



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

Ownership Update for Certificated Rights Only

NO FEES ARE REQUIRED TO SUBMIT THIS FORM

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

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

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Current Landowner Information					
Name:	Carl Newmann				MAY 05 2023
Mailing Address:	57053 Lavabed Rd				OWRD SALEM, OREGON
City:	Polvacocton	State:	ORE	Zip:	97721
Phone:	541-589-3477	Email:	NEWCA_3908@yahoo.com		

Property Information					
County:	Harney	Township:	26	Range:	33
Tax Lot #:	100 100	Section:	25D		
Street Address of Water Right:					

Water Right Information	
Application:	6-17751
Permit:	
Certificate:	95267

Are all the lands associated with this water right owned by the requestor? Yes No
 (If no, include a map showing the portion of the water right involved)

Signature and Date	
Name of individual completing form:	Carl Blackburn
Phone or email:	carl@jettblackburn.com
Signature of requestor:	
Date:	3/4/23

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

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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES GILMOUR
SUE GILMOUR
30427 STELLMACHER DR
ALBANY OR 97321

confirms the right to the use of water perfected under the terms of Permit G-17273. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17751

SOURCE OF WATER: WELL 4 (HARN 51923/L109958) IN MALHEUR LAKE BASIN

PURPOSE or USE: IRRIGATION OF 126.2 ACRES

MAXIMUM RATE: 2.1 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 17, 2014

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	25	SE SE	10 FEET NORTH AND 1310 FEET WEST FROM SE CORNER, SECTION 25

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-SIXTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	33 E	WM	25	NE SE	32.4
26 S	33 E	WM	25	NW SE	31.1
26 S	33 E	WM	25	SW SE	31.2
26 S	33 E	WM	25	SE SE	31.5

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NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Measurement devices, and recording/reporting of annual water use conditions:

- A. The water user shall maintain a totalizing flow meter, or other suitable measuring device as approved by the Director, at each point of appropriation in good working order.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the right. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The water user shall report annual March static water-level measurements whether or not the well is used. The reference level against which future measurements will be compared is 8.0 feet below ground surface. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the water user'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 causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. 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.

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

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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 well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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

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

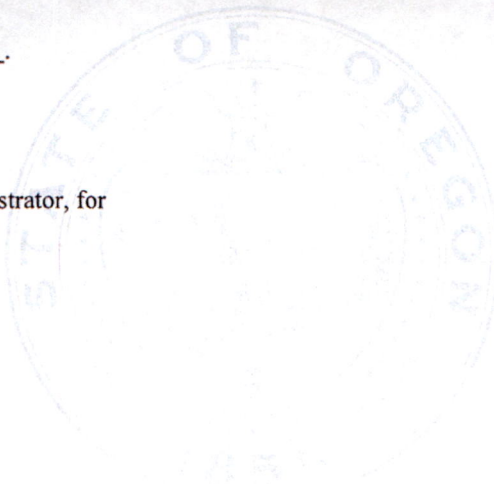
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued APR 09 2021



