 31

Sources: TWO WELLS within the SAND HOLLOW BASIN

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. 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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	26 E	WM	24	NE NE	WELL 1 - 250 FEET SOUTH AND 210 FEET WEST FROM THE NE CORNER OF SECTION 24
1 S	27 E	WM	19	NE NE	WELL 2 - 1070 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	22	SW SE	10.8
1 N	26 E	WM	22	SE SE	10.3
1 N	26 E	WM	23	SW SW	1.8
1 N	26 E	WM	26	SW NW	12.0
1 N	26 E	WM	26	SW SW	6.0
1 N	26 E	WM	26	SE SW	2.5
1 N	26 E	WM	27	NE NE	9.4
1 N	26 E	WM	27	NW NE	7.6
1 N	26 E	WM	27	SW NE	6.9
1 N	26 E	WM	27	SE NE	10.5
1 N	26 E	WM	27	NE SE	7.5
1 N	26 E	WM	27	SE SE	7.5
1 N	26 E	WM	34	NE NE	7.5
1 N	26 E	WM	34	SW NE	7.5
1 N	26 E	WM	34	SE NE	7.5
1 N	26 E	WM	35	NE NW	7.2
1 N	26 E	WM	35	NW NW	4.0
1 N	26 E	WM	35	SW NW	7.5
1 N	26 E	WM	35	SE NW	7.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	26	NW NW	18.5

4. Permit Amendment Application T-11285 proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	23	SW SW	1.8
1 N	26 E	WM	26	SW NW	2.2
1 N	26 E	WM	27	NE NW	32.5
1 N	26 E	WM	27	SW NW	32.5
1 N	26 E	WM	27	SE NW	32.5
1 N	26 E	WM	27	NW NW	32.5
1 N	26 E	WM	35	SE NW	7.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	26	NW NW	18.5

The changed place of use is in bold type.

5. Notice of the application for the permit amendment was published in the Department's weekly notice on August 30, 2011, pursuant to ORS 540.520(5). No comments were filed in response to the notice.
6. ORS 537.211(4)(e) states that a permit holder may change the place of use if: "The holder of the permit provides written notice to the department at least 60 days before making any changes to the lands, point of diversion or point of appropriation described in the permit." The applicant provided the required notice to the department on August 24, 2011.

Permit Amendment Review Criteria

7. The change would not result in injury to other water rights.
8. The proposed place of use is controlled by the permit holder.
9. The change does not enlarge the permit.
10. The change does not alter any other terms of the permit.
11. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

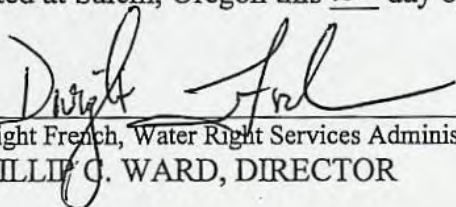
The change in place of use proposed by Permit Amendment Application T-11285 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. Pursuant to ORS 537.211(4)(e), the use of water under the permit from the proposed point of diversion shall not occur until after October 23, 2011.
2. The former place of use shall no longer be irrigated as part of this permit.
3. All other terms and conditions of Permit G-15464 remain the same.
4. Permit G-15464, in the name of TURNER RANCH INC., is amended as described herein.

Dated at Salem, Oregon this 27 day of September, 2011.


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: SEP 28 2011

Water Right Transfer Cover Sheet

Transfer T-11285

Transfer Specialist *[Signature]*

Transfer Type: Permit Amendment

Applicant Name/Address: TURNER RANCH INC MELISSA TURNER 75655 BAGLINE RD HEPPNER, OR 97836	Agent Name/Address: WILLIAM I. PORFELY PO BOX 643 STANFIELD, OR 97875	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: MORROW COUNTY MORROW COUNTY COURTHOUSE HEPPNER OR 97836
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-15908	G-15464		☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: August 24, 2011	Proposed Action(s): POU	
Fees Pd: 900.00	WM District: 5	ODFW District: NONE
Initial Notice: August 30, 2011	WM Review sent: 8/25/11	ODFW Review sent: NONE
Acknowledgement Letter Sent X ☐		GW Review sent: NONE

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

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

PD Signed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <i>PLCS</i>
Date: _____	Date: _____	Date: <i>9/26/11</i>
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues: <i>DPD</i>		

Special Order Volume: Vol *85* Pages *457*

Final Order Signature Date: *9/27/2011*

Notice of FO email'd to processors *ten*

APPLICATION

PR	CW		PR	CW	
	☒	Appropriately signed		☒	Appropriate Fees Paid
☐	☒	All required Attachments Received	☐	☐	Overpayment of Fees, Refund Request with FO
☐	☐	Ditch Company, Irr. Dist. and/or BOR sent copies	☐	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

WATER RIGHT SUBJECT TO TRANSFER

PR	CW		PR	CW	
	☒	The right been exercised according to terms & conditions of certificate.		☒	Delivery system has the capacity to fully divert the rate/duty of the right.
	☒	No information in record that suggests forfeiture.	☐	☐	No conflicts identified on conflict report and report is printed.
☐	☐	Affidavits for rights to be canceled /diminished.			

APPLICATION MAP

PR	CW		PR	CW	
	☒	Original CWRE Signature		☒	The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
	☒	All authorized and proposed POD's/POA's and POU's shown and clearly labeled.		☐	Metes and bounds for the POD's/POA's are properly described on the map.
	☒	The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.		☒	Application map acres match the tabulation on the certificate and FPS and/or Decree map
	☐	Have necessary aerial photos, if applicable			

DETERMINING THE "FROM" AND "TO" LANDS

(Make working copy of application and certificates to mark on)

PR	CW		PR	CW	
☐	☒	Only the authorized POD's/POA's and POUs to be transferred are listed.	☐	☒	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☐	☒	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.	☐	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining

INJURY REVIEWS/COMMENTS/CONDITIONS

☐	☐	ODFW	☐	Fish Screens	☐	Other:
☐	☐	Ground water				
☐	☒	Watermaster	☐	Headgate	☐	When in the judgment
			☐	Measuring Devices	☐	When in the judgment
☐	☒	Injury	☐	Yes ☒ No ☒	☒	Enlargement
☐	☐	Conditions to Avoid Enlargement/Injury	☐	Yes ☒ No ☒		

OWNERSHIP

PR	CW		PR	CW	
☐	☐	The deed/ROI matches the "from" lands.	☐	☐	The applicant is the owner of the "from" lands.
☐	☐	All owners on the deed/ROI have signed the application.	☐	☐	Have current tax lot map.
☐	☐	If necessary, there is a notarized, signed statement of consent from landowners other than applicant.	☐	☐	Agent has authorization to make decisions.

DPD		PD		FO		DETERMINATION / FINAL ORDER
PR	CW	PR	CW	PR	CW	
☐	☒	☐	☐	☐	☐	Format matches current template
☐	☒	☐	☐	☐	☐	Spell checked?
☐	☒	☐	☐	☐	☐	Correct address?
☐	☒	☐	☐	☐	☐	Authorized "from lands" info matches Certificate(s)?
☐	☒	☐	☐	☐	☐	Authorized POD(s)/POA(s) matches Certificate(s)?
☐	☐	☐	☐	☐	☐	Proposed POD(s)/POA(s) matches transfer application and map?
☐	☒	☐	☐	☐	☐	Correct findings and conditions matching Watermaster review?
☐	☐	☐	☐	☐	☐	Correct findings and conditions matching Ground water review?
☐	☐	☐	☐	☐	☐	Correct findings and conditions matching ODFW recommendations?
☐	☐	☐	☐	☐	☐	Hidden findings unveiled?

DPD		PD		COVER LETTER
PR	CW	PR	CW	
☐	☒	☐	☐	Format matches current template
☐	☒	☐	☐	Spell checked?
☐	☒	☐	☐	Correct address?
☐	☒	☐	☐	Content matches determination?
☐	☒	☐	☐	Special findings/conditions described?

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE
☐	☐	Format matches current template
☐	☐	Content matches PD info?
☐	☐	Spell checked?
☐	☐	Correct address?

PR	CW	REMAINING RIGHT CERTIFICATE
☐	☒	Table Format matches current template
☐	☒	Content format matches original certificate
☐	☒	Spell checked?
☐	☒	Name and address matches originating certificate?

PR	CW	
☐	☒	Determination and remaining acres combined match acres under originating certificate?

COMMENTS

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

In the Matter of Permit Amendment	)	FINAL ORDER
T-11285, Morrow County	)	APPROVING A CHANGE IN PLACE
	)	OF USE

Authority

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

Applicant

TURNER RANCH, INC
75655 BASELINE RD
HEPPNER, OR 97836

Findings of Fact

Background

1. On August 24, 2011, TURNER RANCH, INC. filed an application to change the place of use under Permit G-15464. The Department assigned the application number T-11285.
2. On September 19, 2011, the applicant submitted an amended application and map clarifying the acreage to be transferred.
3. The permit to be amended is as follows:

Permit:	G-15464 in the name of KENNETH TURNER; TURNER RANCH INC.
Use:	IRRIGATION OF 130.0 ACRES ; SUPPLEMENTAL ON 18.5 ACRES
Priority Date:	JANUARY 9, 2003 ^{141.5}
Quantity:	2.000 CUBIC FEET PER SECOND
Rate/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Period of Use:	MARCH 1 THROUGH OCTOBER 31
Source:	A WELL within the SAND HOLLOW BASIN
	WELL 1 AND WELL 2

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. 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.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	26 E	WM	24	NE NE	WELL 1: 250 FEET SOUTH & 210 FEET WEST FROM NE CORNER, SECTION 24
1 S	27 E	WM	19	NE NE	WELL 2: 1070 FEET SOUTH & 20 FEET WEST FROM NE CORNER, SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	22	SW SE	10.8
1 N	26 E	WM	22	SE SE	10.3
1 N	26 E	WM	26	SW NW	9.8
1 N	26 E	WM	26	SW SW	6.0
1 N	26 E	WM	26	SE SW	2.5
1 N	26 E	WM	27	NE NE	9.4
1 N	26 E	WM	27	NW NE	7.6
1 N	26 E	WM	27	SW NE	6.9
1 N	26 E	WM	27	SE NE	10.5
1 N	26 E	WM	27	NE SE	7.5
1 N	26 E	WM	27	SE SE	7.5
1 N	26 E	WM	34	NE NE	7.5
1 N	26 E	WM	34	SW NE	7.5
1 N	26 E	WM	34	SE NE	7.5
1 N	26 E	WM	35	NE NW	7.2
1 N	26 E	WM	35	NW NW	4.0
1 N	26 E	WM	35	SW NW	7.5

4. Permit Amendment Application T-11285 proposes to change the place of use of the permit to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	26 E	WM	27	NE NW	32.5
1 N	26 E	WM	27	NW NW	32.5
1 N	26 E	WM	27	SW NW	32.5
1 N	26 E	WM	27	SE NW	32.5

5. Notice of the application for the permit amendment was published in the Department's weekly notice on August 30, 2011, pursuant to ORS 540.520(5). No comments were filed in response to the notice.

6. *ORS 537.211(4) language ...*
Permit Amendment Review Criteria

6. The change would not result in injury to other water rights.
7. The proposed place of use is ~~owned and/or~~ controlled by the permit holder.

8. The change does not enlarge the permit.
9. The change does not alter any other terms of the permit.
10. The proposed place of use is contiguous to the authorized place of use.

Conclusions of Law

The change in place of use proposed by Permit Amendment Application T-11285 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

The change and subsequent use of water shall be subject to the following conditions:

1. Pursuant to ORS 537.211(4)(b) . . .
1. ~~Measurement, recording and reporting conditions:~~

not needed

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, and shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

2. The former place of use shall no longer be irrigated as part of this permit.
3. All other terms and conditions of Permit G-15464 remain the same.
4. Permit G-15464, in the name of TURNER RANCH INC., is amended as described herein.

Dated at Salem, Oregon this 30th day of September, 2011.

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: _____

STATE OF OREGON

COUNTY OF MORROW

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH TURNER
TURNER RANCH INC
65708 SAND HOLLOW RD
HEPPNER, OR 97836

(541) 676-9710

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

APPLICATION FILE NUMBER: G-15908

SOURCE OF WATER: WELL 1 AND WELL 2 IN SAND HOLLOW BASIN

PURPOSE OR USE: IRRIGATION USE ON 141.5 ACRES; SUPPLEMENTAL IRRIGATION
USE ON 18.5 ACRES

MAXIMUM RATE: 2.0 CUBIC FEET PER SECOND (CFS); BEING 1 CFS FROM WELL 1
AND 1 CFS FROM WELL 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 09, 2003

WELL LOCATIONS:

WELL #1: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 24, T1S, R26E, W.M.; 250 FEET SOUTH &
210 FEET WEST FROM NE CORNER, SECTION 24

WELL #2: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 19, T1S, R27E, W.M.; 1070 FEET SOUTH
& 20 FEET WEST FROM NE CORNER, SECTION 19

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW ¼ SE ¼ 10.8 ACRES	-10.8
SE ¼ SE ¼ 10.3 ACRES	-10.3
SECTION 22	
SW ¼ SW ¼ 1.8 ACRES	= 1.8
SECTION 23	
NW ¼ NW ¼	18.5 ACRES
SW ¼ NW ¼ 12.0 ACRES	-9.8 = 2.2
SW ¼ SW ¼ 6.0 ACRES	-6.0
SE ¼ SW ¼ 2.5 ACRES	-2.5
SECTION 26	
NE ¼ NE ¼ 9.4 ACRES	-9.4
NW ¼ NE ¼ 7.6 ACRES	7.6
SW ¼ NE ¼ 6.9 ACRES	-6.9 = 0
SE ¼ NE ¼ 10.5 ACRES	10.5
NE ¼ SE ¼ 7.5 ACRES	-7.5
SE ¼ SE ¼ 7.5 ACRES	-7.5
SECTION 27	
NE ¼ NE ¼ 7.5 ACRES	-7.5
SW ¼ NE ¼ 7.5 ACRES	-7.5
SE ¼ NE ¼ 7.5 ACRES	-7.5
SECTION 34	
NE ¼ NW ¼ 7.2 ACRES	-7.2
NW ¼ NW ¼ 4.0 ACRES	-4.0
SW ¼ NW ¼ 7.5 ACRES	-7.5
SE ¼ NW ¼ 7.5 ACRES	= 7.5
SECTION 35	

TOWNSHIP 1 NORTH, RANGE 26 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured between **February 15 and March 15**. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

After Use of Water has Begun

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

STANDARD CONDITIONS

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

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

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

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

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

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

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

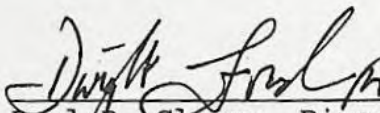
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued July 16, 2003


Paul R. Cleary, Director
Water Resources Department

Application G-15908 Water Resources Department
Basin 7 Volume 3A COLUMBIA R & MISC
gaineyjw

PERMIT G-15464
DISTRICT 5

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

Application for Permit Amendment

Part 1 of 4 – Minimum Requirements Checklist



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

This permit amendment application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Permit Amendment Application Map Checklist.
- ☒ Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **# 15464.**

Attachments:

- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Permit amendment fees – Amount enclosed: \$ **900**.
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- ☒ ☐ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - ☐ Water is to be diverted, conveyed, and/or used only on federal lands.
 - ☐ 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.
 - ☐ The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # ____.
- ☐ ☒ N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 4 – Permit Amendment Map Checklist

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SALEM, OREGON

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on white or clear paper or film.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☒ ☐ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use permit.
- ☒ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TURNER RANCH INC. C/O MELISSA TURNER		PHONE NO. (541)989-8321	ADDITIONAL CONTACT NO. (541)245-0138 Cell
ADDRESS 75655 Baseline Rd		FAX NO.	
CITY Heppner	STATE OR	ZIP 97836	E-MAIL Todd & Missy <tlin@machmedia.net>

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

AGENT/BUSINESS NAME William I. Porfily		PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643		FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL bporfily@my180.net

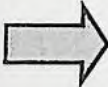
If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
☒ Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

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

_____ Applicant signature	<u>Melissa Turner</u> Name (and title if applicable) (print)	_____ Date
_____ Applicant signature	_____ Name (and title if applicable) (print)	_____ Date

In your own words tell us what change(s) you want made and the reason for the amendment(s): _____

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Check one of the following:

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

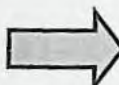
Check the appropriate box, if applicable:

- ☐ Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <u>Morrow County</u>	ADDRESS <u>Court House</u>	
CITY <u>Heppner</u>	STATE <u>OR</u>	ZIP <u>97836</u>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # 15464

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	☒ Authorized ☐ Proposed	MORR 51207	1 S	26 E	24	NE NE		250' S & 210' W from the NE Corner Sec 24
Well # 2	☒ Authorized ☐ Proposed	MORR 1736	1 S	27 E	19	NE NE		1070' S & 20' W from the NE Corner Sec 19
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|---|--|
| ☒ Place of Use (POU) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

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

Table 2. Description of Changes to Water Use Permit # 15464

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

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Authorized ("from" lands) as they appear before the changes										Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	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 (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date						
1	S	26	E	22	SW	SE	2601		10.8	Well #1 Well #2	1-09-2003		1	S	26	E	27	NE	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	22	SE	SE	2601		10.3	Well #1 Well #2	1-09-2003		1	S	26	E	27	NW	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SW	NW	4200		9.8	Well #1 Well #2	1-09-2003		1	S	26	E	27	SW	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SW	SW	4200		6.0	Well #1 Well #2	1-09-2003		1	S	26	E	27	SE	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SE	SW	4200		2.5	Well #1 Well #2	1-09-2003											130		
1	S	26	E	27	NE	NE	2601		9.4	Well #1 Well #2	1-09-2003													
1	S	26	E	27	NW	NE	2204		7.6	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SW	NE	2204		6.9	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SE	NE	2601		10.5	Well #1 Well #2	1-09-2003													
1	S	26	E	27	NE	SE	2201		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SE	SE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	NE	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	SW	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	SE	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	35	NE	NW	4200		7.2	Well #1 Well #2	1-09-2003													
1	S	26	E	35	NW	NW	4200		4.0	Well #1 Well #2	1-09-2003													
1	S	26	E	35	SW	NW	4200		7.5	Well #1 Well #2	1-09-2003													
TOTAL ACRES						130				TOTAL ACRES						130								

Additional remarks: _____

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For a change in place of use:**Does the permit holder of record own or control the land TO which the place of use is being moved?**☒ Yes ☐ No: See attached Consent to Permit Amendment Affidavit

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? ☒ Yes ☐ No: See Application Map

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

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

➡ If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

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
N/A										

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Application for Permit Amendment

Part 1 of 4 – Minimum Requirements Checklist



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

**This permit amendment application will be returned if Parts 1 through 4
and all required attachments are not completed and included.**
For questions, please call (503) 986-0900, and ask for Transfer Section.

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AUG 24 2011

WATER RESOURCES DEPT
SALEM, OREGON

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Permit Amendment Application Map Checklist.
- ☒ Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **# 15464.**

Attachments:

- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Permit amendment fees – Amount enclosed: \$ **900**.
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- ☒ ☐ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - ☐ Water is to be diverted, conveyed, and/or used only on federal lands.
 - ☐ 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.
 - ☐ The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # _____.
- ☐ ☒ N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

T 11285

Part 2 of 4 – Permit Amendment Map Checklist

AUG 24 2011
WATER RESOURCES DEPT
SALEM, OREGON

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on white or clear paper or film.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☒ ☐ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use 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°).

T 11285

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TURNER RANCH INC. C/O MELISSA TURNER			PHONE NO. (541)989-8321	ADDITIONAL CONTACT NO. (541)245-0138 Cell
ADDRESS 75655 Baseline Rd			FAX NO.	
CITY Heppner	STATE OR	ZIP 97836	E-MAIL Todd & Missy <tlin@machmedia.net>	

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

AGENT/BUSINESS NAME William L. Porfily			PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643			FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL bporfily@my180.net	

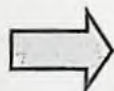
If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
☒ Please send all correspondence to Applicant. Send copies of correspondence to Agent.
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.



