



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

# Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

Please check one

<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Lois CLEMENS  
First Last

Address: 235 Hwy. 20 N.  
HINES ORE. 97738  
City State Zip

Phone: 541-573-6627 573-2621  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

## 3. AGENT INFORMATION

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

Name: Tim CLEMENS  
First Last

Address: 235 Hwy. 20 N.  
HINES ORE. 97738  
City State Zip

Phone: 541-573-2621 589-1214  
Home Work Other

Fax: \_\_\_\_\_ E-Mail address: \_\_\_\_\_

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate
1.		U-259	51197
2.		G-7391	55575
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - Place of Use       Point of Diversion (POD)       Additional Point of Diversion
  - Character of Use       Point of Appropriation (POA, or well)       Additional POA
  - Instream Transfer       Surface Water POD to Ground Water POA
  - Substitution of Supplemental Groundwater right for Primary Surface water right
  - Historic POD change       Other
- Reason(s) for change(s): Consolidating all wells on our groundwater rights, so all lands can be served by all wells.

**5. WATER DELIVERY SYSTEM**

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

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

WE CURRENTLY HAVE 4 EXISTING WELLS WITH ONE NEW ONE BEING DRILLED. ALL WELLS PUMP INTO (1) 10" MAIN LINE THAT RUNS THROUGH THE MIDDLE OF THE PROPERTY APPROX 5,000 FEET LONG CARRYING WATER TO TWO POINTS.

- System capacity: 3.15 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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**6. EVIDENCE OF BENEFICIAL WATER USE**

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

**7. AFFECTED DISTRICTS**

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district?  Yes  No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer?  Yes  No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity?  Yes  No

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**8. LOCAL GOVERNMENTS**

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

HARNEY COUNTY  
450 N. BUENA VISTA  
BURNS, OR. 97720

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Transfer Application/3

**9. LAND OWNERSHIP**

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

If "No", provide the following information. For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from **each** of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): Loes Clemens  
First Last

Address: 235 Hwy. 20 N.  
Hines Or. 97120  
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?  
 Yes  No  N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): \_\_\_\_\_  
First Last

Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip

- Check **one** of the following:
  - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
  - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
  - N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

**10. Other Remarks (optional)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**12. SIGNATURES**

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

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

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

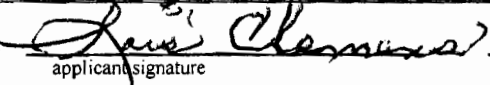
I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

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

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

I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	Lois Clemens name and title if applicable (print)	08-21-07 date
_____ applicant signature	_____ name and title if applicable (print)	_____ date

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**Water Right Transfer Supplemental Form A**  
**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

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

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

▪ Certificate Number or other identifying number: 51197

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

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

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**2. CURRENT WATER RIGHT INFORMATION**

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

<input checked="" type="checkbox"/> Certificated Right	<u>51197</u> Certificate Number	<u>U-259</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Riley & Sewell
- County: Harney
- Authorized Use(s) to be Affected by Transfer: Irrigations Supplemental Irigation
- Priority Date(s): Aug 26, 1948

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

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

Tributary to: Malheur Lake

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

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

- Are there **Other Water Rights, Permits or Ground Water Registrations** associated with this land?
  - Yes     No     N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? C-55575, C-20850

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

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T 10603

▪ Certificate Number or other identifying number: 51197

**3. PROPOSED CHANGES TO THE WATER RIGHT**

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

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

(i.e., the "TO" point(s) of diversion or appropriation)  N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, D.L.C. or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #2	23	31	WM	1	NENW		1191' S + 3626' W FROM THE NE OF Sec. 1
Well #3	23	31	WM	1	NENW		395' S + 3488' W FROM THE NE OF Sec. 1
Well #4	23	31	WM	1	NENW		179' S + 3484' W FROM THE NE OF Sec. 1

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above. Wells #2 & #4 are constructed. Well #3 is being drilled.

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
#3 N		14"	14" steel	220'	160-220	20'	30'	175'	Flow meter/ port	220'

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T 10605





**Water Right Transfer Supplemental Form A**  
**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

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

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

▪ Certificate Number or other identifying number: C-55575

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<p><input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <b>not</b> be used for the portion of the water right affected by the transfer.)</p> <p><input checked="" type="checkbox"/> <b>Additional</b> (Both the old <b>and</b> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)</p> <p><input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.)</p> <p><input type="checkbox"/> <b>Surface Water to Ground Water</b> (A new point of appropriation will be used <b>instead of</b> the old point of diversion. The old point of diversion will <b>not</b> be used.)</p> <p><input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.)</p> <p><input type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</p>	<p><input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)</p> <p><input type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)</p> <p align="center">T 10606</p>	<p>Proposed new use:</p> <p><input type="checkbox"/> Irrigation</p> <p><input type="checkbox"/> Municipal</p> <p><input type="checkbox"/> Quasi-municipal</p> <p><input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>)</p> <p><input type="checkbox"/> Domestic (indicate number of households) _____</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)</p> <p><input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)</p> <p align="right"><b>RECEIVED</b>  APR 21 2008  WATER RESOURCES DEPT  SALEM OREGON</p>