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

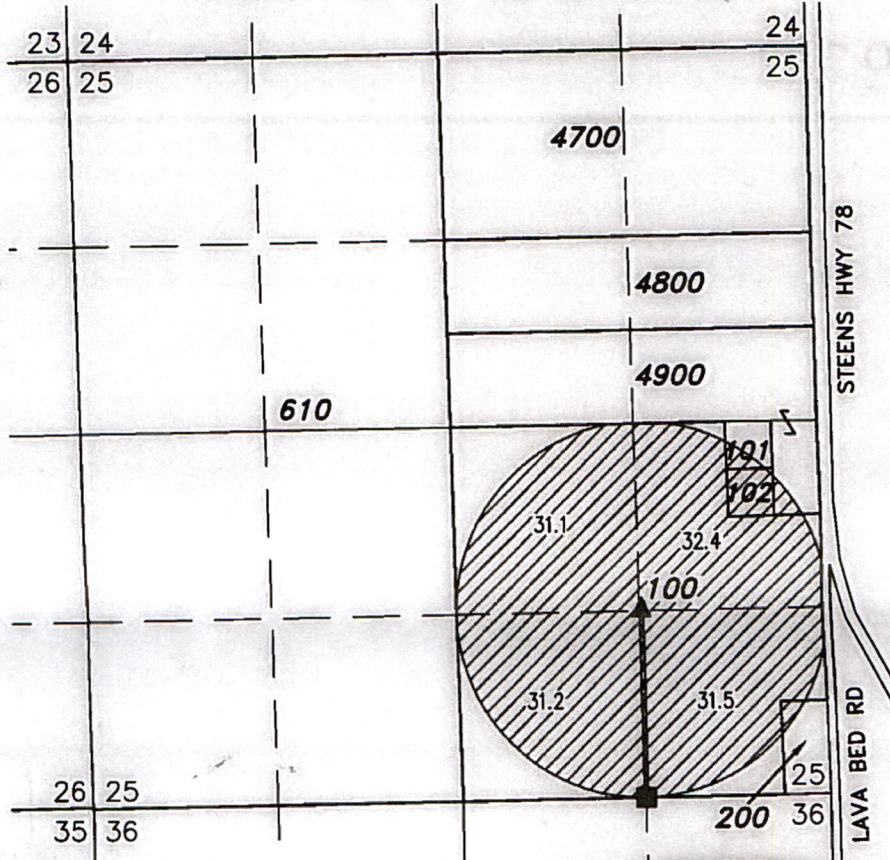


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CLAIM OF BENEFICIAL USE MAP

TO ADD A POINT OF APPROPRIATION
AND PLACE OF USE
FOR APPLICATION G-17751
JAMES & SUE GILMOUR

TOWNSHIP 26 SOUTH, RANGE 33 EAST, SECTION 25, W.M.
TAX LOTS: 100, 101, 102, 200, & 4900

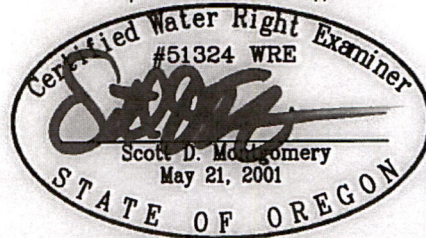


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■ **WELL 4 (HARN 51923)**

LOCATED IN THE SE 1/4 SE 1/4 SECTION 25, T26S
R33E, W.M. AND 10 FEET NORTH AND 1310 FEET WEST
FROM THE SE CORNER OF SECTION 25.

▲ FLOW METER IS LOCATED ON THE CENTER PIVOT AT
GEODETIC COORDINATES 43°16'47.64" NORTH AND
118°35'15.38" WEST IN WGS84 PROJECTION.



RENEWAL DATE: 12/31/2020



126.2 ACRES WATER RIGHTS FROM WELL 4
PERMIT G-17273, AS SHOWN.

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

PREPARED FOR:

JAMES & SUE GILMOUR
30427 STELLMACHER DRIVE
ALBANY, OR 97321

PREPARED BY:



ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767 TERREBONNE, OR 97760
(541) 548-5833 www.APEandS.com



After recording return to:

Carl Wyatt Neumann

57053 Lavabed Rd.

Princeton, OR 97721

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

Carl Wyatt Neumann

57053 Lavabed Rd.


Princeton, OR 97721

File No. 565607AM

THIS SPACE RESERVED FOR RECORDING USE

HARNEY COUNTY, OR **2023-0164**
 DEED-WD **02/13/2023 11:15:01 AM**
 Pgs= 5 **\$101.00**
 I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.