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

Melissa Turner Lindsey
Applicant signature

Melissa Turner
Name (and title if applicable) (print)

8-19-11
Date

Applicant signature

Name (and title if applicable) (print)

Date

In your own words tell us what change(s) you want made and the reason for the amendment(s): _____

T 11285

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SALEM, OREGON

Check one of the following:

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

Check the appropriate box, if applicable:

- ☐ Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS Court House	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # 15464

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	☒ Authorized ☐ Proposed	MORR 51207	1 S	26 E	24	NE NE		250' S & 210' W from the NE Corner Sec 24
Well # 2	☒ Authorized ☐ Proposed	MORR 1736	1 S	27 E	19	NE NE		1070' S & 20' W from the NE Corner Sec 19
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|---|--|
| ☒ Place of Use (POU) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

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

Table 2. Description of Changes to Water Use Permit # 15464

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

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Authorized ("from" lands) as they appear before the changes										Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes													
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres (if applicable)	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 (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
1	S	26	E	22	SW	SE	2601		10.8	Well #1 Well #2	1-09-2003		1	S	26	E	27	NE	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	22	SE	SE	2601		10.3	Well #1 Well #2	1-09-2003		1	S	26	E	27	NW	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SW	NW	4200		9.8 7.9	Well #1 Well #2	1-09-2003		1	S	26	E	27	SW	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SW	SW	4200		6.0	Well #1 Well #2	1-09-2003		1	S	26	E	27	SE	NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E	26	SE	SW	4200		2.5	Well #1 Well #2	1-09-2003										130			
1	S	26	E	27	NE	NE	2601		9.4	Well #1 Well #2	1-09-2003													
1	S	26	E	27	NW	NE	2204		7.6 7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SW	NE	2204		6.9 8.9	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SE	NE	2601		10.5	Well #1 Well #2	1-09-2003													
1	S	26	E	27	NE	SE	2201		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	27	SE	SE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	NE	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	SW	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	34	SE	NE	4200		7.5	Well #1 Well #2	1-09-2003													
1	S	26	E	35	NE	NW	4200		7.2	Well #1 Well #2	1-09-2003													
1	S	26	E	35	NW	NW	4200		4.0	Well #1 Well #2	1-09-2003													
1	S	26	E	35	SW	NW	4200		7.5	Well #1 Well #2	1-09-2003													
TOTAL ACRES							130					TOTAL ACRES							130					

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Additional remarks: 126.1 130.0

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For a change in place of use:**Does the permit holder of record own or control the land TO which the place of use is being moved?**☒ Yes ☐ No: See attached Consent to Permit Amendment Affidavit

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? ☒ Yes ☐ No: See Application Map

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

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

➡ If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

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
N/A										

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Places of Use from Water Rights in the Same Area

The following rights have acreage in the same quarter-quarter as Permit: G 15464 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acreage
✓ <u>CERT:51157 RR *</u>	KENNETH TURNER	G-2605	G-2409	51157	4/24/1963	NC	IR	01.00N-26.00E-26-SWSW				10.9000
✓ <u>CERT:75648 CF *</u>	TURNER RANCH INC.	G-2605	G-2409	75648	4/24/1963	NC	IR	01.00N-26.00E-22-SESE				29.6000
							IR	01.00N-26.00E-22-SWSE				24.2000
✓ <u>CERT:51158 RR *</u>	KENNETH TURNER	G-4516	G-4255	51158	7/25/1968	NC	IR	01.00N-26.00E-26-SESW				13.0000
							IR	01.00N-26.00E-26-SWSW				23.1000
							IR	01.00N-26.00E-27-NESE				32.5000
							IR	01.00N-26.00E-27-SESE				32.5000
							IR	01.00N-26.00E-35-NENW				12.6000
							IR	01.00N-26.00E-35-NWNW				31.0000
✓ <u>CERT:75649 CF *</u>	TURNER RANCH INC.	G-4516	G-4255	75649	7/25/1968	NC	IR	01.00N-26.00E-22-SESE				0.1000
							IR	01.00N-26.00E-22-SWSE				5.0000
							IR	01.00N-26.00E-27-NENE				30.6000
							IR	01.00N-26.00E-27-NWNE				32.4000
							IR	01.00N-26.00E-27-SENE				29.5000
							IR	01.00N-26.00E-27-SWNE				31.2000
<u>CERT:51158 RR *</u>	KENNETH TURNER	G-4516	G-4255	51158	7/25/1968	NC	IS	01.00N-26.00E-26-SWSW				10.9000
✓ <u>PERMIT: G 15542 *</u>	KENNEY TURNER	G-15812	G-15542		8/5/2002	NC	IR	01.00N-26.00E-26-SWNW				12.8000
							IR	01.00N-26.00E-26-SESW				18.7000
							IR	01.00N-26.00E-34-NENE				32.5000
							IR	01.00N-26.00E-34-SENE				32.5000
							IR	01.00N-26.00E-34-SWNE				32.5000
							IR	01.00N-26.00E-35-NENW				20.2000
							IR	01.00N-26.00E-35-NWNW				5.0000
							IR	01.00N-26.00E-35-SENE				32.5000
							IR	01.00N-26.00E-35-SWNW				32.5000
							IS	01.00N-26.00E-22-SESE				29.7000
							IS	01.00N-26.00E-22-SWSE				29.2000
							IS	01.00N-26.00E-26-SESW				13.0000
							IS	01.00N-26.00E-26-SWSW				34.0000
							IS	01.00N-26.00E-27-NENE				30.6000
							IS	01.00N-26.00E-27-NWNE				32.4000
							IS	01.00N-26.00E-27-SENE				29.5000
							IS	01.00N-26.00E-27-SWNE				31.2000
							IS	01.00N-26.00E-27-NESE				32.5000

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT --

This Is to Certify, That KENNETH TURNER

of Route 2, Heppner, State of Oregon 97836, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two wells

a tributary of Sand Hollow Creek for the purpose of irrigation of 212.7 acres and supplemental irrigation of 10.9 acres

under Permit No. G-4255 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 25, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.70 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T1N, R26E, WM; 2,600 feet South and 30 feet East and 420 feet South and 1,400 feet East, both from the W $\frac{1}{4}$ Corner, Section 26.

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

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

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

SEE NEXT PAGE

Primary

3.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
23.1 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
13.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26

32.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
32.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
32.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

12.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
31.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 35

Supplemental

10.9 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26

Township 1 North, Range 26 East, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 48755, Volume 42, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered May 10, 1982, approving Transfer Application 5017, and NOT canceled by the provisions of an order canceling part of the supplemental right.

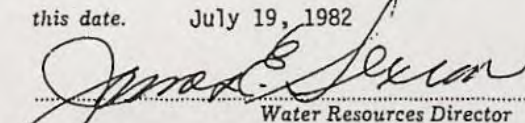
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed

this date. July 19, 1982

Temp
T-11-10-1
1-1-10-1


Water Resources Director

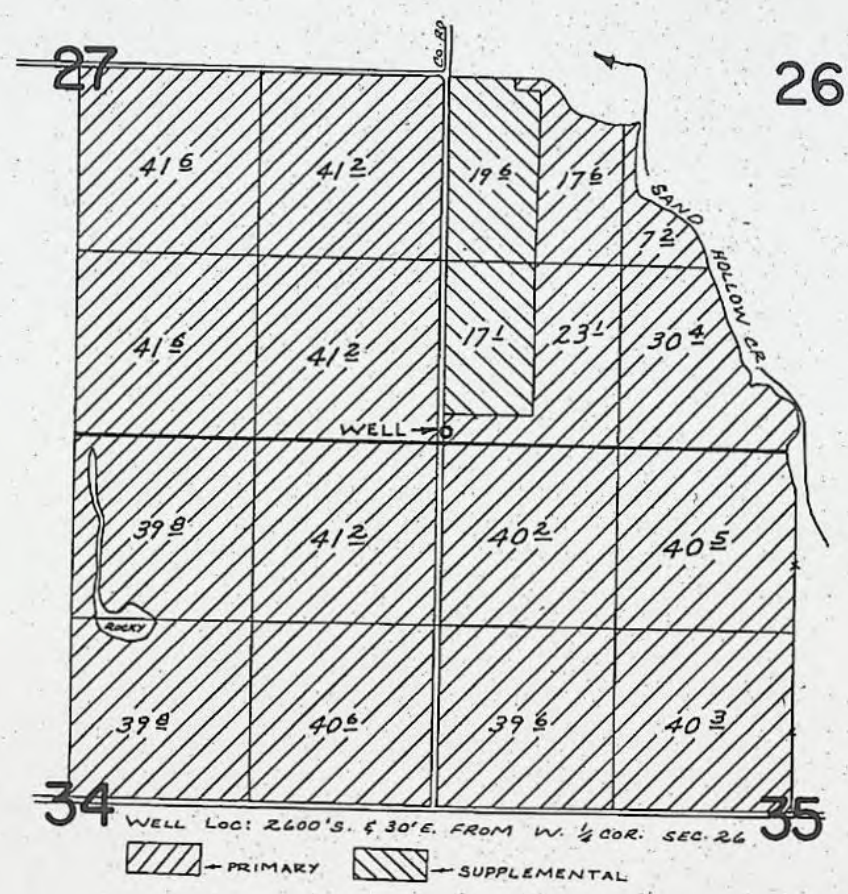
Recorded in State Record of Water Right Certificates, Volume 45 , page 51158

T-8125/
Temp
152 P/100

G-4255

39079
51158

T.1N.R.26E.W.M.



FINAL PROOF SURVEY UNDER

Application No. G-4516 Permit No. G-4255
IN NAME OF

KENNETH TURNER

Surveyed JUNE 22, 1971, by R. MUCKEN

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That KENNETH TURNER

of Route 2, Heppner, State of Oregon 97836, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Sand Hollow Creek for the purpose of irrigation of 10.9 acres

under Permit No. G-2409 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 24, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.09 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T1N, R26E, WM; 420 feet South and 1,400 feet East from W $\frac{1}{2}$ Corner, Section 26.

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

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

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

10.9 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26
Township 1 North, Range 26 East, WM

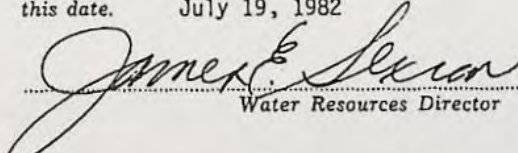
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 48754, Volume 42, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on May 10, 1982, approving Transfer Application 5016.

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

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

WITNESS the signature of the Water Resources Director, affixed

this date. July 19, 1982


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 45, page 51157

Tested T-8125
V-50 P-100
T-8125
Temp
V-50 P-100

51157
35394

27

140

145

196

175

CO. RD.

WELL

CREEK

26

SAND HOLLOW

27

26

1967-T 16.

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TURNER RANCH INC.
ROUTE 2, BOX 2218
HEPPNER, OREGON 97836

confirms the right to use the waters of TWO WELLS in the SAND HOLLOW BASIN for IRRIGATION OF 318.5 ACRES.

This right was perfected under Permit G-4255. The date of priority is JULY 25, 1968. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.55 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The wells are located as follows:

NE 1/4 SW 1/4, SECTION 26, T 1 N, R 26 E, WM; 420 FEET SOUTH AND 1400 FEET EAST FROM THE W 1/4 CORNER, SECTION 26.

SW 1/4 SW 1/4, SECTION 26, T 1 N, R 26 E, WM; 2600 FEET SOUTH AND 30 FEET EAST FROM THE W 1/4 CORNER, SECTION 26.

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

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

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

32.4 ACRES	NE 1/4 NE 1/4	30.6 ACRES	NE 1/4 NE 1/4
31.0 ACRES	NW 1/4 NE 1/4	32.4 ACRES	NW 1/4 NE 1/4
30.9 ACRES	SW 1/4 NE 1/4	31.2 ACRES	SW 1/4 NE 1/4
32.0 ACRES	SE 1/4 NE 1/4	29.5 ACRES	SE 1/4 NE 1/4
32.6 ACRES	NE 1/4 SE 1/4		SECTION 27
30.8 ACRES	NW 1/4 SE 1/4		
5.0 ACRES	SW 1/4 SE 1/4		
0.1 ACRE	SE 1/4 SE 1/4		
	SECTION 22		

Township 1 North, Range 26 East, W.M.

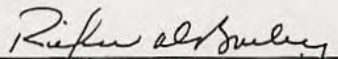
This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 10, 1982, and together with Certificate 51158, supersedes Certificate 48755, State Record of Water Right Certificates.

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

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

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

WITNESS the signature of the Water Resources Director, affixed MAY 19, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75649.

T-5017.SB

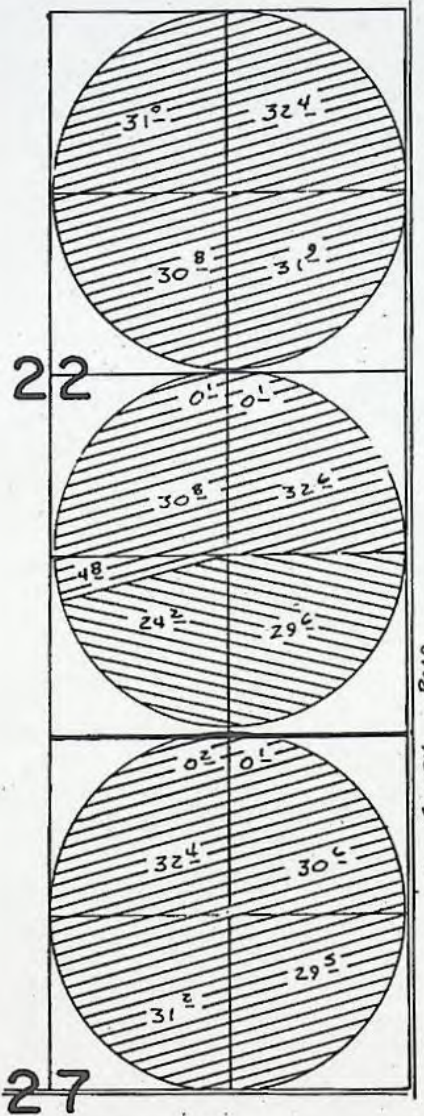
T-8125

G-4255
T-5016
T-5017
73649

T. 1 N.,

R. 26 E.,

W. M.



SCALE 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER 5016

TRANSFER 5017

IN NAME OF

TURNER RANCH, INC.

Surveyed 1-9-1987, by V.L. Church

STATE OF OREGON

COUNTY OF MORROW

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNEY TURNER
TURNER RANCH INC.
65708 SAND HOLLOW RD
HEPPNER, OREGON 97836

(541) 676-9710

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

APPLICATION FILE NUMBER: G-15812

SOURCE OF WATER: TWO WELLS IN LITTLE BUTTER CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 370.0 ACRES AND SUPPLEMENTAL
IRRIGATION OF 595.9 ACRES

MAXIMUM CUMULATIVE TOTAL: 7.36 CUBIC FEET PER SECOND (CFS), BEING 4.46
CFS FROM WELL 1 AND 2.90 CFS FROM WELL 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 5, 2002

WELL LOCATIONS:

Well #1: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 24, T1S, R26E, W.M.; 250 FEET SOUTH & 210
FEET WEST FROM NE CORNER, SECTION 24

Well #2: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 19, T1S, R27E, W.M.; 1070 FEET SOUTH & 20
FEET WEST FROM NE CORNER, SECTION 19

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.5 ACRES	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	32.5 ACRES	
SECTION 15		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 ACRES	32.4 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 ACRES	31.0 ACRES

<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW ¼ NE ¼	30.9 ACRES
SE ¼ NE ¼	32.0 ACRES
NE ¼ SE ¼	32.6 ACRES
NW ¼ SE ¼	30.8 ACRES
SW ¼ SE ¼	29.2 ACRES
SE ¼ SE ¼	29.7 ACRES
SECTION 22	
SW ¼ NW ¼ 12.8 ACRES	
NE ¼ SW ¼ 4.3 ACRES	
NW ¼ SW ¼ 35.0 ACRES	3.0 ACRES
SW ¼ SW ¼	34.0 ACRES
SE ¼ SW ¼ 18.7 ACRES	13.0 ACRES
SECTION 26	
NE ¼ NE ¼	30.6 ACRES
NW ¼ NE ¼	32.4 ACRES
SW ¼ NE ¼	31.2 ACRES
SE ¼ NE ¼	29.5 ACRES
NE ¼ SE ¼	32.5 ACRES
NW ¼ SE ¼	32.5 ACRES
SW ¼ SE ¼	32.5 ACRES
SE ¼ SE ¼	32.5 ACRES
SECTION 27	
NE ¼ NE ¼ 32.5 ACRES	
NW ¼ NE ¼ 32.5 ACRES	
SW ¼ NE ¼ 32.5 ACRES	
SE ¼ NE ¼ 32.5 ACRES	
SECTION 34	
NE ¼ NW ¼ 20.2 ACRES	12.6 ACRES
NW ¼ NW ¼ 5.0 ACRES	31.0 ACRES
SW ¼ NW ¼ 32.5 ACRES	
SE ¼ NW ¼ 32.5 ACRES	
SECTION 35	

TOWNSHIP 1 NORTH, RANGE 26 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Before Use of Water Takes Place

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in February once well construction is complete and annually thereafter until use of water begins.

Down-Hole Video

The permittee is required to have at least one down-hole camera run prior to having any casing and seal placed in the well.

The permittee shall produce a "down-hole" video of the new well once constructed, and provide a copy of the video to the Department. The permittee shall notify appropriate well inspectors or hydrogeologists at the Department of Water Resources at least one week before any down-hole camera work is initiated. The Department and interested parties shall be allowed to be present.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires a registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board to make and report annual static water level measurements. The static water level shall be measured in the month of **February**. Reports shall be submitted to the Oregon Water Resources Department within 30 days of measurement.

Measurements must be made according to the following schedule:

After Use of Water has Begun

The permittee shall, for a period of two years beginning no later than November, 2004, collect water level data monthly for the period November through March from the "new well" ("Well 1"), or such wells as designated by the Department of Water Resources.

Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

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

- (A) An average water level decline of 3 or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Aquifer Test

The permittee shall allow and the Oregon Water Resources Department ("Department") Hydrogeology staff shall conduct, a thorough aquifer test using Well 1 (the "New Well") as the pumping well. The test shall occur only within the January through March time period, prior to wells in the area beginning irrigation use for the year. The test shall be designed by a qualified hydrogeologist, and the "Plan" for the test approved in advance by the Department. The number and locations of wells to be monitored during the test shall be determined in the Plan.

The permittee shall have its well constructor collect geologic samples at ten foot intervals and changes in lithology. Sample bags for these samples shall be provided by the Department.

If aquifer tests demonstrate that operation of the wells as proposed in application G 15812 will result in substantial interference with a senior water right due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference.

The permittee shall cooperate fully with the Department in the enforcement of all permit conditions including those relating to discontinuing or reducing the rate of usage of water in the event specified decline events occur.

STANDARD CONDITIONS

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

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

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

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

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

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

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

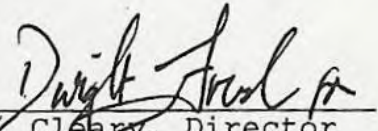
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2008. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

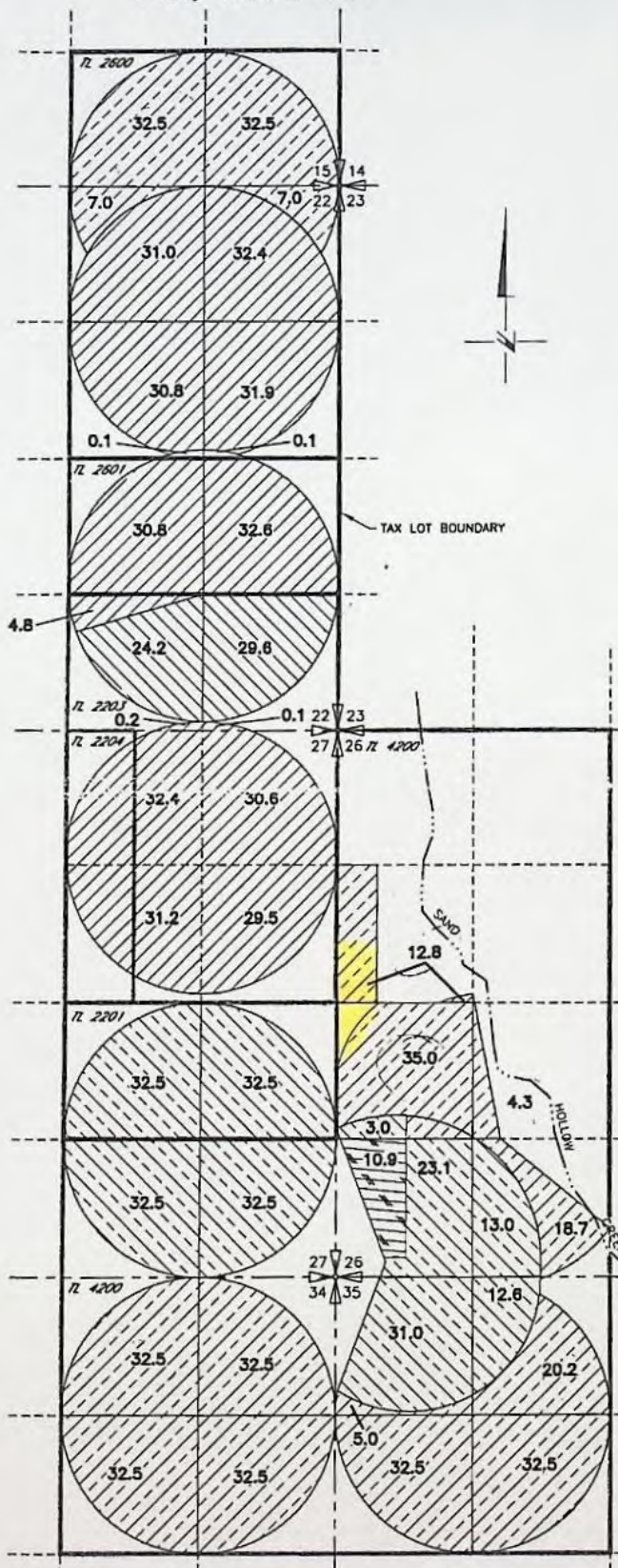
Issued December 17, 2003


Paul R. Cleary, Director
Water Resources Department

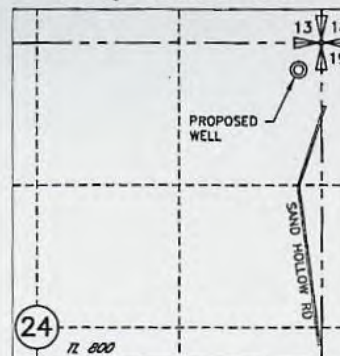
REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

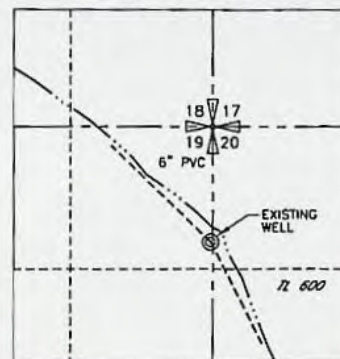
TURNER RANCH INC.
WATER RIGHTS APPLICATION MAP
T1N, R26E WM



T1S, R26E WM



T1S, R27E WM



PRIMARY IRRIGATION

POINTS OF APPROPRIATION

PROPOSED WELL #1 250' SOUTH AND 210' WEST FROM THE NE CORNER SECTION 24

EXISTING WELL #2 1070' SOUTH AND 20' WEST FROM THE NE CORNER SECTION 19

SUPPLEMENTAL TO



PERMIT G-4255, T-5017
CERTIFICATE 75649



PERMIT G-4255
CERTIFICATE 51158

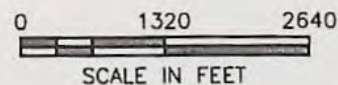


PERMIT G-2409
CERTIFICATE 51157
SUPPLEMENTAL PERMIT G-4255
CERTIFICATE 51158



PERMIT G-2409, T-5016
CERTIFICATE 75648

965.9 TOTAL IRRIGATED ACRES



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

SCM Consultants, Inc.