**2. CURRENT WATER RIGHT INFORMATION**

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

<input checked="" type="checkbox"/> Certificated Right	<u>5575</u> Certificate Number	<u>G-7391</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Thomas C. Clemens
- County: Harney
- Authorized Use(s) to be Affected by Transfer: Irrigation & Supplemental Irr.
- Priority Date(s): March 10, 1977

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

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

Tributary to: Malheur Lake

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

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

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

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

If "Yes", what are the Permit, Registration or Certificate Numbers? C-51197, C-20856

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

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SALEM, OREGON**

T 10605

▪ Certificate Number or other identifying number: C-55579

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
HARN 327	well 3/10/1977	23S	31E	WM	1	NENE		1250'S 91320'E of the NW corner, Sec 1

- Does the water right being transferred involve a ground water source(s)?
  - Yes
  - No (Surface water source only.)

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

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

or

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

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

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

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

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▪ Certificate Number or other identifying number: C-55575

**3. PROPOSED CHANGES TO THE WATER RIGHT**

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

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

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

N/A - Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Well #2	23	31	WM	1	NENW		1191'S & 3626'W from the NE of Sect 1
Well #3	23	31	WM	1	NENW		396'S & 3488'W from the NE of Sect 1
Well #4	23	31	WM	1	NENW		179'S & 3484' W from the NE of Sect 1

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above. Wells #2 & 4 are constructed. Well #3 is being drilled.

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

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

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

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

#3

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L- )	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N		14"	14" steel	220'	160-220	20'	30'	175"	Flow meter port	220'

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T 10605



STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** RILEY AND SEWELL

of Burns, State of Oregon 97720, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of \_\_\_\_\_ for the purpose of irrigation of 112.0 acres and supplemental irrigation of 342.4 acres

under Permit No. U-259 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 26, 1948 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 5.38 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 $\frac{1}{4}$ , Section 1, T23S, R31E, WM.

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 from direct flow 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 be still further limited to a diversion of not to exceed 5.38 cubic feet per second

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

T 10606



PRIMARY

1.8 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
4.4 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
36.8 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
37.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
5.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
26.2 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 1

Township 23 South, Range 31 East, WM

SUPPLEMENTAL

7.6 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
38.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
39.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
35.2 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
9.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
34.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
38.2 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
33.4 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
27.8 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 1

Township 23 South, Range 31 East, WM

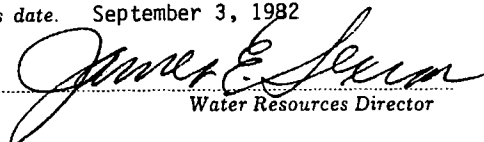
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 50368, Volume 44, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on July 29, 1982.

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. September 3, 1982

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 45 , page 51197

T 10606

## STATE OF OREGON

COUNTY OF

HARNEY

## CERTIFICATE OF WATER RIGHT

**This is to certify, That** THOMAS C. CLEMENS

of 90 West Adams, Burns, State of OR 97720, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Malheur Lake for the purpose of irrigation of 26.9 acres and supplemental irrigation of 392.1 acres

under Permit No. G-7391 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 March 10, 1977 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 2.12 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 NE 1/4 NW 1/4, Section 1, T23S, R31E, WM; 1250 feet South and 1320 feet East from NW corner Section 1.

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

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

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

T 10606

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4		29.8 acres
SW 1/4 NE 1/4		31.4 acres
NE 1/4 NW 1/4	3.0 acres	35.2 acres
NW 1/4 NW 1/4	22.0 acres	9.0 acres
SW 1/4 NW 1/4	1.9 acres	34.0 acres
SE 1/4 NW 1/4		40.0 acres
NE 1/4 SW 1/4		40.0 acres
NW 1/4 SW 1/4		37.8 acres
SW 1/4 SW 1/4		36.8 acres
SE 1/4 SW 1/4		37.8 acres
NW 1/4 SE 1/4		31.4 acres
SW 1/4 SE 1/4		28.9 acres

Section 1  
Township 23 South, Range 31 East, WM

*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. February 11, 1987*

/s/ William H. Young  
.....  
*Water Resources Director*

*Recorded in State Record of Water Right Certificates, Volume 51 , page 55575*

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