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HERMIT AMENDMENT

G13157 RECEIVED

State of Oregon WATER RESOURCES DEPARTMENT APPLICATION FOR TRANSFER OF WATER RIGHT

APR - 6 1998

WATER RESOURCES DEF
SALEM, OREGON

Applicant: KERNS RAINBOW RANCH, INC.
 Mailing Address: 45917 QUAIL ROAD
HAINES OR 97822 54-856-3449
City or town State Zip Phone
 Type of change: POINT OF APPROPRIATION
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

- A) Is the water right in your name? Yes If not, list name below:
(Yes, No)
- B) Was the water right determined by a court decree? NO
(Yes, No)
1. If yes, list the title of the proceedings: _____
 2. Certificate No: _____
- C) Was the water right acquired by a water permit? Yes
(Yes, No)
1. If yes, list the Permit No: G 13157
 2. Certificate No: _____
- D) Date of priority right: AUGUST 23, 1994, 19____
- E) What are your reasons for the proposed changes? HIGH COST TO BRING POWER TO WELL — SEE ATTACHED LETTER OF EXPLANATION.
- F) The water will be completely applied to the proposed use on or before: AUGUST 23, 2000

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? GROUNDWATER
- B) Describe the authorized point of diversion: APPROPRIATION

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>B3'E 83'N E 1/4 corner</u>	<u>SW 1/4 SE 1/4</u>	<u>1</u>	<u>8S</u>	<u>38E</u>

- C) What is the name of the ditch used? N/A
- D) What is the use to which the water is applied? IRRIGATION - (supplemental)

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
<u>NO CHANGE FROM PERMIT</u>				

- F) Is the land within an irrigation district? Yes No
 If Yes, which district? POWDER VALLEY WATER CONTROL DISTRICT
- G) County BAKER

3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

- A) Describe the proposed point of diversion: APPROPRIATION

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>450 feet W of corners</u>	<u>NE 1/4 NE 1/4</u>	<u>12</u>	<u>8S</u>	<u>38E</u>
<u>of sections 1, 2, 6 & 7; 10' S of section line 1 & 12</u>				

PERMIT AMENDMENT

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount
N/A		

D) What is the use to which the water will be applied? N/A

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
N/A				

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

NO CHANGE FROM PERMIT

6. REMARKS:

SEE ATTACHED LETTER

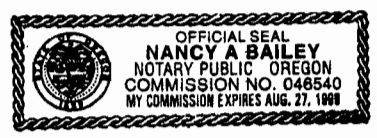
I (we) Kerna Rainbow Ranch, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 27 day of March, 1998.

Kerna Rainbow Ranch, Inc.
(Signature)
[Signature]
(Signature)

Subscribed and sworn to before me

(Notarial Seal)

Nancy A. Bailey
Notary Public for Oregon



My commission expires: 8-27-99