Architects & Engineers
Kennawick, WA 99336

07/30/02
3522.074
3522v02.dwg

APPLICATION: G 15812

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TURNER RANCH INC.
ROUTE 2, BOX 2218
HEPPNER, OREGON 97836

confirms the right to use the waters of A WELL in the SAND HOLLOW BASIN for IRRIGATION OF 53.8 ACRES.

This right was perfected under Permit G-2409. The date of priority is APRIL 24, 1963. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NE 1/4 SW 1/4, SECTION 26, T 1 N, R 26 E, WM; 420 FEET SOUTH AND 1400 FEET EAST FROM THE W 1/4 CORNER, SECTION 26.

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

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

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

SW 1/4 SE 1/4 24.2 ACRES
SE 1/4 SE 1/4 29.6 ACRES
SECTION 22
TOWNSHIP 1 NORTH, RANGE 26 EAST, WM

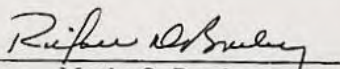
This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 10, 1982, and together with Certificate 51157, supersedes Certificate 48754, State Record of Water Right Certificates.

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

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

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

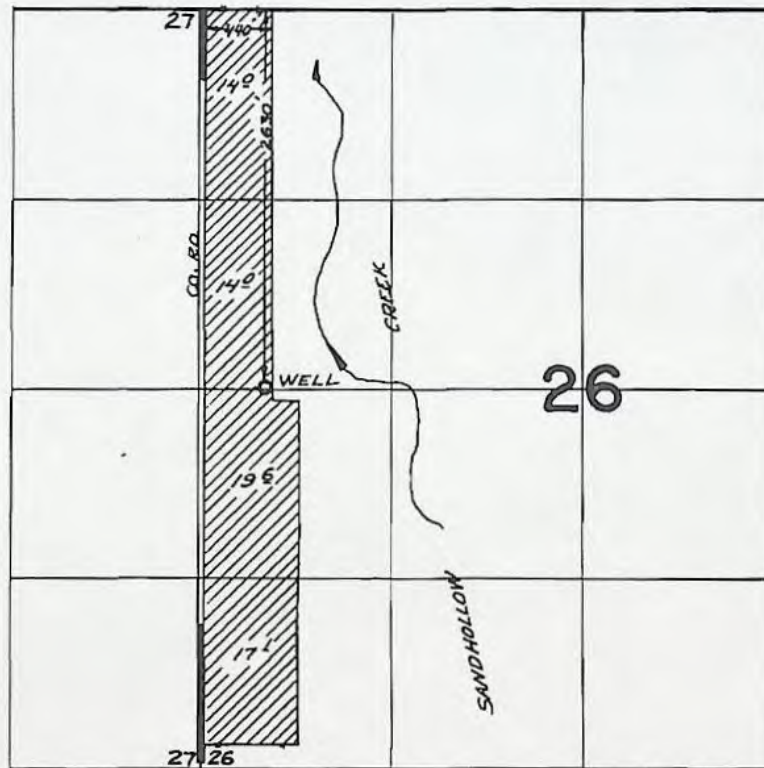
WITNESS the signature of the Water Resources Director, affixed MAY 19, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75648.

T-5016.SB

T.1N. R.26E. W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-2605.. Permit No. G-2409.
IN NAME OF

KENNETH TURNER

Surveyed June 21, 1967., by L.E. Gould

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TURNER RANCH, INC.
KENNETH J. TURNER, PRESIDENT
ROUTE 2, BOX 2118
HEPPNER, OREGON 97836

confirms the right to use the waters of SAND HOLLOW CREEK, a tributary of COLUMBIA RIVER, for the purpose of IRRIGATING 20.3 ACRES.

The right has been perfected under Permit 49228. The date of priority is JANUARY 7, 1985. The right is limited to not more than 0.41 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 26, T 1 N, R 26 E, W.M.; 900 FEET SOUTH AND 1000 FEET WEST FROM THE C 1/4 CORNER, SECTION 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

NW 1/4 NW 1/4 1.8 ACRES
SW 1/4 NW 1/4 18.5 ACRES
SECTION 26
TOWNSHIP 1 NORTH, RANGE 26 EAST, W.M.

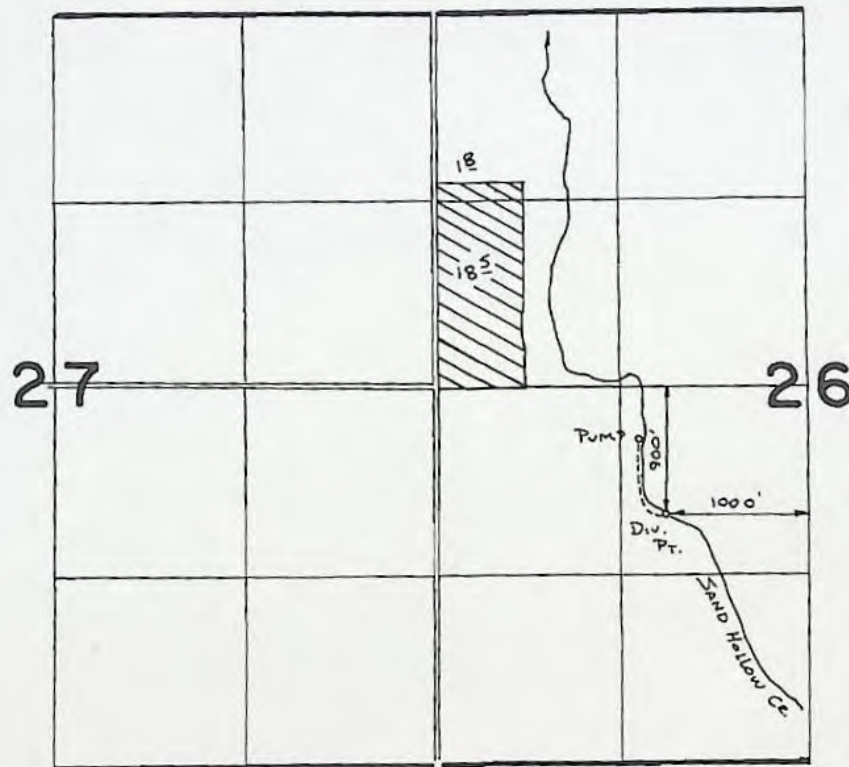
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date SEPTEMBER 29, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62415
68251.SB

T. 1N., R. 26E., W. M.



SCALE 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. **68251**. Permit No. **49228**..
IN NAME OF

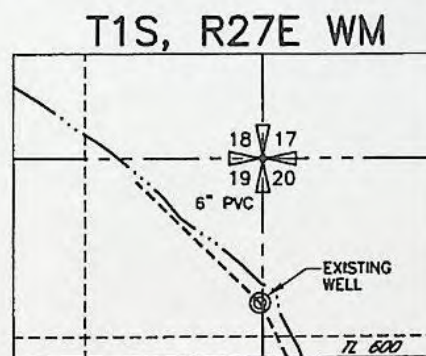
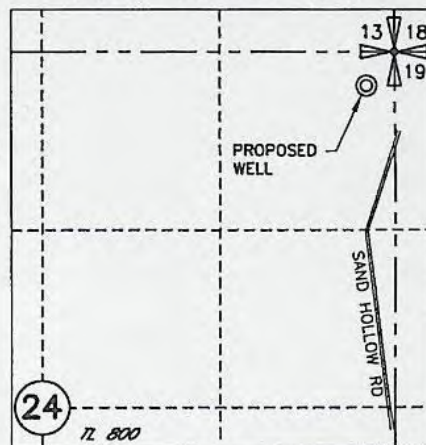
.....**TURNER RANCH, INC.**.....

Surveyed 1-9..... 1987, by V. L. Church.....

MAPRECEIVED

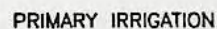
WATER RESOURCES DEPT.
SALEM, OREGON

T1S, R26E WM



PROPOSED WELL #1 250' SOUTH AND 210'
WEST FROM THE NE CORNER SECTION 24

EXISTING WELL #2 1070' SOUTH AND 20'
WEST FROM THE NE CORNER SECTION 19



160.0 TOTAL IRRIGATED ACRES

app# G-15908
Permit # G-15464

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SCM Consultants, Inc.
A Tetra Tech Company

01/02/03

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

In the Matter of Butter Creek	)	PROPOSED ORDER APPROVING
2011 Annual Allocation of Groundwater,	)	ALLOCATION OF GROUNDWATER
Under Water Right Certificate 75648,	)	AND OPPORTUNITY FOR HEARING
Morrow County, Oregon	)	

Ken Turner
Turner Ranch, Inc.
65708 Sandhollow Road
Heppner, OR 97836

Oregon Revised Statute (ORS) 537.730 and 537.735 establish the process by which the Water Resources Commission may designate an area of the state as a critical groundwater area. Oregon Administrative Rule (OAR) Chapter 690, Division 507 implements the statutes and provides the Department procedures and criteria for the purpose of managing the groundwater resource and evaluating requests for allocation of groundwater.

AUTHORITY

- 1) Oregon Administrative Rules (OAR) 690-507-0610 states in pertinent part that the Director issued an order on August 18, 1986 declaring the Butter Creek Critical Groundwater Area. The order describes the exterior boundaries and divides the area into six subareas for the purpose of managing the groundwater resource. Two additional subareas were created through rule adoption (OAR 690-57-0647). The response of groundwater levels to pumpage from each subarea is largely independent of pumpage within other subareas.
- 2) OAR 690-507-0630 states in pertinent part that the use of water from the basalt groundwater reservoir within the Butter Creek Critical Groundwater Area shall be limited to the sustainable annual yield, except as specified in OAR 690-507-0635 and 690-507-0670. Water from the basalt groundwater reservoir in the Butter Creek Critical Groundwater Area shall be used for irrigation only during the irrigation season. The irrigation season begins on the 15th of March and ends on the 1st of November. No new applications for appropriation of water from the basalt groundwater reservoir within the Butter Creek Critical Area shall be accepted.
- 3) OAR 690-507-0640 states in pertinent part that appropriation of groundwater from the Butter Creek Critical Groundwater Area is prohibited unless the water user meets certain requirements. A water user authorized by OAR 690-507-0670 to pump water from the basalt groundwater reservoir shall satisfy the following conditions:

- Wells shall have an access port with a minimum diameter of 3/4 inch. The access shall be adequate to determine the water level at any time.
 - A water user may install a functioning airline with a pressure gauge in addition to the access port.
 - A water user shall install and maintain a totalizing flow meter on each well authorized by OAR 690-507-0670. The meter shall meet the requirements of OAR 690-507-0645.
 - A water user shall record flow meter and power meter readings on a weekly basis at times when water is being used. The water user shall use forms provided by the Department and shall mail the readings to the Department in Salem by December 1st of the same year.
- 4) OAR 690-507-0650 states in pertinent part that each of the eight subareas in the Butter Creek Critical Groundwater Area shall be managed according to the sustainable annual yield within that subarea. The Department shall refine the sustainable annual yield value over time through the use of pumpage data and the response of groundwater levels. The initial sustainable annual yield for each of the eight subareas was calculated using data from the 1983 through the 1989 irrigation seasons and is listed below by subarea followed by the sustainable annual yield in Acre feet:
- North, 250 acre feet;
 - Section 21, 28 acre feet;
 - Echo Junction, 1,260 acre feet;
 - Fourmile Canyon, 1,300 acre feet;
 - West, 5,670 acre feet;
 - East, 720 acre feet;
 - Pine City, 4,150 acre feet;
 - South, 1,000 acre feet.
- 5) OAR 690-507-0670 states in pertinent part that the method for distributing the sustainable annual yield from the basalt groundwater reservoir within each subarea in the Butter Creek Critical Groundwater Area is as follows:
- A water user who intends to pump water during any year shall make a request to the Department in Salem by July 1st of the preceding year on forms provided by the Department.
 - The distribution of groundwater shall be based on the priority dates of the water rights within the individual subarea.

- In determining the amount of groundwater each water user is allocated to pump during the next calendar year or irrigation season, the Department may consider:
 - ♦ Request for allocations received;
 - ♦ The sustainable annual yield;
 - ♦ The limits of the groundwater rights;
 - ♦ The relative dates of priority;
 - ♦ Historical usage;
 - ♦ Whether or not a water user is physically capable of pumping and putting to a beneficial use the quantity requested; and
 - ♦ Any other factors deemed appropriate by the Department.
- If pumpage for a particular year exceeds the sustainable annual yield for a subarea, the total subarea allocation for the second year after that occurrence shall be reduced by that volume.
- If any water user requests more water than has been historically used, the Department may allocate less water than requested if, upon investigation, it appears unlikely the user will pump the volume requested.
- If any water user requests less water than has been historically used, the Department may allocate more water than requested if, upon investigation, it appears likely that the user will pump more than the volume requested.

FINDINGS OF FACT

- 1) Certificate 75648 is for well MORR 432 that develops water from the Columbia River Basalts. The permitted diversion is 0.47 cfs for 53.8 acres of primary irrigation with a priority date of April 24, 1963.
- 2) Ken Turner is a water right holder in the Pine City Subarea.
- 3) On June 3, 2010 the Department sent letters asking water users within the Butter Creek Critical Groundwater Area to request the amount of water that they would need for the 2011 irrigation season.
- 4) A request from Mr. Turner was received by the Department on July 16, 2010.
- 5) Based on the 2011 request, Mr. Turner's water needs for the 2011 irrigation season are 129.4 acre feet under Water Right Certificate 75648.
- 6) The sustainable annual yield for the Pine City Subarea is 4150 acre feet.

- 7) The 129.4 acre feet of water requested for the 2011 irrigation season does not exceed the limits of Mr. Turner's Water Right Certificate 75648.
- 8) The sustainable annual yield for the Pine City Subarea has not been fully allocated.
- 9) The allocation for the 2011 irrigation season for Water Rights Certificate 75648 is 129 acre-feet because that is the amount of water requested by Mr. Turner.
- 10) The allocation to Mr. Turner does not exceed the limits of the water right.
- 11) The use of water is limited to the place of use described in Certificate 75648.

DISCUSSION

The Department considered the requests received, the sustainable annual yield for the subarea, the limits of the water right, the priority date, historical usage, the well, the pump, and the distribution system.

CONCLUSIONS OF LAW

The allocation of groundwater for the Butter Creek Critical Groundwater Area for the year 2011 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580, and Oregon Administrative Rules Chapter 690, Division 507.

PROPOSED ORDER

Now, THEREFORE, it is ORDERED that 129 acre-feet of water be allocated to Ken Turner under Certificate 75648 for the year 2011 from the Pine City Subarea of the Butter Creek Critical Groundwater Area.

OPPORTUNITY FOR HEARING

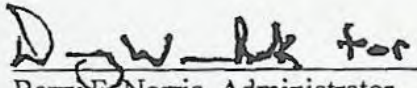
You are entitled to a hearing on this matter as provided by the Administrative Procedures Act (Chapter 183, Oregon Revised Statutes). If you want a hearing, you must file a written request for hearing directed to Ms. Juno Pandian, Manager, Well Construction and Compliance Section, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1271. The request for hearing must state your grounds for disagreement with proposed action and must be received by the Department by 5:00 P.M. on August 25, 2010 (within 30 days of the date of service of this notice). You will be notified of the date set for hearing if a hearing is requested.

You may be represented by legal counsel. Legal aid organizations may be able to assist you if you have limited financial resources. If you make a timely request for a hearing, you will be notified of the time and date of such hearing. The rights and procedures in a contested case will be provided to you upon receipt of a request for a formal contested case hearing.

FINAL ORDER

If you fail to request a hearing within 30 days of receipt of this notice, withdraw a hearing request, notify the Department or the Administrative Law Judge that you will not appear, or fail to appear at a scheduled hearing, this order shall become final. If this order becomes a Final Order by default, the Department designates its file on this matter as the record.

Dated at Salem, Oregon this 26th day of July, 2010


Barry F. Norris, Administrator
Technical Services Division

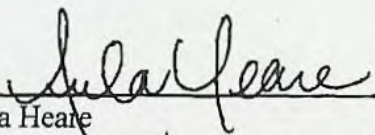
RIGHT TO JUDICIAL REVIEW OF FINAL ORDER

You have the right to appeal a Final Order to the Oregon Court of Appeals to ORS 183.482. To appeal you must file a petition for judicial review with the Court of Appeals within 60 days from the day this Order becomes final.

CERTIFICATE OF SERVICE

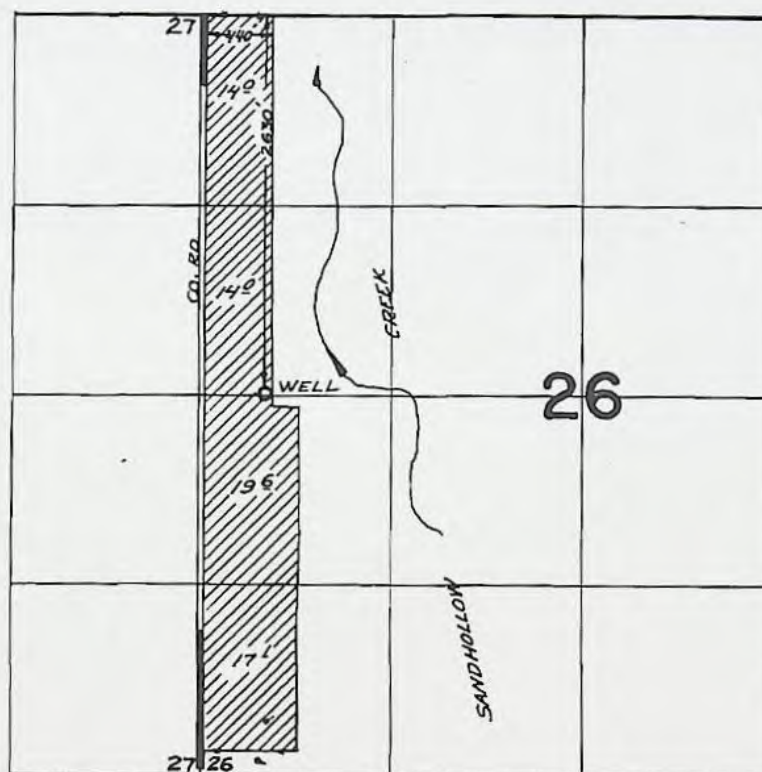
I certify that on August 26, 2010, I mailed the attached PROPOSED ORDER APPROVING ALLOCATION OF GROUNDWATER by certified mail to:

Ken Turner
Turner Ranch, Inc.
65708 Sandhollow Road
Heppner, OR 97836



Arla Heare
Oregon Water Resources Department

T. 1 N. R. 26 E. W. M.



FINAL PROOF SURVEY UNDER

Application No. G-2605 Permit No. G-2409
IN NAME OF

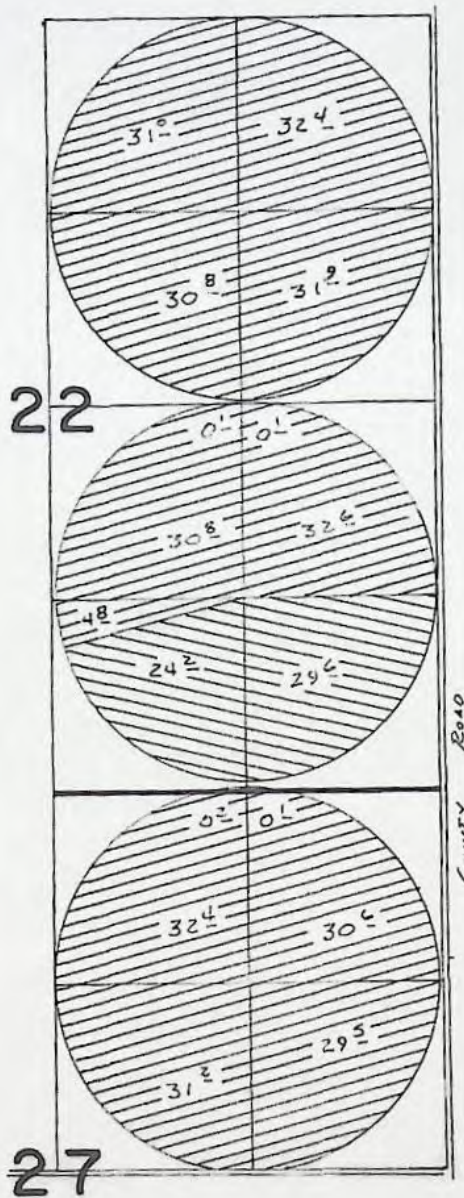
KENNETH TURNER

Surveyed June 21, 1967, by L. E. GARD

T. 1 N.,

R. 26 E.,

W. M.



SCALE 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER 5016

TRANSFER 5017

IN NAME OF

TURNER RANCH, INC.