Derrin Robinson
 Derrin E. Robinson, Harney County Clerk



STATUTORY WARRANTY DEED

Jim Gilmour aka James L. Gilmour and Sue Gilmour aka Susan M. Gilmour, with right of survivorship; Jim Gilmour aka James L. Gilmour, Sue Gilmour aka Susan M. Gilmour and Marvin Gilmour ; Jim Gilmour aka James L. Gilmour and Susan Gilmour aka Susan M. Gilmour, as to an undivided 50% interest and Hat Butte LLC as to an undivided 50% interest; James L. Gilmour and Susan M. Gilmour, as tenants by the entirety,

Grantor(s), hereby convey and warrant to

Carl Wyatt Neumann,

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

See Attached Exhibit 'A'

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

- 26S 33E 00 4900 10564
- 26S 33E 00 4800 10565
- 26S 33E 25D 10093133
- 26S 33E 36 600 10602

The consideration paid for the transfer is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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

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

Dated this 9 day of February, 2023.

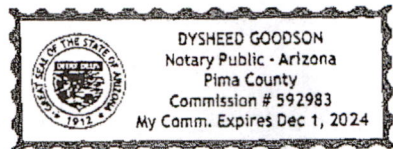
[Signature]
James L. Gilmour

[Signature]
Susan M. Gilmour

State of ARIZONA ss
County of PIMA

On this 9th day of February, 2023, before me, Dysheed Goodson a Notary Public in and for said state, personally appeared James L. Gilmour and Susan M. Gilmour, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of ARIZONA
Residing at: PIMA COUNTY
Commission Expires: Dec 1 2024



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Marvin Gilmour
Marvin Gilmour

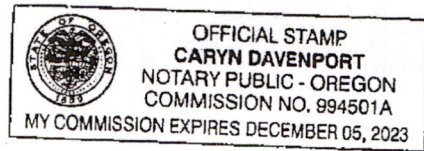
State of Oregon } ss
County of Benton }

On this 9 day of February, 2023, before me, Caryn Davenport, a Notary Public in and for said state, personally appeared Marvin Gilmour, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Caryn Davenport

Notary Public for the State of Oregon
Residing at: Albany
Commission Expires: 12/15/23



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Hat Butte LLC
By: the Helms Joint Revocable Living Trust
Its Member

By: [Signature]
Steven C Helms, Co-Trustee

By: [Signature]
Elizabeth D Helms, Co-Trustee

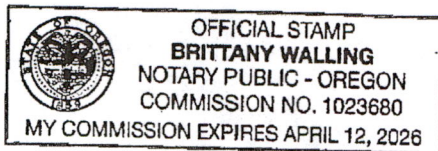
State of Oregon, ss.
County of unn }

On this 10 day of February, 2023, before me, Brittany Walling, a Notary Public in and for said state, personally appeared Steven C Helms and Elizabeth D Helms, known or identified to me to be the Member in the Limited Liability Company known as Hat Butte LLC who executed the foregoing instrument, and acknowledged to me that ~~he/she~~ they executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of Oregon
Residing at: Stanton, OR
Commission Expires: **APR 12 2026**

* Co-trustees of the Helms Joint Revocable Living Trust



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EXHIBIT 'A'

File No. 565607AM

PARCEL A

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 33 E., W.M.:

Sec. 25: S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, in Deeds recorded in Book 47, Page 198 and in Book 53, Page 401, Deed Records and EXCEPTING THEREFROM road right of way as disclosed in Patent recorded in Book 62, Page 336, Deed Records.

PARCEL B

A parcel of land located in the SE $\frac{1}{4}$ of Sec. 25, Twp. 26 S., R. 33 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcel 1C of Partiton Plat No. 08-12-234, recorded December 11, 2008, Instrument No. 20082103, Harney County Records.

PARCEL C

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 33 E., W.M.:

Sec. 25: N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, in Deeds recorded in Book 47, Page 198 and in Book 53, Page 401, Deed Records.

PARCEL D

Land in Harney County, Oregon, as follows:

In Twp. 26 S., R. 33 E., W.M.:

Sec 36: W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

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