Surveyed 1-9-1987, by V.L. Church

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MORROW COUNTY

IN THE MATTER OF THE APPLICATION)
OF TURNER RANCH INCORPORATED,)
FOR APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5016

On April 16, 1982, an application was filed in the office of the Water Resources Director by Turner Ranch, Incorporated, for approval of a change in place of use of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 48754, Volume 42, State Record of Water Right Certificates, in the name of Kenneth Turner, describes a right which includes the use of not to exceed 0.47 cubic foot per second from ground water for irrigation of 12.20 acres in SW 1/4 NW 1/4, 6.00 acres in NE 1/4 SW 1/4, 29.40 acres in NW 1/4 SW 1/4 and 6.20 acres in SW 1/4 SW 1/4, Section 26, Township 1 North, Range 26 East, WM, with a date of priority of April 14, 1963.

The authorized point of appropriation is located 420 feet South and 1,400 feet East from the West Quarter Corner of Section 26, being within the NE 1/4 SW 1/4 of Section 26, Township 1 North, Range 26 East, WM.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof 21.3 acres in SW 1/4 SE 1/4 and 32.5 acres in SE 1/4 SE 1/4, Section 22, Township 1 North, Range 26 East, WM.

Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

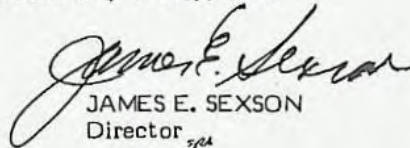
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1983.

It is FURTHER ORDERED that the certificate recorded at page 48754, Volume 42, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 10th day of May, 1982.


JAMES E. SEXSON
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

0709B

Teri Hranac

From: Dorothy Pedersen
Sent: Wednesday, September 14, 2011 9:21 AM
To: Teri Hranac
Subject: FW: T-11285

From: Bill Porfily [mailto:bporfily@my180.net]
Sent: Tuesday, September 13, 2011 9:49 AM
To: Dorothy Pedersen
Subject: RE: T-11285

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Porfily

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Sent: Tuesday, September 06, 2011 9:12 AM
To: Bill Porfily
Subject: RE: T-11285

Thank you.

Dorothy

From: Bill Porfily [mailto:bporfily@my180.net]
Sent: Tuesday, September 06, 2011 9:04 AM
To: Dorothy Pedersen
Cc: 'Todd & Missy'
Subject: RE: T-11285

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9/14/2011

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From: Bill Porfily [mailto:bporfily@my180.net]
Sent: Tuesday, August 30, 2011 3:30 PM
To: Tony Justus
Cc: Dorothy Pedersen; 'Todd & Missy'
Subject: RE: T-11285

Tony

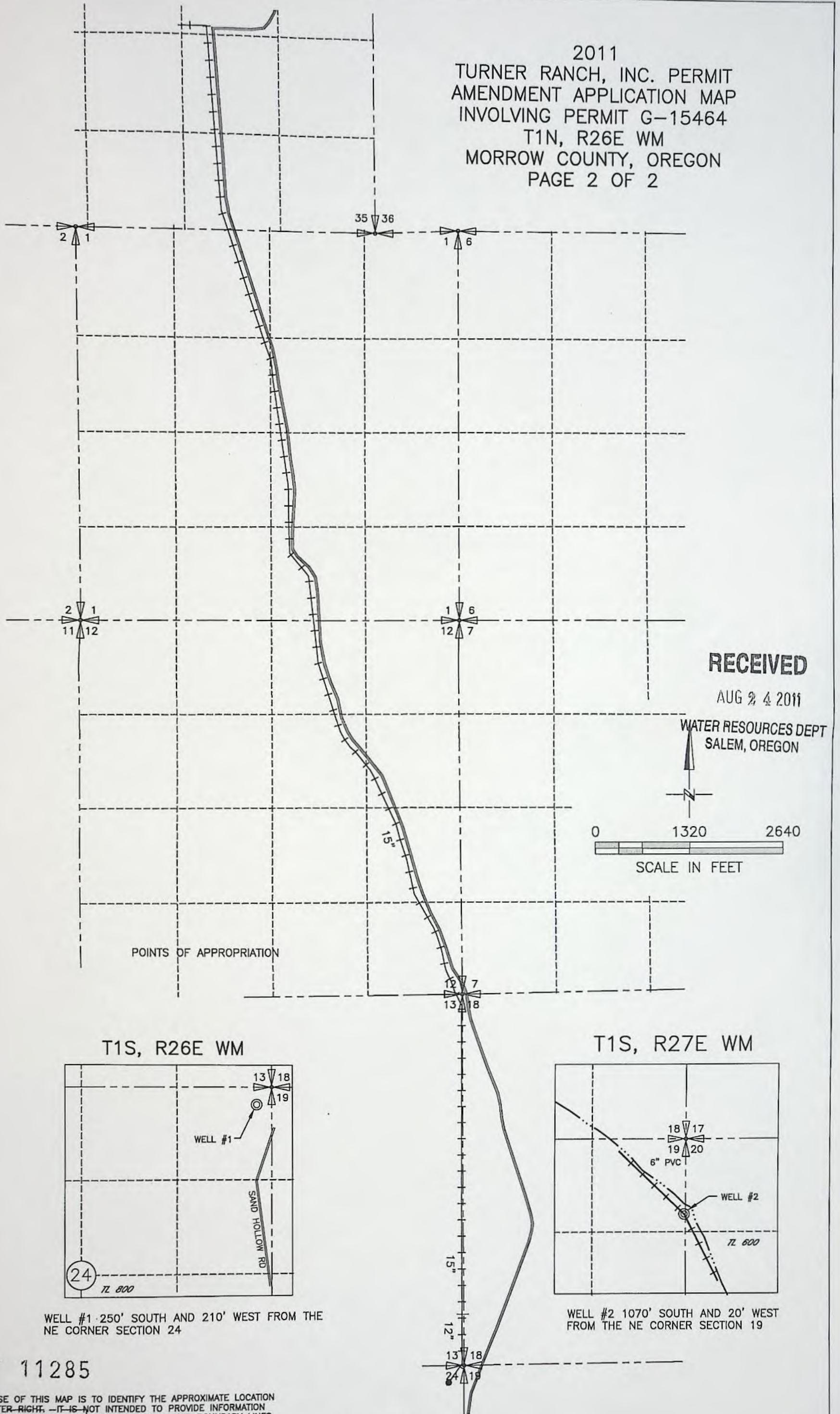
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Cel (541)561-7259
bporfily@my180.net

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Cc: Kelly Starnes
Subject: T-11285

Bill, upon review of Transfer T-11285 I found you are proposing to move 8.9 acres from the SWNE of Section 27. The permit only identifies 6.9 acres in that location.

2011
TURNER RANCH, INC. PERMIT
AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 2 OF 2



RECEIVED

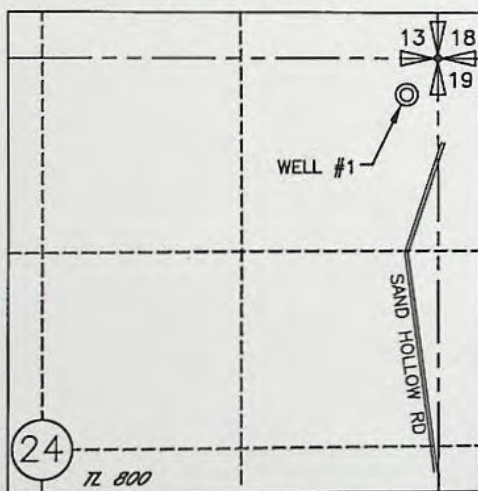
AUG 24 2011

WATER RESOURCES DEPT
SALEM, OREGON

0 1320 2640
SCALE IN FEET

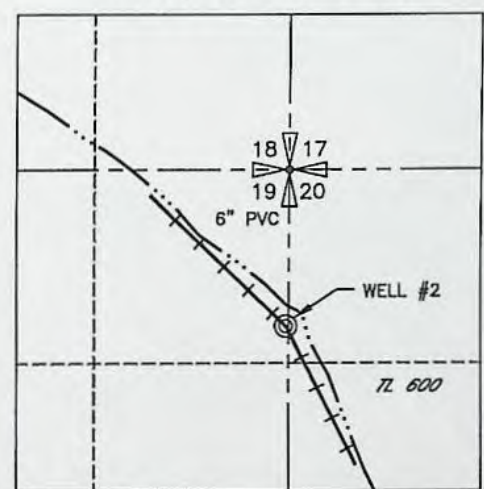
POINTS OF APPROPRIATION

T1S, R26E WM



WELL #1 250' SOUTH AND 210' WEST FROM THE
NE CORNER SECTION 24

T1S, R27E WM



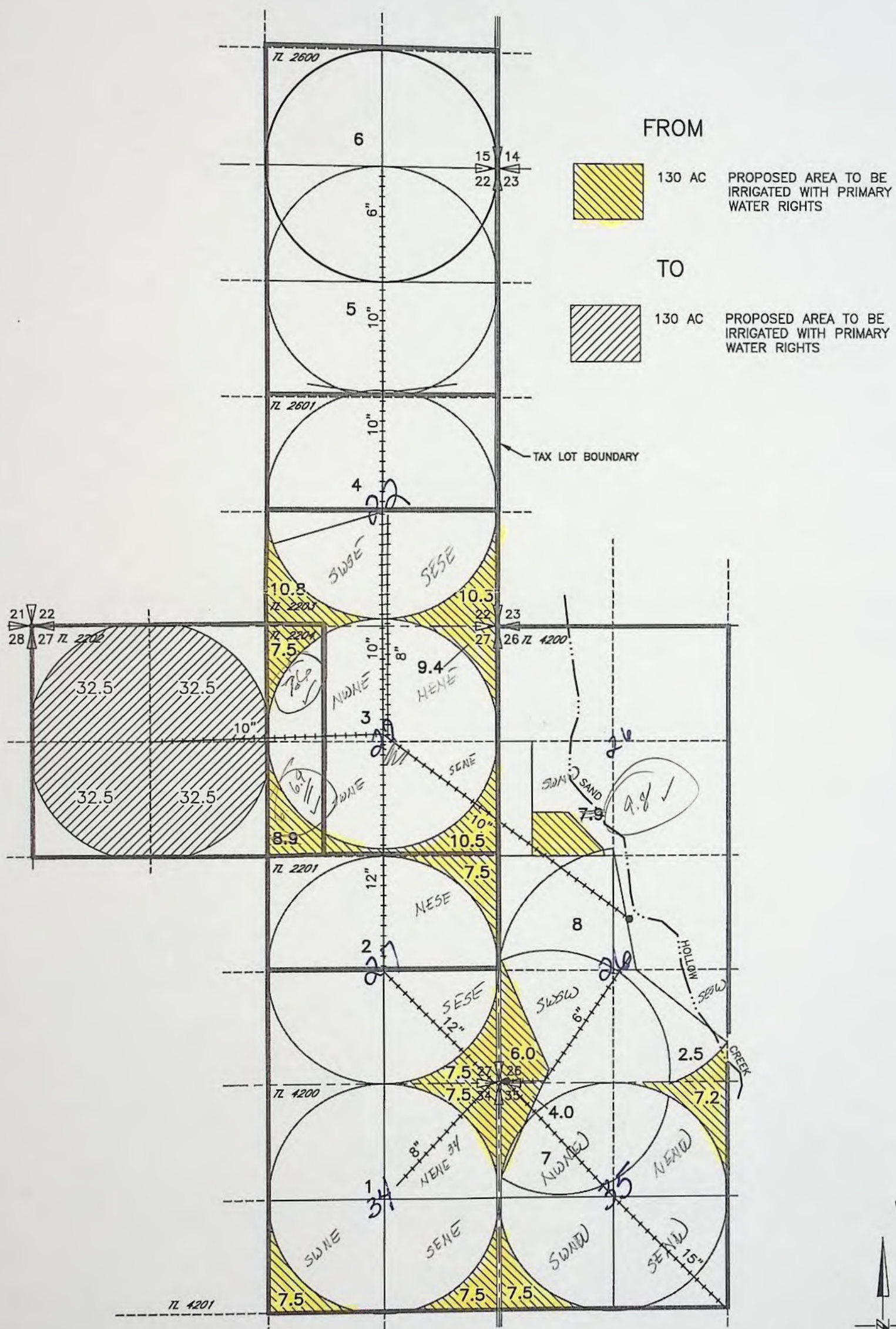
WELL #2 1070' SOUTH AND 20' WEST
FROM THE NE CORNER SECTION 19

T 11285

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

DRAWING: F:\Project\30-08-016 - Porfily Water Rights Consulting\00 Misc Engineering\Cad\Turner\30-08-016 2011 TRGW.dwg
PRINTED BY: rwillard on 08/12/11 08:29 AM

2011
TURNER RANCH, INC. PERMIT
AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 1 OF 2



T 11285

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DRAWING: F:\Project\30-08-016 - Portly Water Rights Consulting\--00 Misc Engineering\Cad\Turner\30-08-016 2011 TRGW.dwg
PRINTED By: rwillard on 08/12/11 08:38 AM

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AUG 24 2011

WATER RESOURCES DEPT
SALEM, OREGON



0 1320 2640

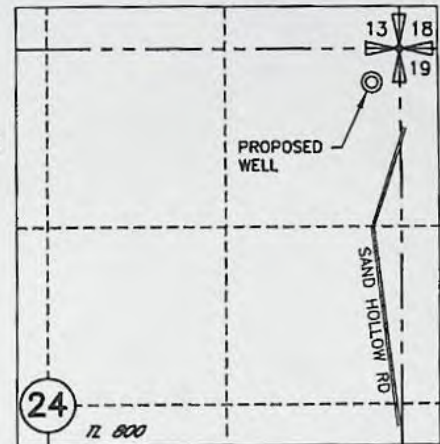
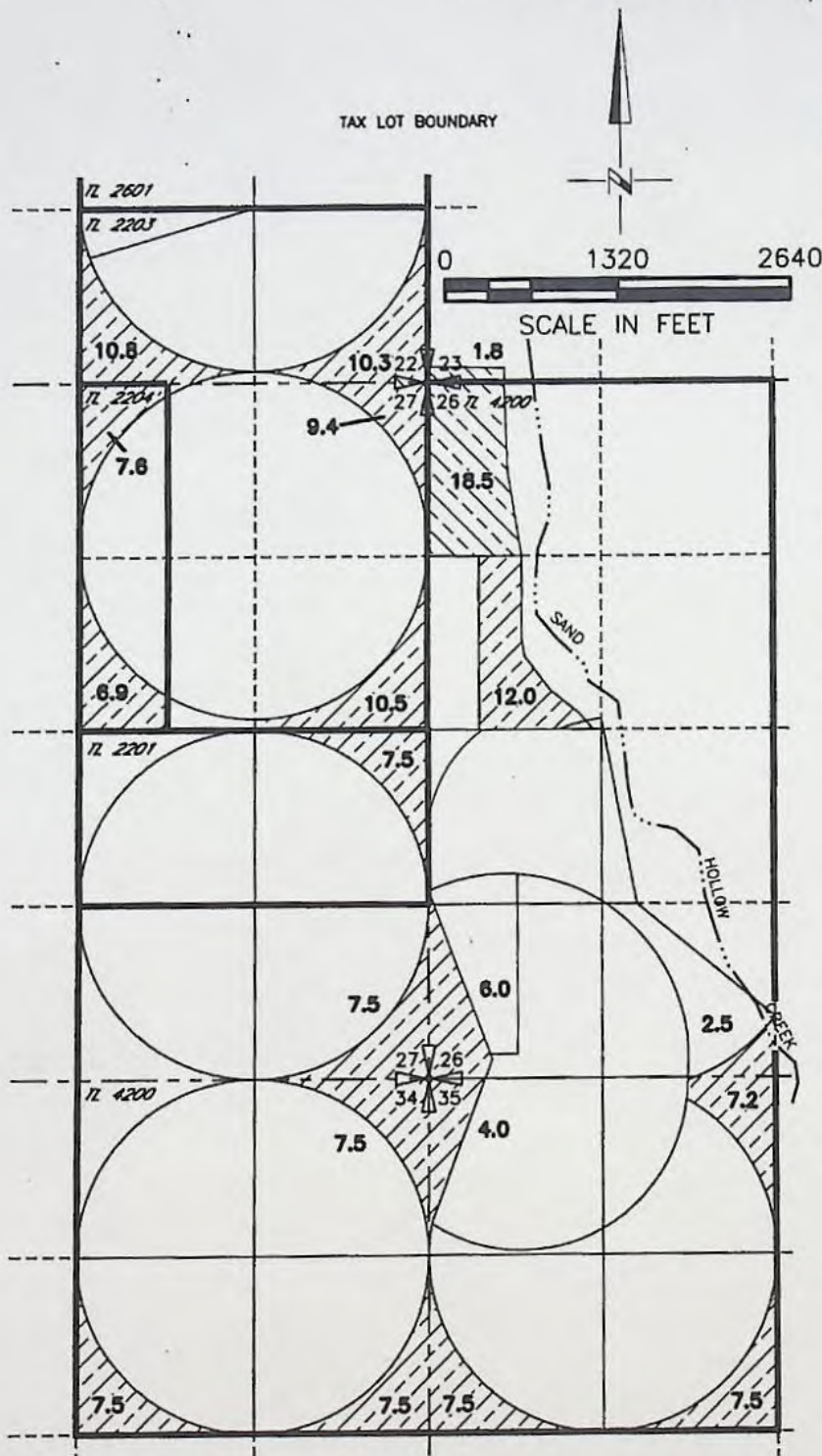
SCALE IN FEET

TURNER RANCH INC. WATER RIGHTS APPLICATION MAP RECEIVED T1N, R26E WM

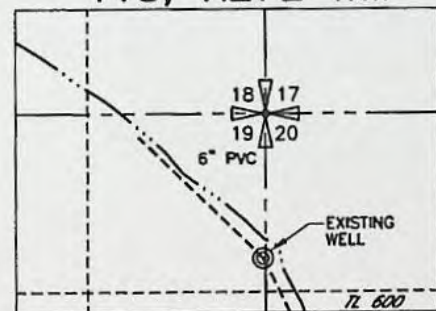
JAN 09 2003

WATER RESOURCES DEPT.
SALEM, OREGON

T1S, R26E WM



T1S, R27E WM



POINTS OF APPROPRIATION

PROPOSED WELL #1 250' SOUTH AND 210' WEST FROM THE NE CORNER SECTION 24

EXISTING WELL #2 1070' SOUTH AND 20' WEST FROM THE NE CORNER SECTION 19



PRIMARY IRRIGATION



SUPPLEMENTAL TO
PERMIT 49228
CERTIFICATE 62415

160.0 TOTAL IRRIGATED ACRES

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app# G-15908
Permit # G-15464

DRAWING: H:\CAD\AG\3522\074\35222003.dwg
PRINTED BY: rogerw on 01/02/03 12:32 PM

SCM Consultants, Inc.
A Tetra Tech Company

01/02/03

Teri Hranac

From: Bill Porfily [bporfily@my180.net]
Sent: Friday, September 23, 2011 2:23 PM
To: Teri Hranac
Subject: RE: T-11285
Attachments: Amended 08-30-11 Permit Amendment Form.doc
Teri

Here is the Permit Amended Application with the Township corrected for the "From" and "To" Areas.

Thanks for working with me on this.

Porfily

From: Teri Hranac [mailto:hranack@wrdd.state.or.us]
Sent: Tuesday, September 20, 2011 12:38 PM
To: bporfily@my180.net
Subject: FW: T-11285

Bill: When can we expect the map?

Teri Hranac
(503) 986-0881
teri.k.hranac@wrdd.state.or.us

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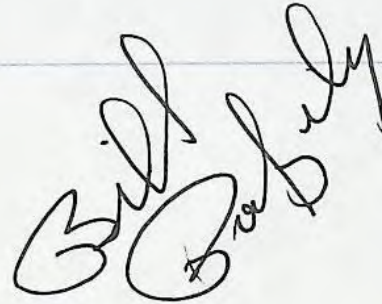
SEP 19 2011
WATER RESOURCES DEPT
SALEM, OREGON

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WATER RESOURCES DEPT
SALEM, OREGON



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

Watermaster Review Form: Water Right Transfer

8/31/11
Permit
Amendment

Transfer Application: T-11285

Review Due Date: _____

Applicant Name: Turner Ranch

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

Reviewer(s): Tony Justus

Date of Review: Aug. 31, 2011

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: Original application modified to correct issue on from land and map.
10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

12. The checked water control and measurement conditions should be included in the transfer:

Headgates: ☒ NA	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.
---	--	---	---

Measurement Devices:

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

Surface Water Diversion or Groundwater Point of Appropriation:

☐ *The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion/appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*

☐ *Water use measurement conditions: (if this condition is selected, also fill in the top sections of page 3)*
*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation.*
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.

Reservoirs:

☐ *The Director may require the water user to install staff gages or 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. Additionally, if the reservoir is located in-channel, weirs or other suitable measuring devices may be required upstream and downstream of the reservoir, and an adjustable outlet valve may be required. If the Director notifies the water user to install adjustable outlet valves, staff gages, weirs, or other suitable measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the devices in good working order and shall allow the Watermaster access to the devices.*

☐ *Water use measurement conditions: (if this condition is selected, also fill in the top sections of page 3)*
*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*
b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

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

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

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

Transfer #: T-_____

☐ A _____ will be required to be installed **prior to diversion of water** at the proposed point(s) of diversion or appropriation as a condition of this transfer.

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

Watermaster name: _____

District: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

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

Application for Permit Amendment

Part 1 of 4 – Minimum Requirements Checklist



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

This permit amendment application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Permit Amendment Application Map Checklist.
- ☒ Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **# 15464.**

Attachments:

- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Permit amendment fees – Amount enclosed: \$ **900**.
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- ☒ ☐ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - ☐ Water is to be diverted, conveyed, and/or used only on federal lands.
 - ☐ 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.
 - ☐ The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # ____.
- ☐ ☒ N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

T 11285

Revised 2/5/2010

Part 2 of 4 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

RECEIVED
SEP 19 2011
WATER RESOURCES DEPT
SALEM, OREGON

- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on white or clear paper or film.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☒ ☐ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use permit.
- ☒ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TURNER RANCH INC. C/O MELISSA TURNER			PHONE NO. (541)989-8321	ADDITIONAL CONTACT NO. (541)245-0138 Cell
ADDRESS 75655 Baseline Rd			FAX NO.	
CITY Heppner	STATE OR	ZIP 97836	E-MAIL Todd & Missy <tlin@machmedia.net>	

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

AGENT/BUSINESS NAME William I. Porfily			PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643			FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL bporfily@my180.net	

If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
☒ Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.



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

_____ Applicant signature	<u>Melissa Turner</u> Name (and title if applicable) (print)	_____ Date
_____ Applicant signature	_____ Name (and title if applicable) (print)	_____ Date

In your own words tell us what change(s) you want made and the reason for the amendment(s): _____

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Check one of the following:

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

Check the appropriate box, if applicable:

- ☐ Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS Court House	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # 15464

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	☒ Authorized ☐ Proposed	MORR 51207	1 S	26 E	24	NE NE		250' S & 210' W from the NE Corner Sec 24
Well # 2	☒ Authorized ☐ Proposed	MORR 1736	1 S	27 E	19	NE NE		1070' S & 20' W from the NE Corner Sec 19
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|---|--|
| ☒ Place of Use (POU) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

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

Table 2. Description of Changes to Water Use Permit # 15464

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

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Authorized ("from" lands) as they appear before the changes											Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes															
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres (if applicable)	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 (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
1	N	26	E	22	SW	SE	2601		10.8	Well #1 Well #2	1-09-2003		1	N	26	E	27	NE	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	N	26	E	22	SE	SE	2601		10.3	Well #1 Well #2	1-09-2003		1	N	26	E	27	NW	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	N	26	E	26	SW	NW	4200		9.8	Well #1 Well #2	1-09-2003		1	N	26	E	27	SW	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	N	26	E	26	SW	SW	4200		6.0	Well #1 Well #2	1-09-2003		1	N	26	E	27	SE	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	N	26	E	26	SE	SW	4200		2.5	Well #1 Well #2	1-09-2003										130						
1	N	26	E	27	NE	NE	2601		9.4	Well #1 Well #2	1-09-2003																
1	N	26	E	27	NW	NE	2204		7.6	Well #1 Well #2	1-09-2003																
1	N	26	E	27	SW	NE	2204		6.9	Well #1 Well #2	1-09-2003																
1	N	26	E	27	SE	NE	2601		10.5	Well #1 Well #2	1-09-2003																
1	N	26	E	27	NE	SE	2201		7.5	Well #1 Well #2	1-09-2003																
1	N	26	E	27	SE	SE	4200		7.5	Well #1 Well #2	1-09-2003																
1	N	26	E	34	NE	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	N	26	E	34	SW	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	N	26	E	34	SE	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	N	26	E	35	NE	NW	4200		7.2	Well #1 Well #2	1-09-2003																
1	N	26	E	35	NW	NW	4200		4.0	Well #1 Well #2	1-09-2003																
1	N	26	E	35	SW	NW	4200		7.5	Well #1 Well #2	1-09-2003																
TOTAL ACRES									130					TOTAL ACRES									130				

Additional remarks: _____

Authorized ("from" lands) as they appear before the changes										Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	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 (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date	
1	S	26	E 22	SW SE	2601		10.8	Well #1 Well #2	1-09-2003		1	S	26	E 27	NE NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E 22	SE SE	2601		10.3	Well #1 Well #2	1-09-2003		1	S	26	E 27	NW NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E 26	SW NW	4200		9.8	Well #1 Well #2	1-09-2003		1	S	26	E 27	SW NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E 26	SW SW	4200		6.0	Well #1 Well #2	1-09-2003		1	S	26	E 27	SE NW	2202		32.5	Well #1 Well #2	1-09-2003
1	S	26	E 26	SE SW	4200		2.5	Well #1 Well #2	1-09-2003								130			
1	S	26	E 27	NE NE	2601		9.4	Well #1 Well #2	1-09-2003											
1	S	26	E 27	NW NE	2204		7.6	Well #1 Well #2	1-09-2003											
1	S	26	E 27	SW NE	2204		6.9	Well #1 Well #2	1-09-2003											
1	S	26	E 27	SE NE	2601		10.5	Well #1 Well #2	1-09-2003											
1	S	26	E 27	NE SE	2201		7.5	Well #1 Well #2	1-09-2003											
1	S	26	E 27	SE SE	4200		7.5	Well #1 Well #2	1-09-2003											
1	S	26	E 34	NE NE	4200		7.5	Well #1 Well #2	1-09-2003											
1	S	26	E 34	SW NE	4200		7.5	Well #1 Well #2	1-09-2003											
1	S	26	E 34	SE NE	4200		7.5	Well #1 Well #2	1-09-2003											
1	S	26	E 35	NE NW	4200		7.2	Well #1 Well #2	1-09-2003											
1	S	26	E 35	NW NW	4200		4.0	Well #1 Well #2	1-09-2003											
1	S	26	E 35	SW NW	4200		7.5	Well #1 Well #2	1-09-2003											
TOTAL ACRES						130					TOTAL ACRES						130			

Additional remarks: _____

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Permit Amendment Application – Page 6 of 7

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For a change in place of use:**Does the permit holder of record own or control the land TO which the place of use is being moved?**☒ Yes ☐ No: See attached Consent to Permit Amendment Affidavit

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? ☒ Yes ☐ No: See Application Map

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

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

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

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
N/A										

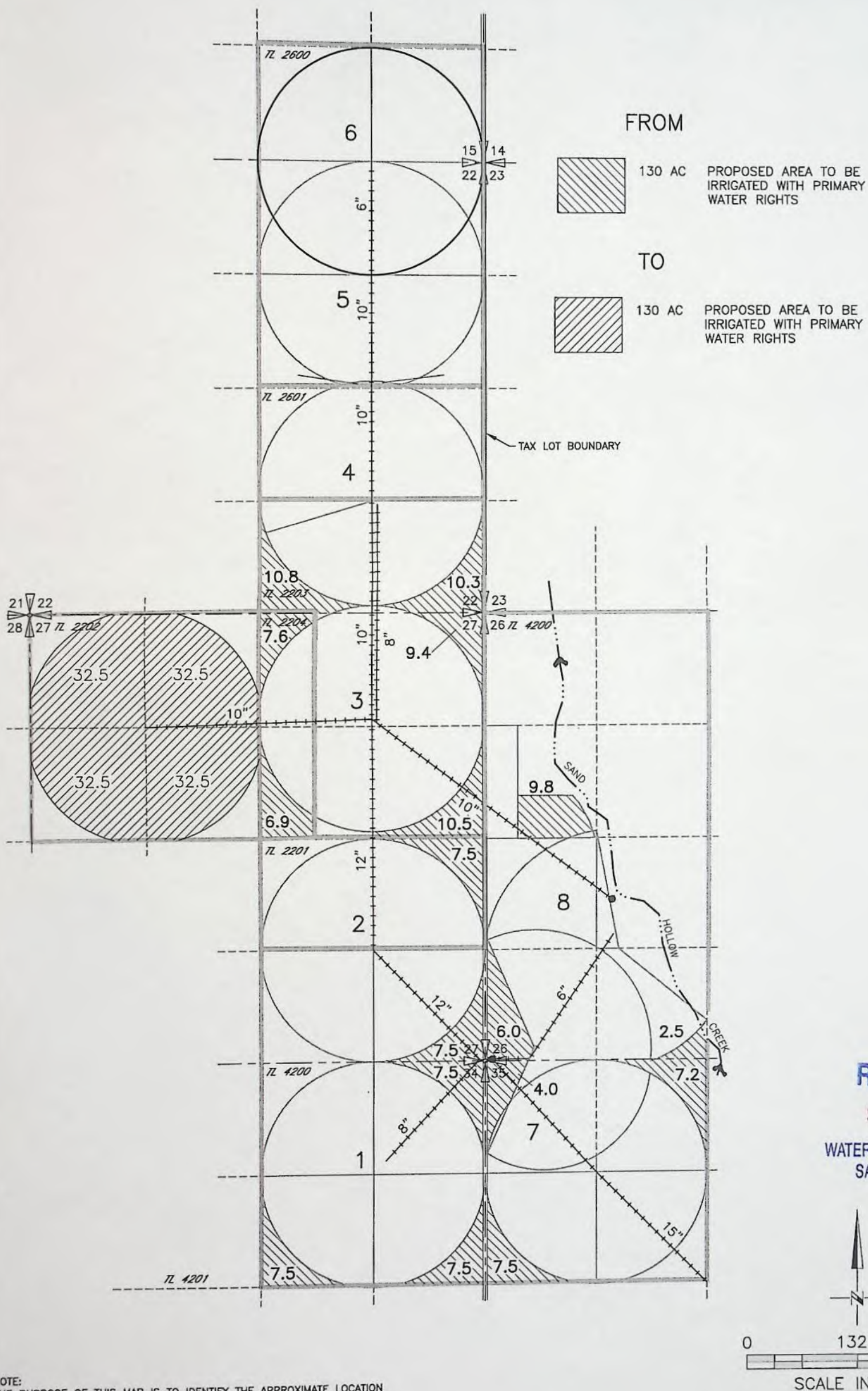
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 AMENDMENT APPLICATION MAP
 INVOLVING PERMIT G-15464
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 MORROW COUNTY, OREGON
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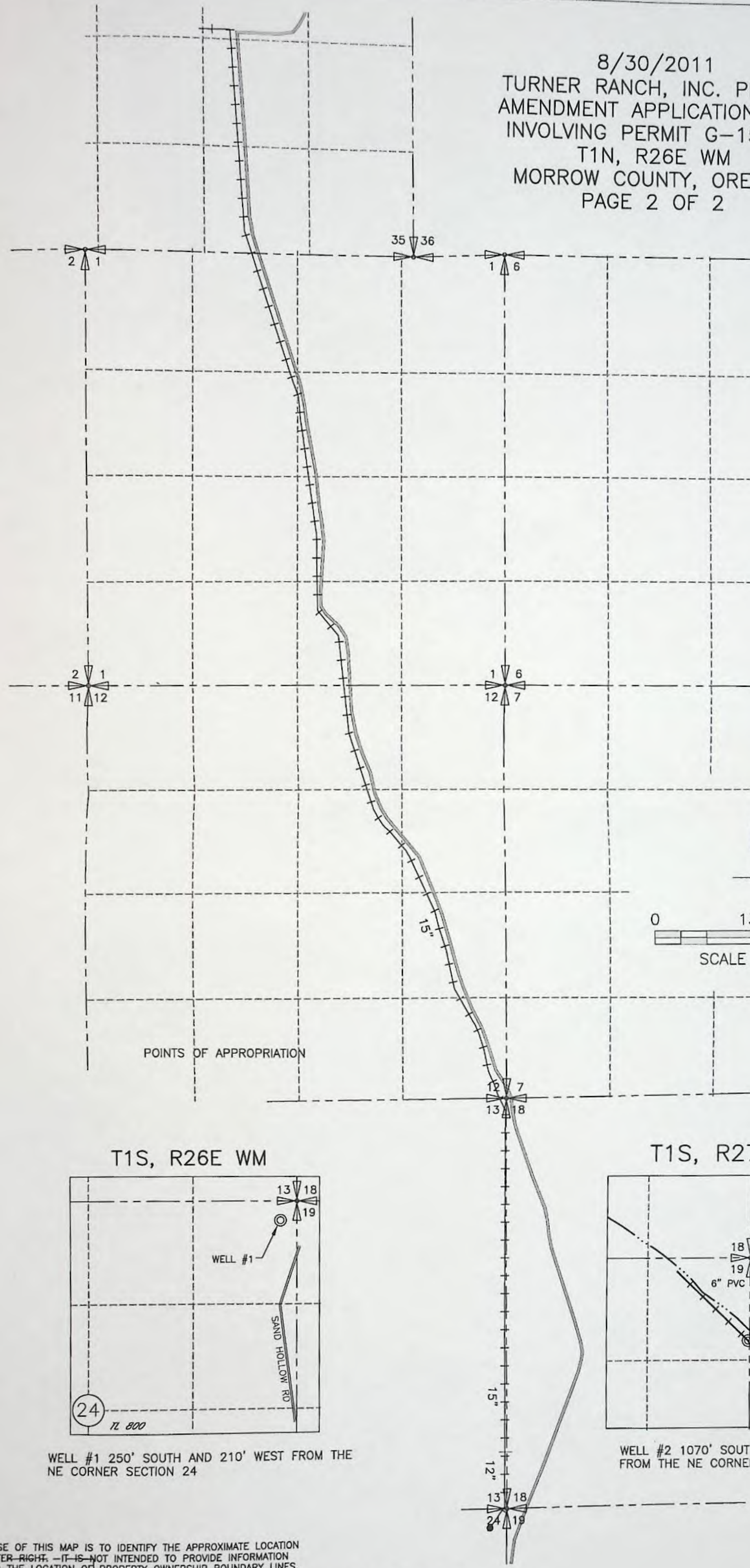
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NOTE:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

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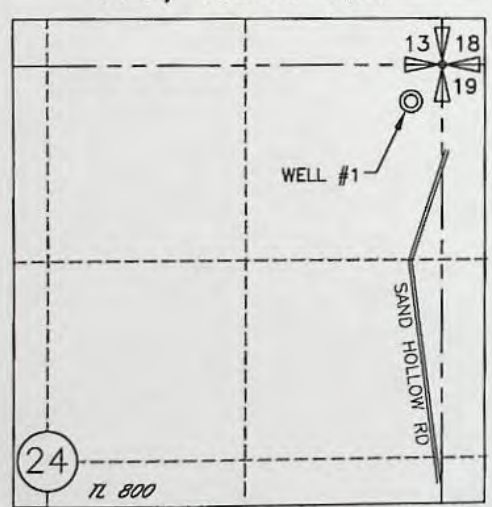
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 MORROW COUNTY, OREGON
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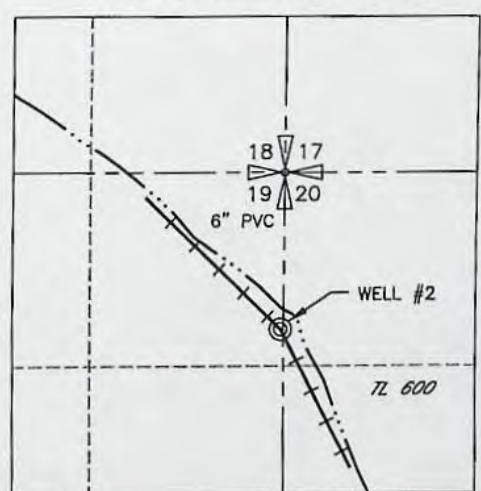
POINTS OF APPROPRIATION

T1S, R26E WM



WELL #1 250' SOUTH AND 210' WEST FROM THE NE CORNER SECTION 24

T1S, R27E WM



WELL #2 1070' SOUTH AND 20' WEST FROM THE NE CORNER SECTION 19

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T1N, R26E WM
MORROW COUNTY, OREGON
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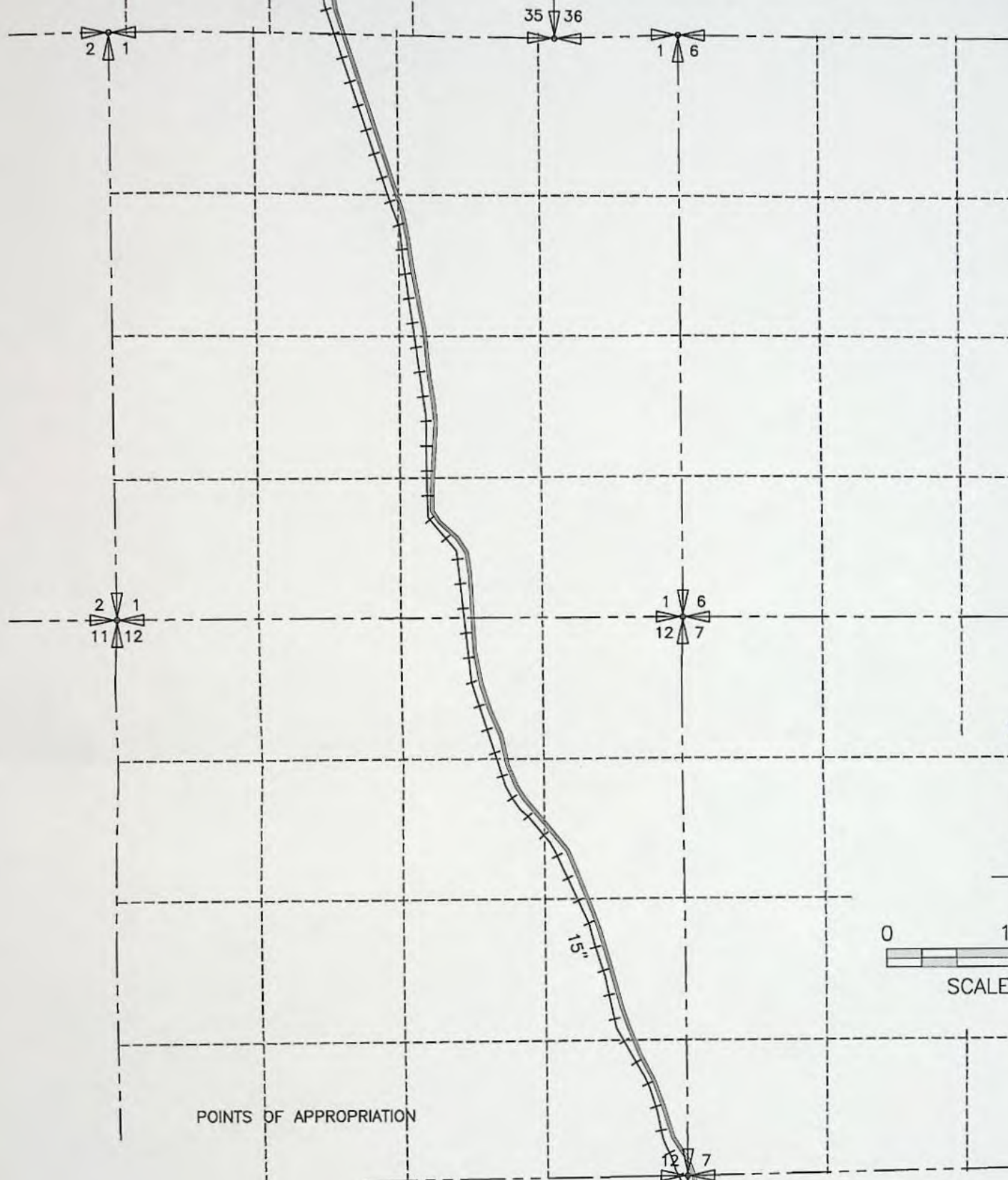
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INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 2 OF 2

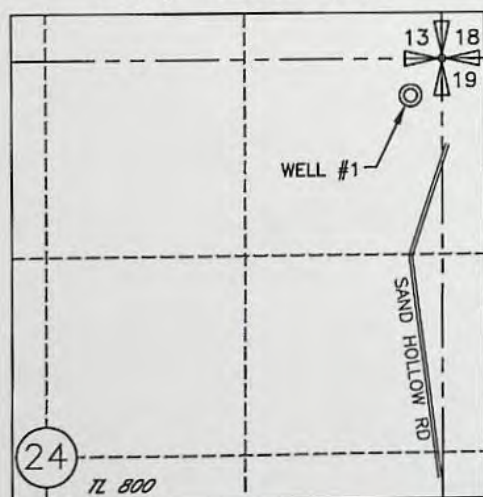


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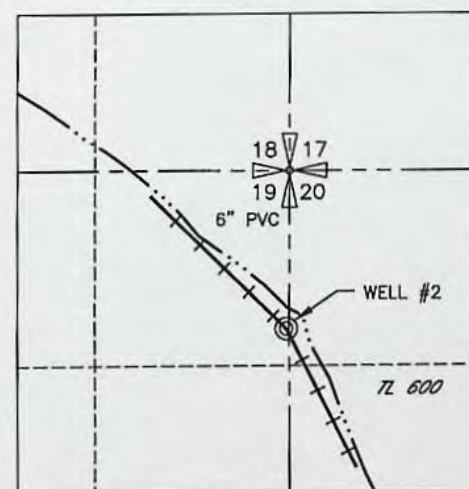
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SALEM, OREGON

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NE CORNER SECTION 24

T1S, R27E WM

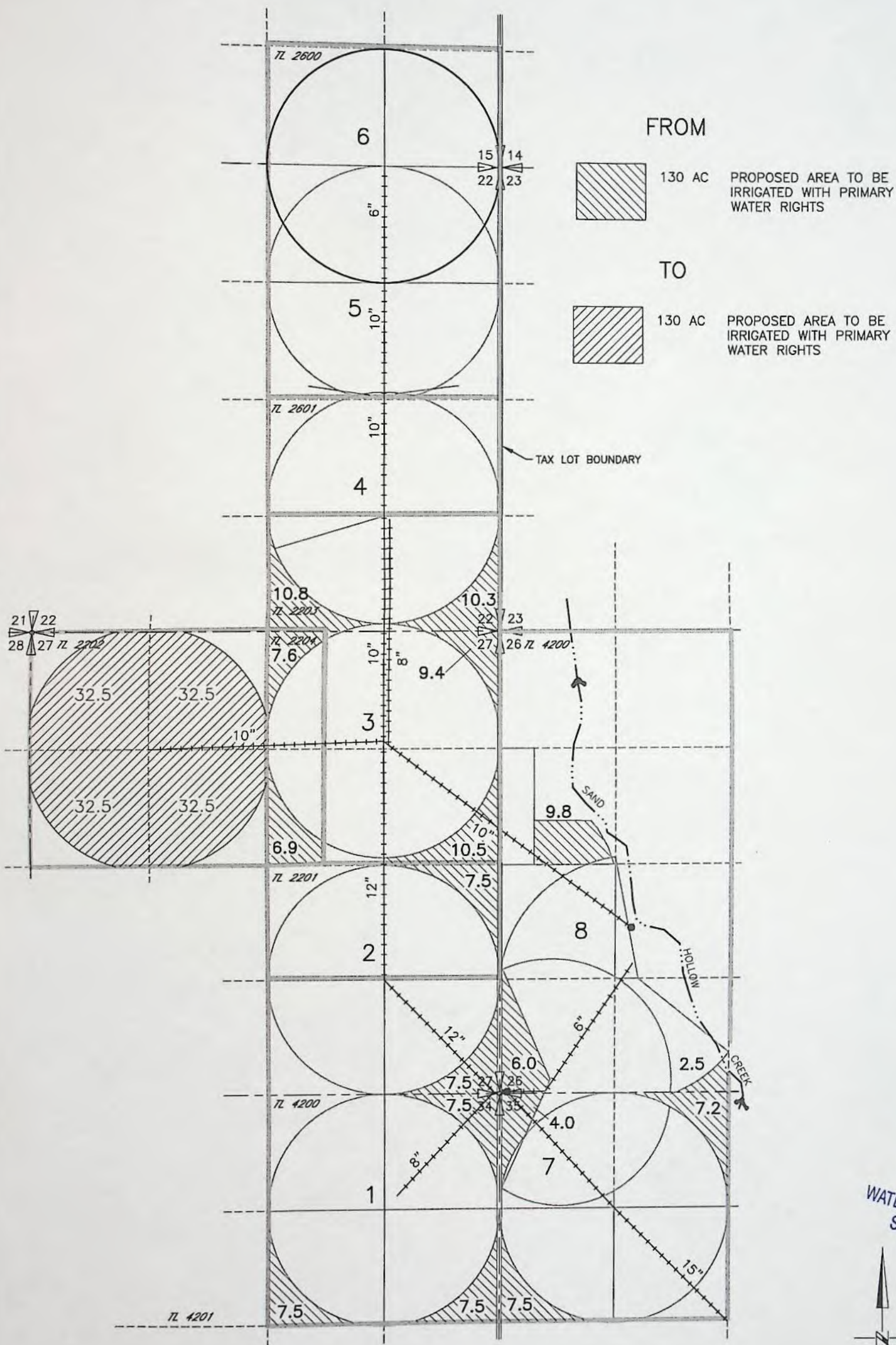


WELL #2 1070' SOUTH AND 20' WEST
FROM THE NE CORNER SECTION 19

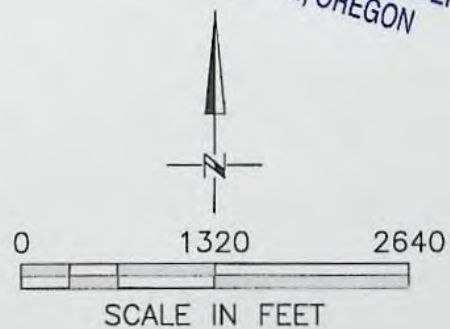
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AMENDMENT APPLICATION MAP
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T1N, R26E WM
MORROW COUNTY, OREGON
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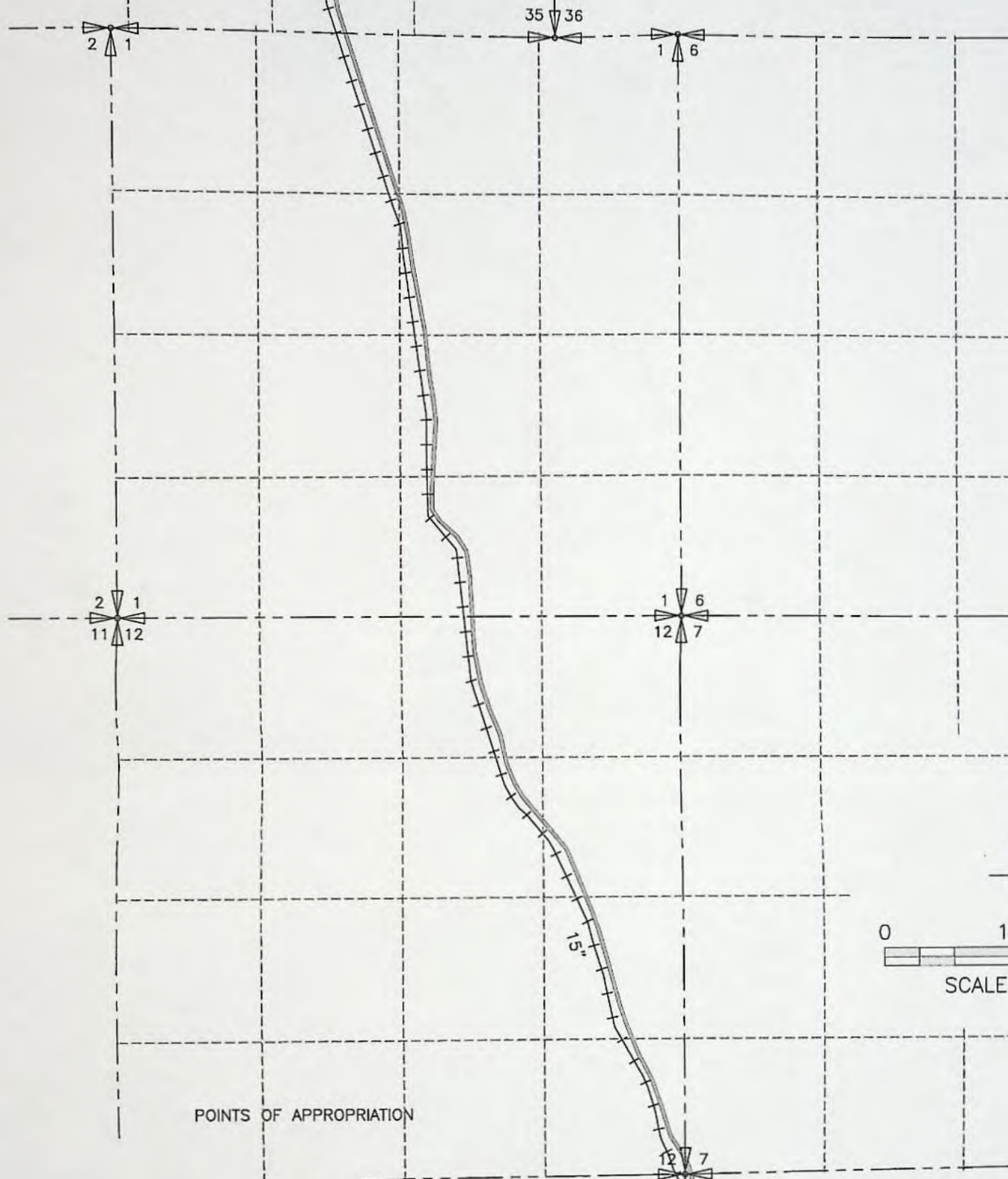
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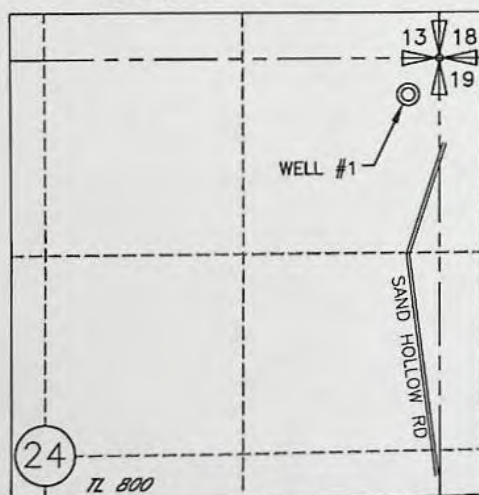
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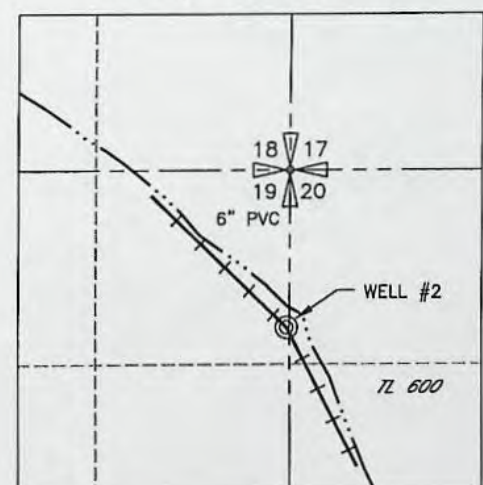
POINTS OF APPROPRIATION

T1S, R26E WM



WELL #1 250' SOUTH AND 210' WEST FROM THE
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T1S, R27E WM



WELL #2 1070' SOUTH AND 20' WEST
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AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 1 OF 2



130 AC PROPOSED AREA TO BE
IRRIGATED WITH PRIMARY
WATER RIGHTS

TO

130 AC PROPOSED AREA TO BE
IRRIGATED WITH PRIMARY
WATER RIGHTS

- TAX LOT BOUNDARY

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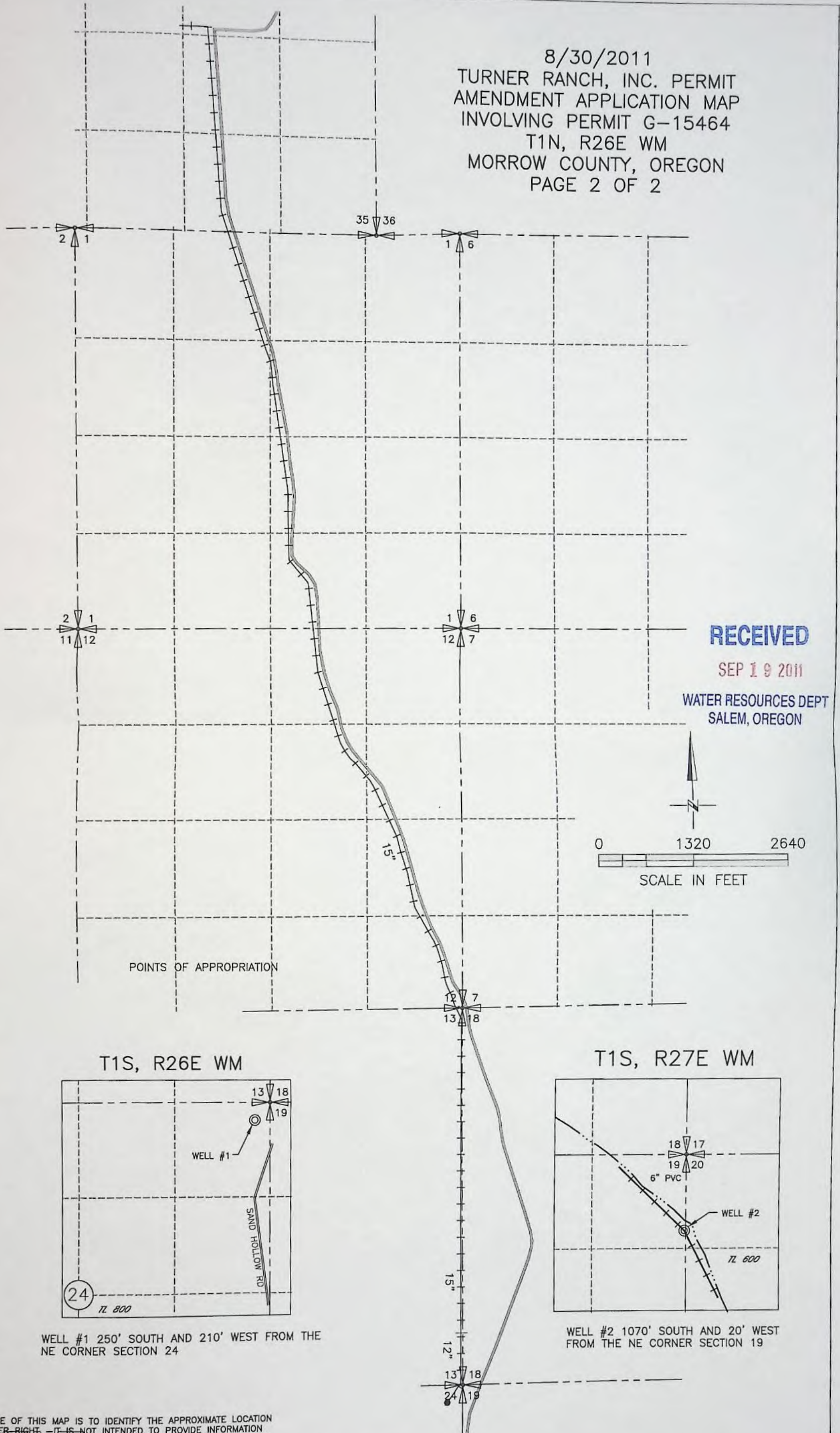
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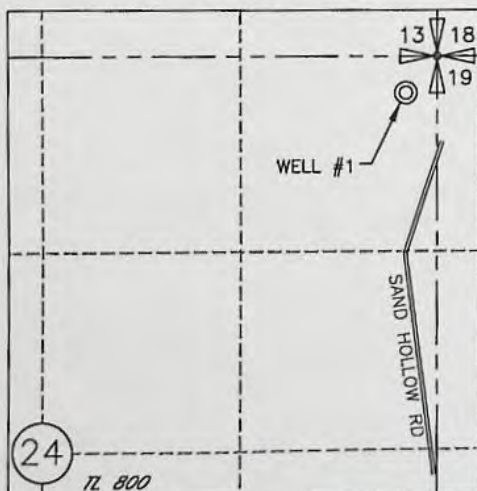
WATER RESOURCES DEPT
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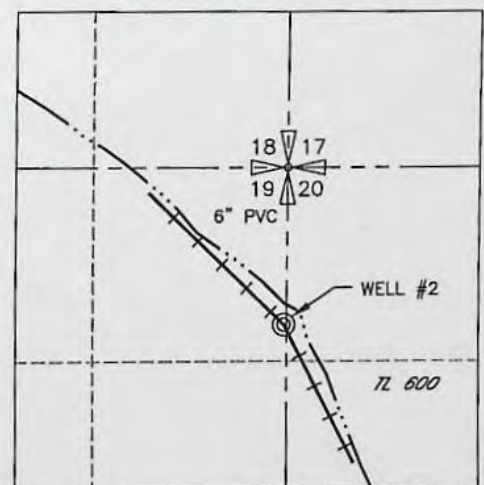
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Application for Permit Amendment

Part 1 of 4 – Minimum Requirements Checklist

*Superseded
9/19/11*



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

**This permit amendment application will be returned if Parts 1 through 4
and all required attachments are not completed and included.**

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Permit Amendment Application Map Checklist.
- ☒ Part 3 – Completed Permit Amendment Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Permit Amendment Application – Water Use Permit Information.
Please include a separate Part 4 for each permit. List all permit(s) to be amended here: **# 15464.**

Attachments:

- ☒ Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Permit amendment fees – Amount enclosed: **\$ 900.**
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0883.
- ☐ ☒ N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>). Assignment is not needed if applicant is the permit holder of record.
- ☒ ☐ N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- ☒ ☐ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - ☐ Water is to be diverted, conveyed, and/or used only on federal lands.
 - ☐ 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.
 - ☐ The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # ____.
- ☐ ☒ N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report(s)/Well Log(s)

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

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Part 2 of 4 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- ☐ ☒ N/A If **more than three** permits are involved, separate maps for each permit.
- ☒ Permanent quality printed with dark ink on white or clear paper or film.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- ☒ ☐ N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use 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 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TURNER RANCH INC. C/O MELISSA TURNER			PHONE NO. (541)989-8321	ADDITIONAL CONTACT NO. (541)245-0138 Cell
ADDRESS 75655 Baseline Rd			FAX NO.	
CITY Heppner	STATE OR	ZIP 97836	E-MAIL Todd & Missy <tlin@machmedia.net>	

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

AGENT/BUSINESS NAME William L. Porfily			PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643			FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL bporfily@my180.net	

If an agent is listed above, please check **one** of the following:

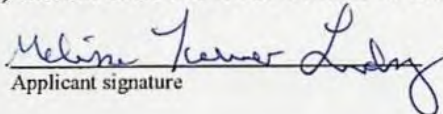
- ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; **OR**
☒ Please send all correspondence to Applicant. Send copies of correspondence to Agent.
- ☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

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


Applicant signature

Melissa Turner
Name (and title if applicable) (print)

8-19-11
Date

Applicant signature

Name (and title if applicable) (print)

Date

In your own words tell us what change(s) you want made and the reason for the amendment(s): _____

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Check one of the following:

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

Check the appropriate box, if applicable:

- ☐ Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS Court House	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Water Use Permit Information

Please use a separate Part 4 for each permit being amended.

PERMIT # 15464

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	☒ Authorized ☐ Proposed	MORR 51207	1 S	26 E	24	NE NE		250' S & 210' W from the NE Corner Sec 24
Well # 2	☒ Authorized ☐ Proposed	MORR 1736	1 S	27 E	19	NE NE		1070' S & 20' W from the NE Corner Sec 19
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- | | |
|---|--|
| ☒ Place of Use (POU) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

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

Table 2. Description of Changes to Water Use Permit # 15464

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

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Authorized ("from" lands) as they appear before the changes											Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) after the changes															
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres (if applicable)	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 (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date							
1	S	26	E	22	SW	SE	2601		10.8	Well #1 Well #2	1-09-2003		1	S	26	E	27	NE	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	S	26	E	22	SE	SE	2601		10.3	Well #1 Well #2	1-09-2003		1	S	26	E	27	NW	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	S	26	E	26	SW	NW	4200		7.9	Well #1 Well #2	1-09-2003		1	S	26	E	27	SW	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	S	26	E	26	SW	SW	4200		6.0	Well #1 Well #2	1-09-2003		1	S	26	E	27	SE	NW	2202		32.5	Well #1 Well #2	1-09-2003			
1	S	26	E	26	SE	SW	4200		2.5	Well #1 Well #2	1-09-2003										130						
1	S	26	E	27	NE	NE	2601		9.4	Well #1 Well #2	1-09-2003																
1	S	26	E	27	NW	NE	2204		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	27	SW	NE	2204		8.9	Well #1 Well #2	1-09-2003																
1	S	26	E	27	SE	NE	2601		10.5	Well #1 Well #2	1-09-2003																
1	S	26	E	27	NE	SE	2201		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	27	SE	SE	4200		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	34	NE	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	34	SW	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	34	SE	NE	4200		7.5	Well #1 Well #2	1-09-2003																
1	S	26	E	35	NE	NW	4200		7.2	Well #1 Well #2	1-09-2003																
1	S	26	E	35	NW	NW	4200		4.0	Well #1 Well #2	1-09-2003																
1	S	26	E	35	SW	NW	4200		7.5	Well #1 Well #2	1-09-2003																
TOTAL ACRES									130					TOTAL ACRES									130				

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Additional remarks: _____

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For a change in place of use:**Does the permit holder of record own or control the land TO which the place of use is being moved?**☒ Yes ☐ No: See attached Consent to Permit Amendment Affidavit

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? ☒ Yes ☐ No: See Application Map

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

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

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist or certified water right examiner for the proper information needed to complete the table.

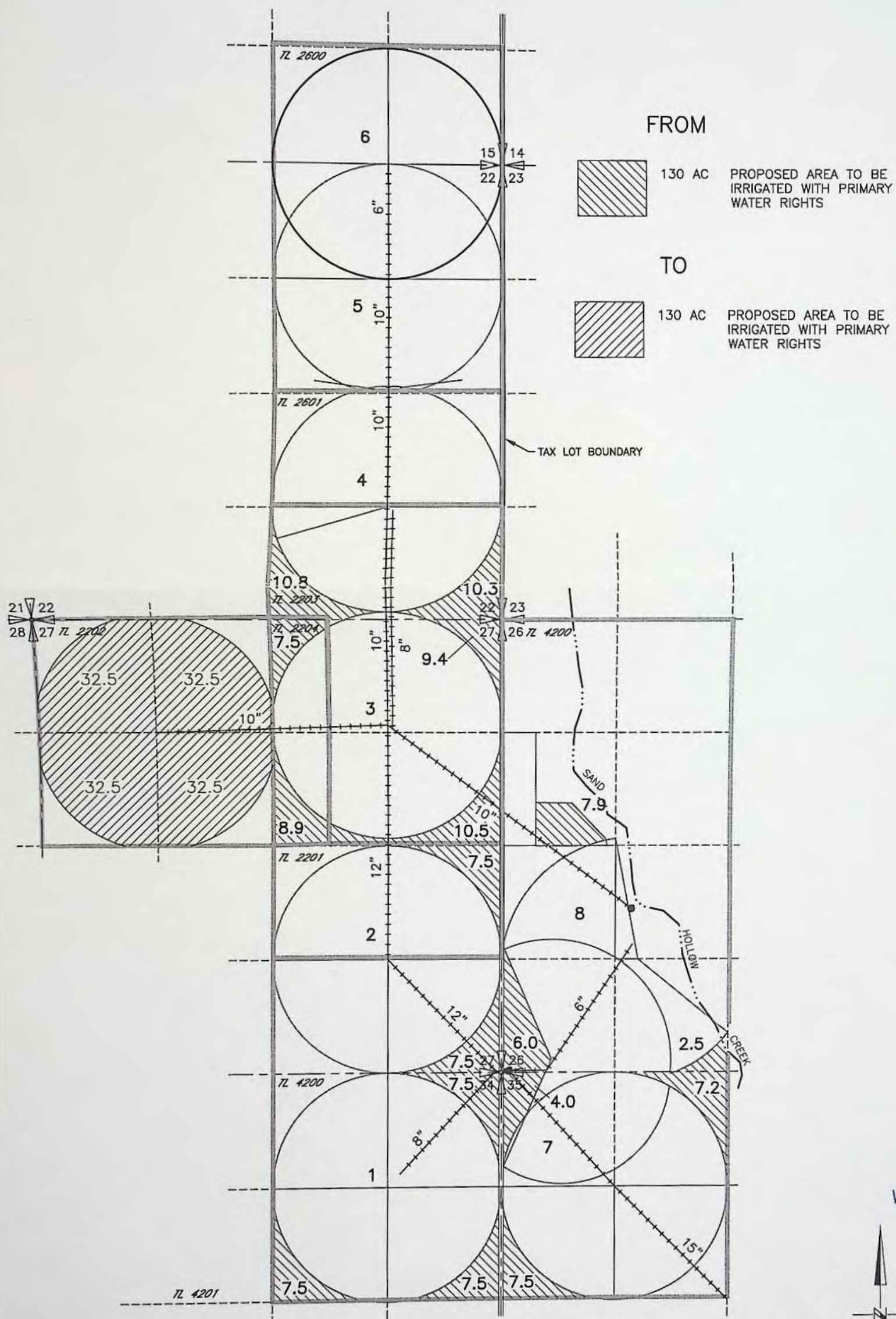
Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)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

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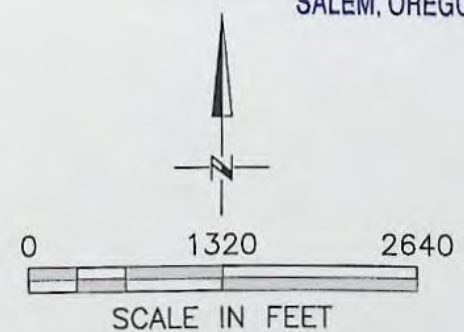
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Revised 25/2010

2011
TURNER RANCH, INC. PERMIT
AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 1 OF 2



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NOTE:
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OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
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TURNER RANCH, INC. PR
AMENDMENT APPLICATION
INVOLVING PERMIT G-15
T1N, R26E WM
MORROW COUNTY, ORE
PAGE 2 OF 2

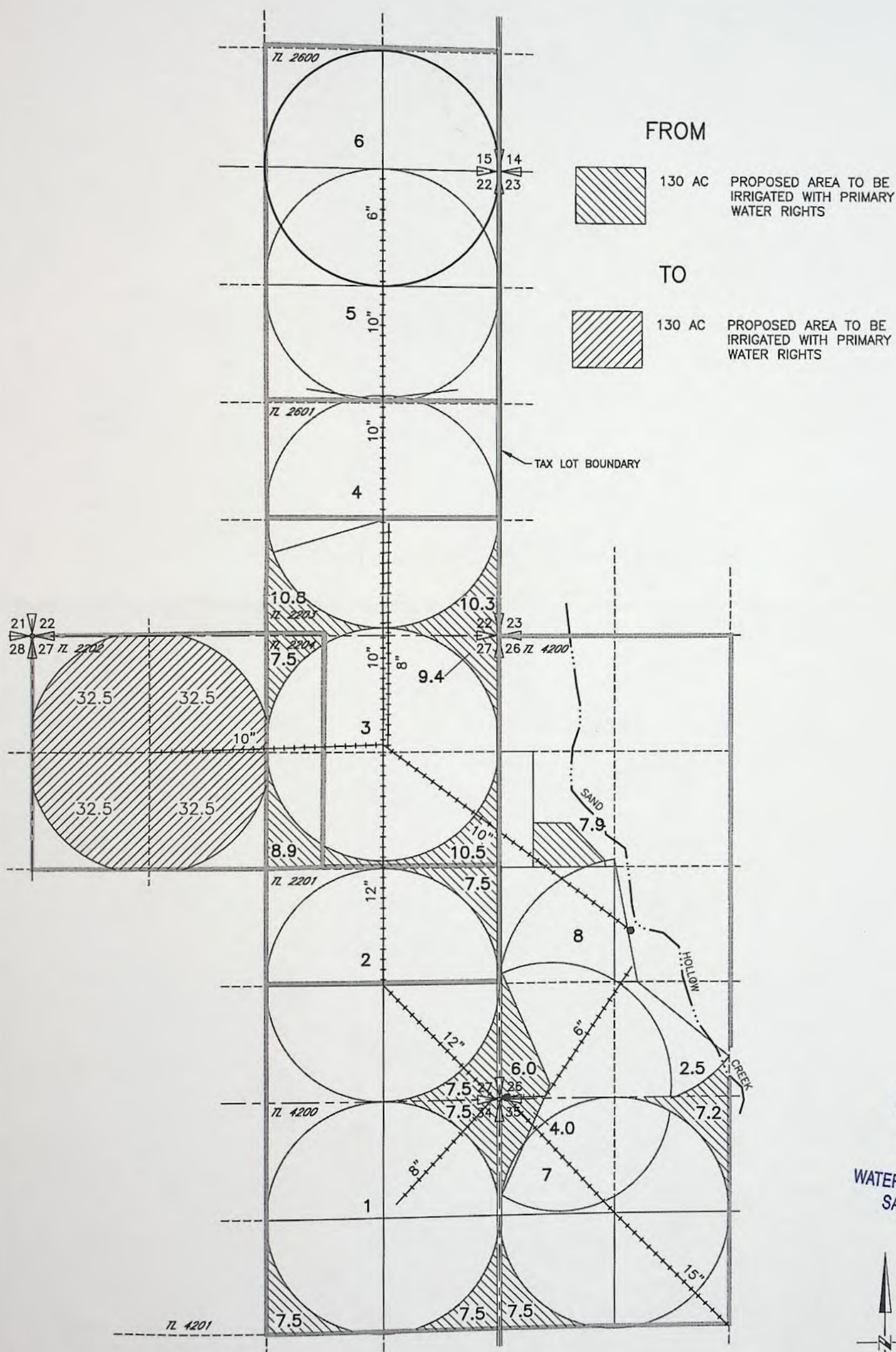
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POINTS OF APPROPRIATION

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INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
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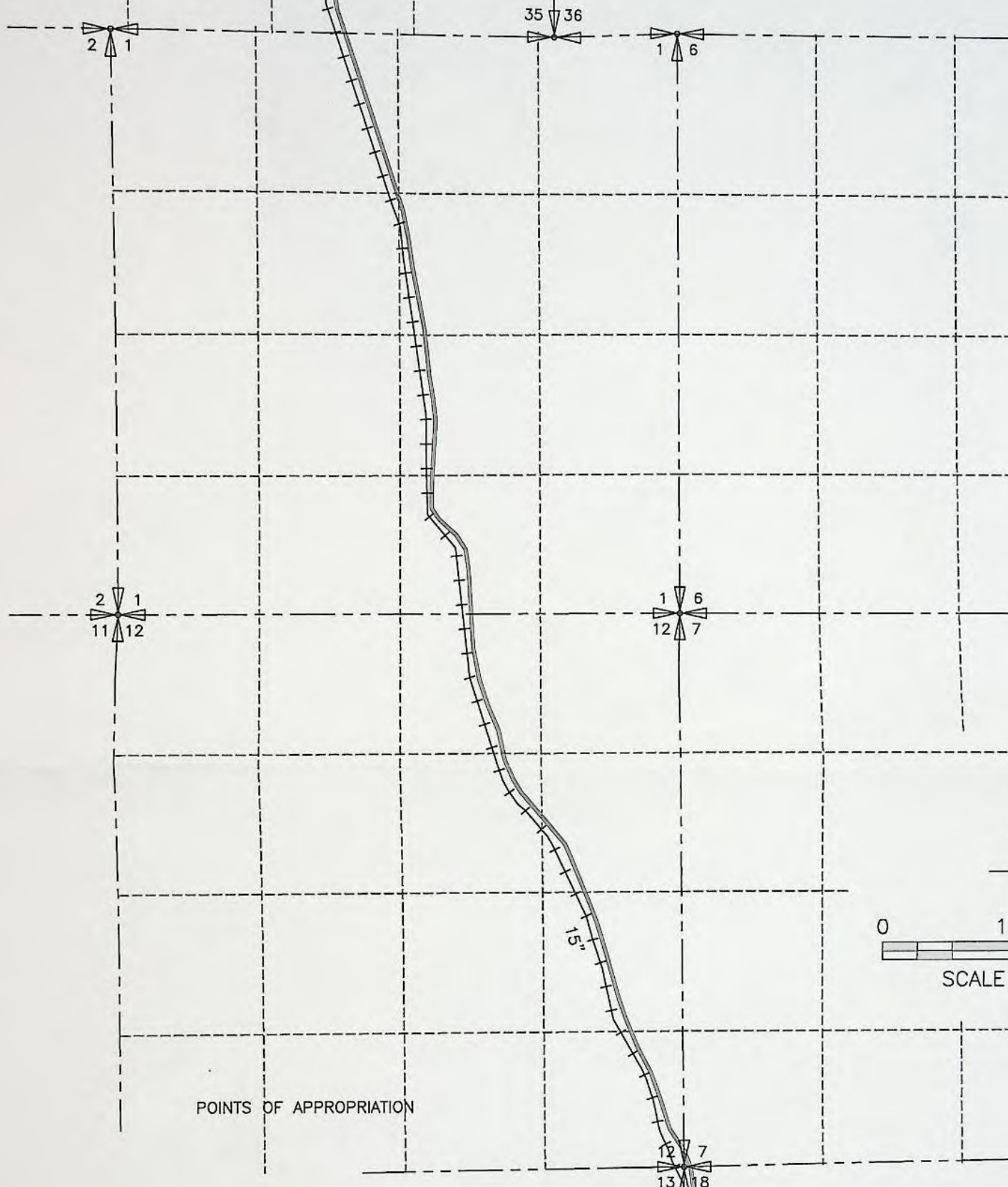
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T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 2 OF 2

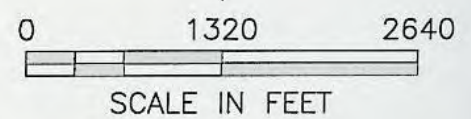


POINTS OF APPROPRIATION

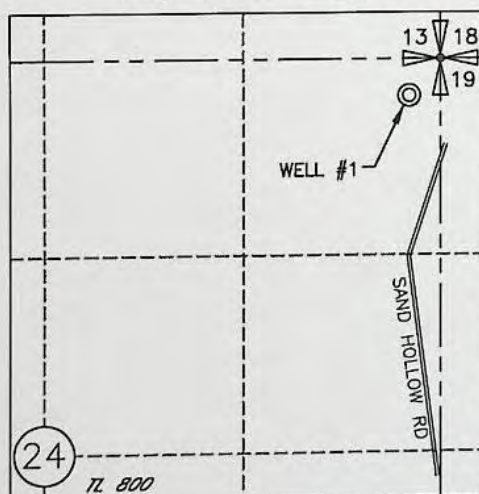
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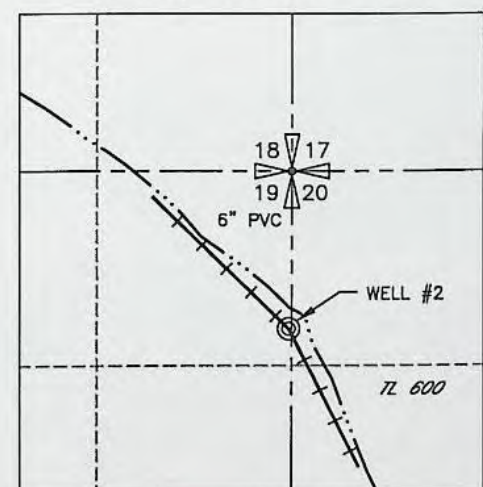


T1S, R26E WM



WELL #1 250' SOUTH AND 210' WEST FROM THE
NE CORNER SECTION 24

T1S, R27E WM



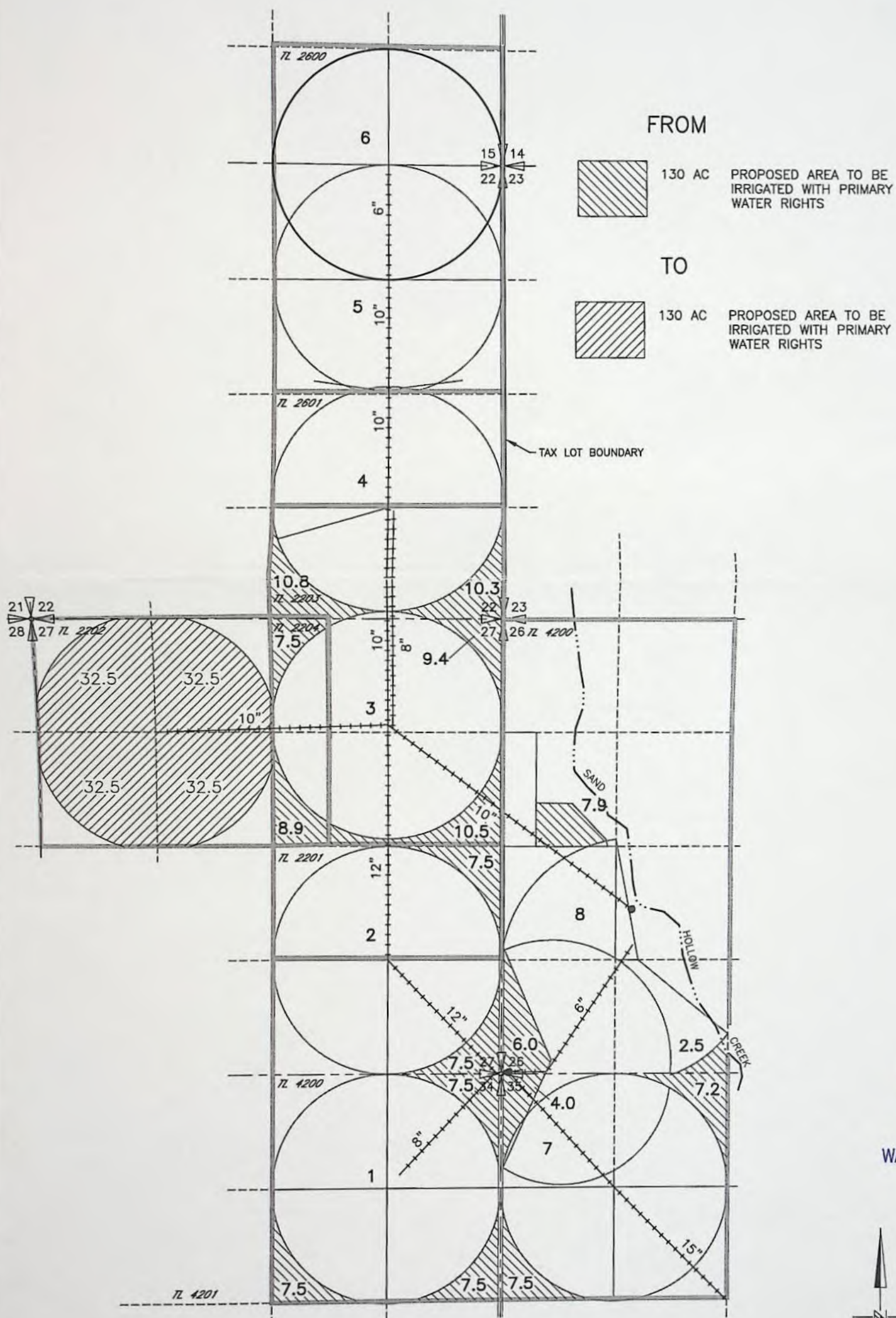
WELL #2 1070' SOUTH AND 20' WEST
FROM THE NE CORNER SECTION 19

T 11285

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2011
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AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 1 OF 2



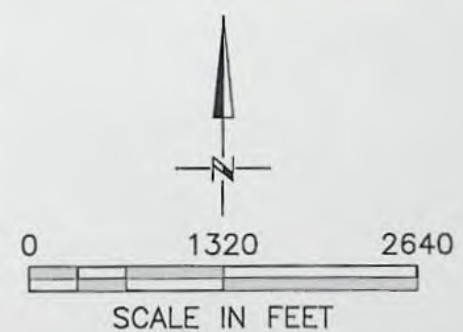
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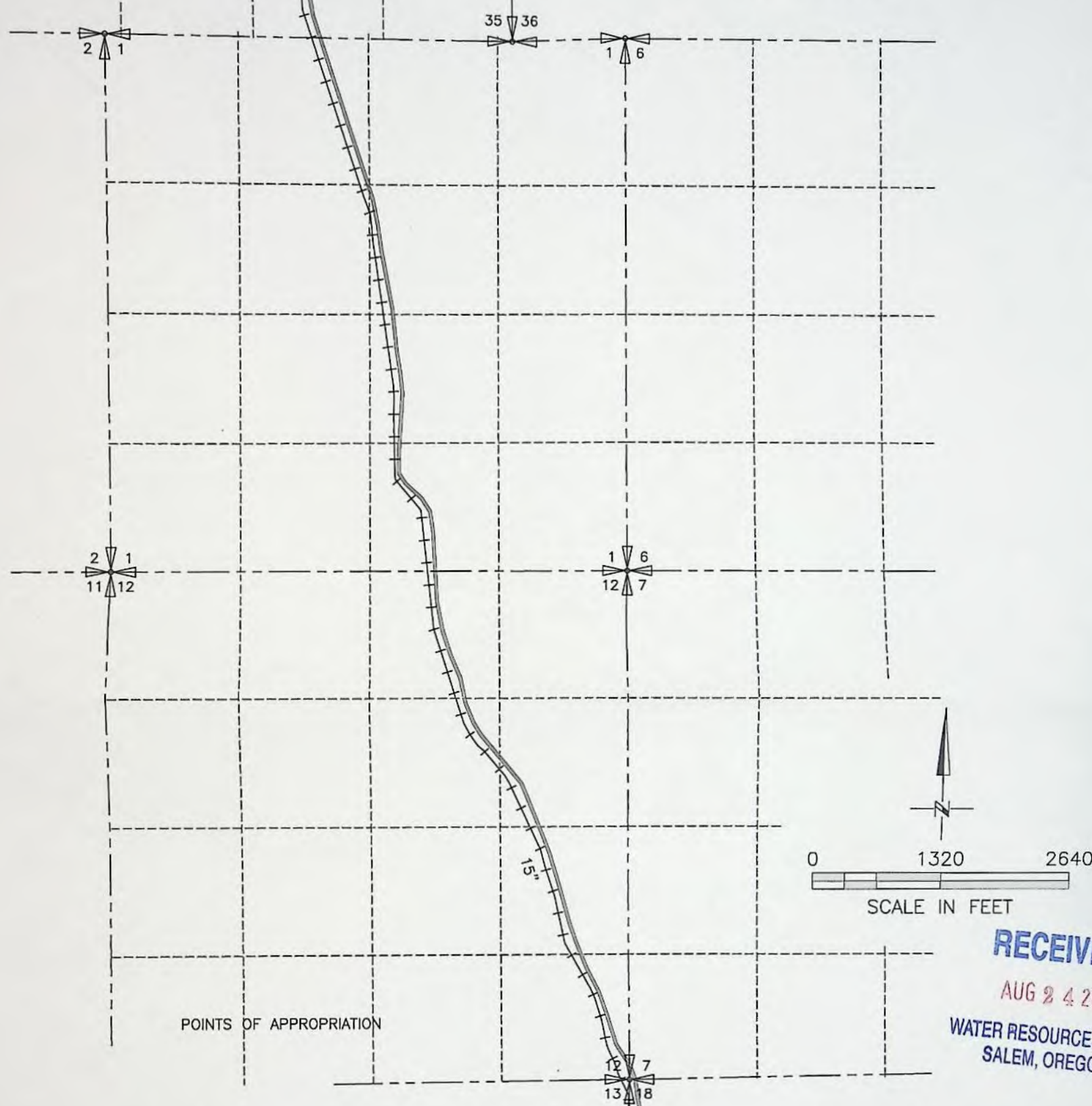
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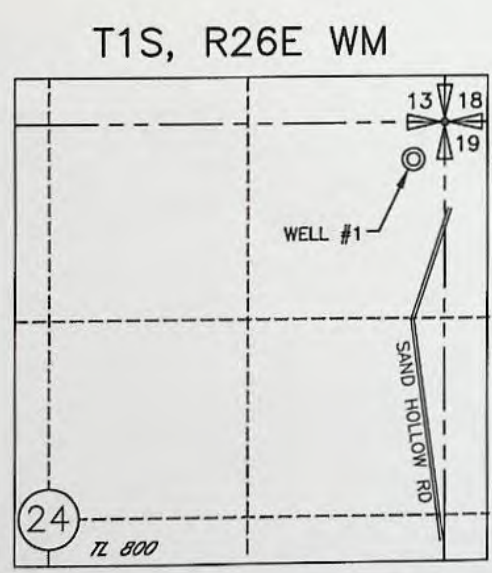
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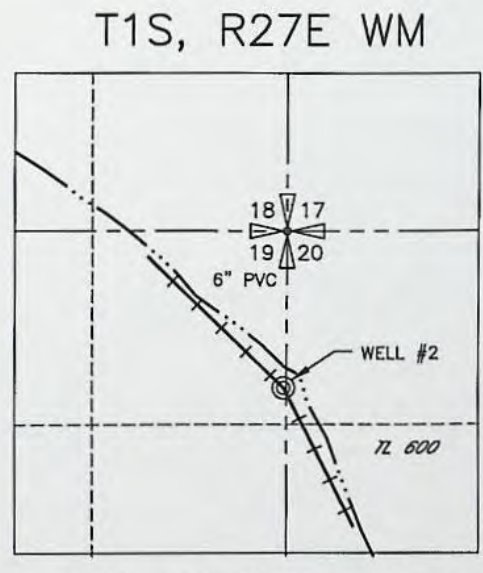
2011
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 MORROW COUNTY, OREGON
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WELL #1 250' SOUTH AND 210' WEST FROM THE
 NE CORNER SECTION 24



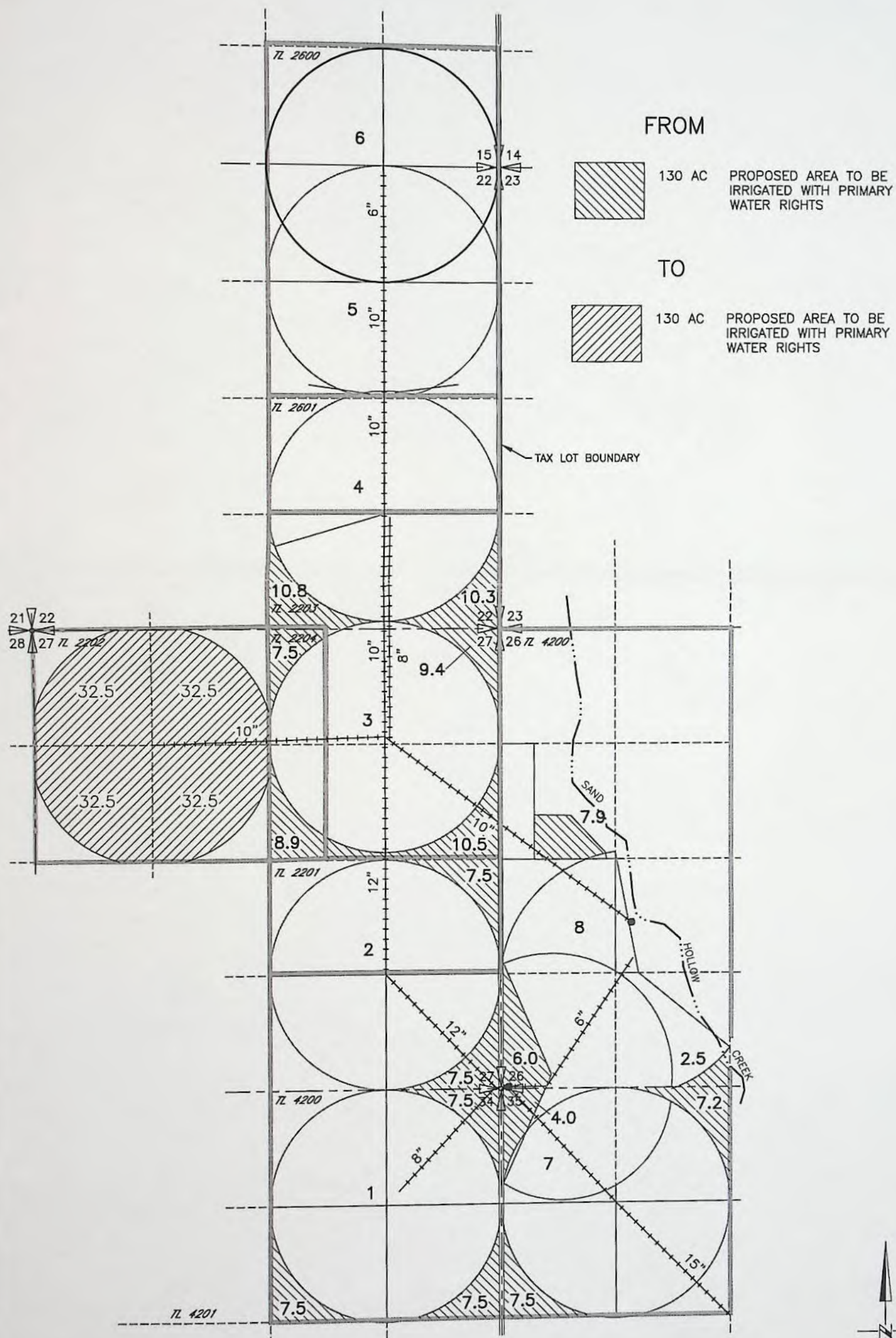
WELL #2 1070' SOUTH AND 20' WEST
 FROM THE NE CORNER SECTION 19

T 11285

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2011
TURNER RANCH, INC. PERMIT
AMENDMENT APPLICATION MAP
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T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 1 OF 2

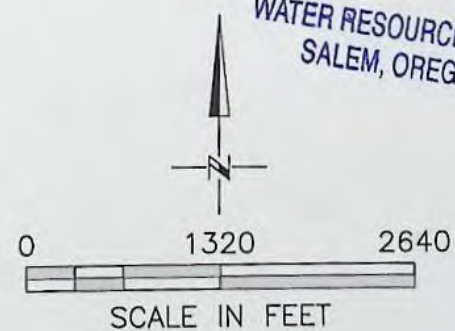


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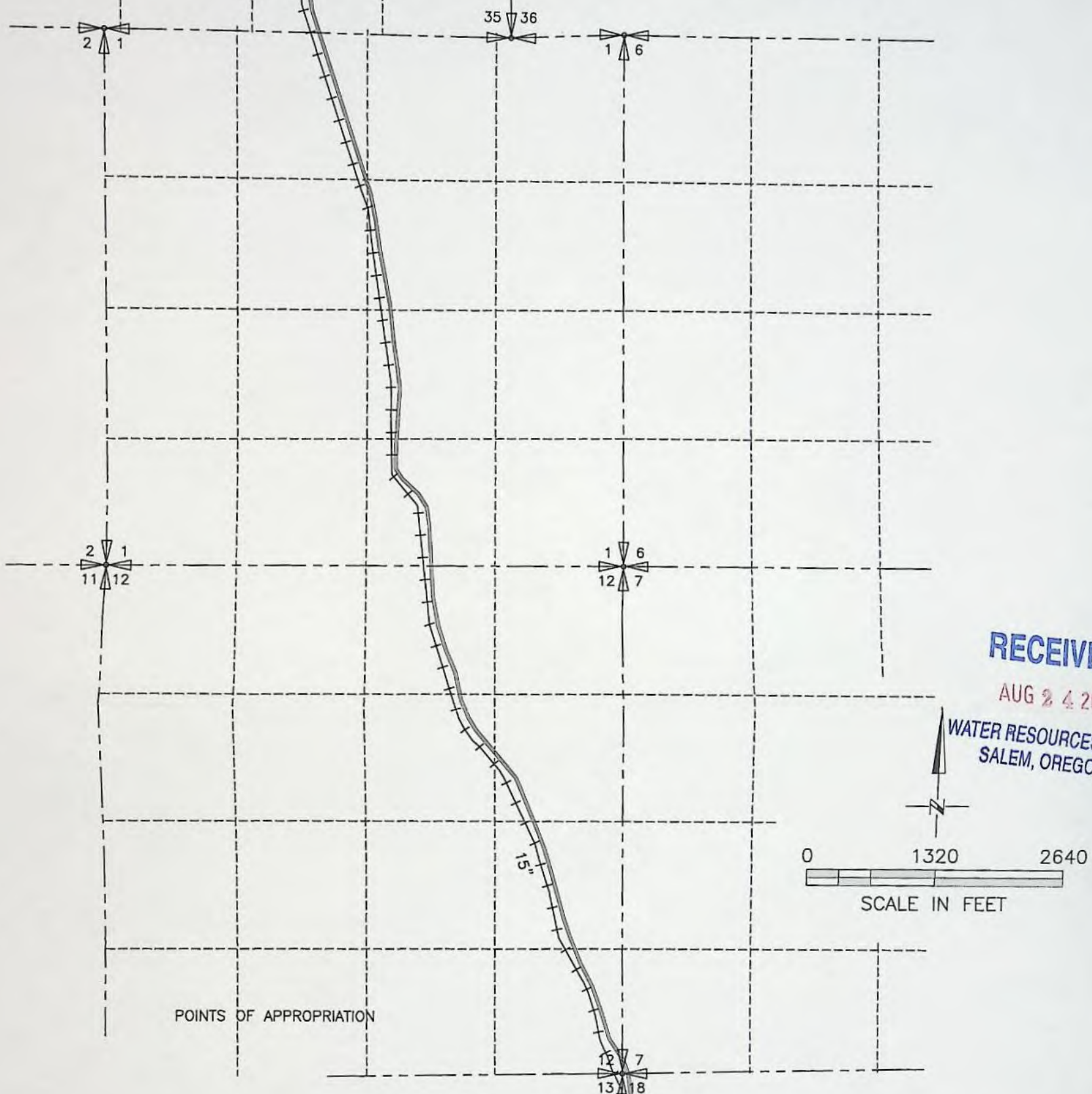
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AMENDMENT APPLICATION MAP
INVOLVING PERMIT G-15464
T1N, R26E WM
MORROW COUNTY, OREGON
PAGE 2 OF 2



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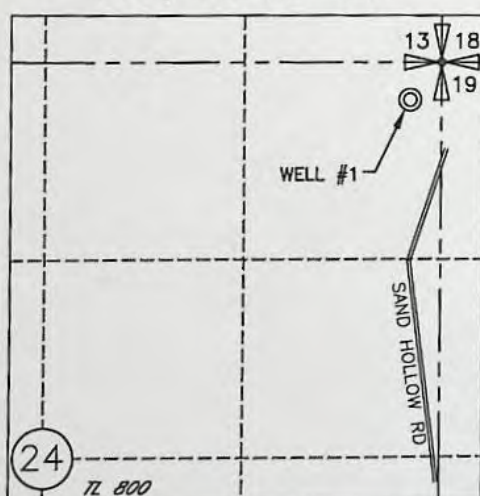
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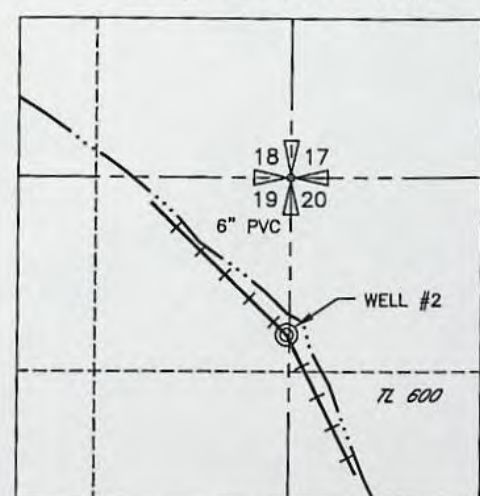
POINTS OF APPROPRIATION

T1S, R26E WM



WELL #1 250' SOUTH AND 210' WEST FROM THE
NE CORNER SECTION 24

T1S, R27E WM



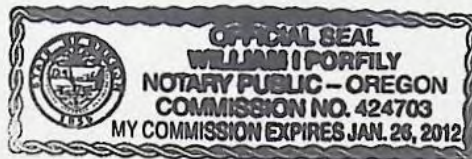
WELL #2 1070' SOUTH AND 20' WEST
FROM THE NE CORNER SECTION 19

NOTE: T 11285
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State of Oregon)
County of Umatilla) SS

Sherry Kemp 8-16-11
Sherry Kemp Date



Subscribed and Sworn to Before Me this 16th day of August, 2011 by
Sherry Kemp _____

William A. Poffly
Notary Public – State of Oregon

My commission expires JAN 26, 2012

3522.121
08/15/11



Phone: (503) 986-2200
Fax: (503) 378-4381

Articles of Amendment/Dissolution—Limited Liability Company

Secretary of State
Corporation Division
255 Capitol St. NE, Suite 151
Salem, OR 97310-1327

For office use only

Registry Number: _____

Attach Additional Sheet if Necessary
Please Type or Print Legibly in Black Ink

1) NAME PRIOR TO AMENDMENT

Kemp Land, L.L.C

2) THE FOLLOWING AMENDMENT(S) TO THE ARTICLES OF ORGANIZATION IS MADE HEREBY. (State the article number(s) and set forth the article(s) as it is amended to read.)

All but one member has been bought out. Sherry R Kemp
is the remaining member.

3) PLEASE CHECK THE APPROPRIATE STATEMENT

☐ This amendment was adopted by the manager(s) without member action. Member action was not required.
Date of adoption of each amendment: _____

☒ This amendment(s) was approved by the members. 100 percent of the members approved the amendment(s).
Date of adoption of each amendment: _____

ARTICLES OF DISSOLUTION ONLY

4) NAME OF LIMITED LIABILITY COMPANY

5) DATE OF DISSOLUTION

6) EXECUTION (Must be signed by at least one member or manager.)

Printed Name

Sherry R. Kemp

Signature

Sherry R. Kemp

Title

7) CONTACT NAME

Sherry Kemp

DAYTIME PHONE NUMBER — INCLUDING AREA CODE

(541) 567-9099

T 11285

CR152 (Rev. 12/99)

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AUG 24 2011

WATER RESOURCES DEPT
SALEM, OREGON

FEES

Make check for \$10 payable to
"Corporation Division."

NOTE: Filing fees may be paid
with VISA or MasterCard. The
card number and expiration date
should be submitted on a separate
sheet for your protection.

M-57383

Document:	Deed of Personal Representative
Grantors:	Steven W. Kemp and Gary L. Kemp, co-personal representatives of the estate of Stanley M. Kemp, deceased.
Grantees:	Steven W. Kemp, Gary L. Kemp and Sherry R. Kemp, each as to an undivided one-third interest as tenants in common.
Return Recorded Instrument:	Timothy P. O'Rourke, of Corey, Byler & Rew, P. O. Box 218, Pendleton, OR 97801.
Consideration:	Pursuant to Order Authorizing Partial Distribution dated March 18, 1999.
Tax Statements:	Gary Kemp, Steve Kemp and Sherry Kemp, P. O. Box 556, Lexington, OR. 97839.

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DEED OF PERSONAL REPRESENTATIVE

STEVEN W. KEMP AND GARY L. KEMP, the duly appointed, qualified and acting co-personal representatives of the Estate of STANLEY M. KEMP, deceased, Grantors, convey to STEVEN W. KEMP, GARY L. KEMP and SHERRY R. KEMP, each as to an undivided one-third interest as tenants in common, Grantees, in the following described real property:

The south half of the southwest quarter of section 15; The Northwest quarter of section 27; and the Northwest quarter of section 22, all in Township 1 North, Range 26, E.W.M., Morrow County Oregon, subject to all rights of way and roads; also,

Those portions of Lots 1, and 2, Block 2, McAlister's Second Addition to the City of Lexington, Morrow county, Oregon, Township 1 South, Range 25, East of the Willamette Meridian, described as follows:

Beginning at the Southwesterly corner of said Lot 1, said point being the point of intersection of the Southeasterly right of way line of "F" Street and the Southwesterly right of way line of an alley running through said Block 2 and being the True Point of Beginning of this description: Thence Southeasterly along the Northwesterly line of said Alley, said line being the Southwesterly right of way line of said Lots 1 and 2, a distance of 118.25 feet to a point; Thence Northeasterly parallel to the Southwesterly right of way line of "F" street a distance of 66.00 feet to a point; Thence Northwesterly parallel to the Southwesterly line of Clay Street to a point on the Southeasterly right of way line of "F" Street; Thence Southwesterly along the Southwesterly line of Lot 1 to the True Point of Beginning of this description. Subject to all easements of record.

The true and actual consideration for this conveyance is none; this conveyance is given pursuant to Order Authorizing Partial Distribution and Payment of Fees dated March 18, 1999 filed in Morrow County, Probate No. 98 PR 014.

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 PRACTICES AS DEFINED IN ORS 30.930.

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

Gary Kemp, Sherry Kemp & Steve Kemp
P. O. Box 556
Lexington, OR 97839

1 - DEED OF PERSONAL REPRESENTATIVE

1W-26
2602
3000
3202

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WATER RESOURCES DEPT
SALEM, OREGON

DATED this 25 day of March, 1999.

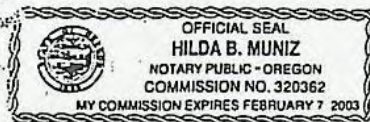
Gary L. Kemp
Gary L. Kemp, Co-Personal
Representative of the Estate
of Stanley M. Kemp, deceased

Steven W. Kemp
Steven W. Kemp, Co-Personal
Representative of the Estate
of Stanley M. Kemp, deceased

STATE OF OREGON)
) ss.
County of UMATILLA)

MARCH 25, 1999.

I, HILDA B. MUNIZ,
Personally appeared before me the above-named Gary L. Kemp and
acknowledged the foregoing instrument to be his voluntary act as
co-personal representative of the Estate of Stanley M. Kemp,
deceased.

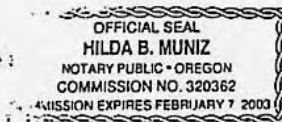


Hilda B. Muniz
Notary Public for Oregon
My Commission Expires: 2-7-2003

STATE OF OREGON)
) ss.
County of UMATILLA)

MARCH 25, 1999.

Personally appeared before me the above-named Steven W. Kemp
and acknowledged the foregoing instrument to be his voluntary act
as co-personal representative of the Estate of Stanley M. Kemp,
deceased.



Hilda B. Muniz
Notary Public for OREGON
My Commission Expires: 2-7-2003

2 - DEED OF PERSONAL REPRESENTATIVE

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AUG 24 2011

WATER RESOURCES DEP
SALEM, OREGON

T 11285

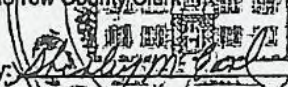
STATE OF OREGON

SS

County of Morrow

I certify that this instrument was received and
recorded in the book of records of said county.

BARBARA BLOODSWORTH
Morrow County Clerk

by:  Deputy.

DOC# 57383

RCPT# T1627

3/29/99 2:24 PM

45.00

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SALEM, OREGON

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WATER RESOURCES DEPT
SALEM, OREGON

T 11285



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use-zone.

Applicant Name: Turner Ranch, Inc c/o Melissa Turner
Mailing Address: 63405 Sand Hollow Rd
City: Heppner State: OR Zip: 97836 Day Phone: (541) 676-9710

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot#	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
1N	26E	27	NW¼	2202	EFU	☐ Diverted ☒ Conveyed ☒ Used	Irrigation
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Morrow County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2 ☒ 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: We proposed to transfer water rights described in Permit G-15464 (that when Kenny Turner was alive he intended to irrigate) located in 17 corners around existing circles to one circle that we will install on ground we are leasing from Shari Kemp

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

Receipt for Request for Land Use Information

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

RECEIVED

AUG 24 2011

WATER RESOURCES DEPT
SALEM, OREGON

11285

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCZO Article 3 Section 3.010

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

Location of use is within Buttercreek CGWA. Appropriation
is not.

Name: Carla McChane Title: Planning Director
Signature: [Signature] Phone: 541 922 4624 Date: 8/15/2011
Government Entity: Morrow 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

RECEIVED

AUG 24 2011

Applicant name: _____

City or County: _____

Staff contact: _____

Signature: _____

Phone: _____

Date: _____

WATER RESOURCES DEPT
SALEM, OREGON

T 11285



Oregon

John A. Kitzhaber, MD, Governor

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

August 25, 2011

TURNER RANCH INC
MELISSA TURNER
75655 BAGLINE RD
HEPPNER, OR 97836

Reference: Application T- 11285

On August 24, 2011, we received your water right Transfer application. The application was accompanied by \$900.00. Our receipt number 103729 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.

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

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

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

Cc: Watermaster Dist. # 5 (via e-mail)
William I. Porfily, Agent
Morrow County

Enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment August 30, 2011

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: MORROW
Transfer: 11285
Water Right: PERMIT G 15464
Priority Date: JANUARY 9, 2003
Name: TURNER RANCH INC, MELISSA TURNER
Address: 75655 BASELINE RD, HEPPNER OR 97836
Change: POU
Source: WELLS

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Turner Ranch
c/o Todd Lindsay
75655 Baseline RD
Heppner, OR 97836



1000

97301

First Class Mail
First Class Mail

Permit Amendment
Oregon Water Resources Dept
725 Summer St NE, Ste A
Salem, OR 97301-1271

**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 # **103729**

INVOICE # _____

RECEIVED FROM: Turner Kanches, Inc

BY: _____

CASH: ☐ CHECK: # 1159 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-11285</u>

TOTAL REC'D \$ 90000

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>90000</u>		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **103729**

DATED: 8-24-11

BY: LAG

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