

From: [Weckel, Chris](#)
To: [WRD_DL_publicrecords; "mariel.j.combs@doj.state.or.us"](#)
Cc: [Helton, Anna](#); [Howard, Elizabeth E.](#); [Langford, Shonee D.](#)
Subject: Public Records Request
Date: Wednesday, December 18, 2019 3:22:22 PM

Hello,

Please process this public records request as soon as you can. Please charge our Schwabe account for any charges. We would like to make a public records request for the following:

Application file for application G-15118 and all internal and external communications, including emails, regarding application G-15118, permit G-15451 and the related application for extension of time for permit G-15451.

This request does not seek any information or records protected by the attorney-client privilege or work-product doctrine.

Thank you.

Chris

Chris Weckel

Legal Secretary to Elizabeth Howard, Brien Flanagan, Noah Jarrett, Bill Ohle and Jay Waldron
503-796-3770
cweckel@schwabe.com

Schwabe Williamson & Wyatt



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Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

January 02, 2020

John Short
Water Right Services LLC
PO BOX 1830
Bend, OR 97709

GW

The Department has reviewed the status of your pump test and any requests for extension(s) or exemption(s) for the following permitted well(s). The results are summarized in the following table:

Application	Water Right	Permitted Well	Pumped Well	Test Date	Request Status	Exemption	Well Name
G 15118	Permit G 18241 *	HARN0050143	HARN0050143	10 26 2015	APPROVED	None	Well #3
G 15118	Permit G 18241 *	HARN0001837	HARN0050143	10 26 2015	APPROVED	Multiple Well	
G 15118	Permit G 18241 *	HARN0051504	HARN0050143	10 26 2015	APPROVED	Multiple Well	
G 15118	Permit G 18241 *	HARN0050777	HARN0050143	10 26 2015	APPROVED	Multiple Well	

Please contact me if you have any questions.

Sincerely,

Darrick Boschmann
503-986-0853
Groundwater Section

cc GW Pump Test File
cc Certificates Section Application File



Oregon

Kate Brown, Governor

6-15118

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

October 1, 2019

GOLDEN RULE FARMS INC.
PO BOX 255
CHRISTMAS VALLEY, OR 97641

RE: Status of groundwater right permit(s)
Permit: G 18241 *, with a completion date of 10/30/2019
Permit: G 17441 *, with a completion date of 10/1/2024
Permit: G 17100 *, with a completion date of 10/1/2024

Dear Groundwater Right Holder,

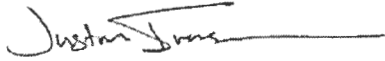
Our records indicate that you are the owner or agent of the water right permit(s) identified above. This letter includes important information to remind you about requirements related to developing water under your permit(s), and to help you anticipate how the Department may process future requests, specifically extensions of time related to these water right permits.

A permit provides authorization to develop and put water to beneficial use. Permits require development of the water use according to the limits and conditions of the permit by the completion date specified in the permit, usually within five years of issuance. Upon reaching the completion date, the permit holder is required to submit a claim of beneficial use to the Department within one year. A claim of beneficial use demonstrates to the Department that work has been completed within the terms and conditions of the permit and the extent of water use. Alternatively, a permit holder may need to apply for an extension of time to fully develop the water use under the permit or to come into compliance with certain time sensitive conditions specified in the permit.

The water right permit(s) listed above are located within or near the Greater Harney Valley Groundwater Area of Concern, an administrative area established by the Water Resources Commission in the Malheur Lakes Basin Program rules (OAR 690-512-0020) in 2016. While the Department evaluates each extension of time application on a case-by-case basis, please be aware that due to concerns about over-appropriation and an assessment of the present demand for water within or near the Groundwater Area of Concern, extensions of time are unlikely to be approved to allow any additional development of irrigated lands beyond what has been developed as of the currently authorized completion date. Extensions may be approved to address minor deficiencies with time sensitive permit conditions.

An attachment to this letter provides annotated links to several online resources. In addition, **staff from the Department will be available to meet with you in person to answer questions on Wednesday, October 16, from 2-6 PM in the back meeting room of The Pine Room in Burns. Please join us to make sure you have the information you need to make important decisions about your water right(s).**

Sincerely,



Justin Iverson
Groundwater Section Manager
justin.t.iverson@oregon.gov
503-986-0933

Attachment: Water Right Resources and Additional Information

CC: Water Right File(s):

G -15118

G -16867

G -17578

Water Right Resources:

- **Water Rights in Oregon Booklet ("Aqua Book")**
<https://www.oregon.gov/OWRD/WRDPublications1/aquabook.pdf>
General description of Oregon's water rights system.
- **Water Rights Information System**
<https://apps.wrd.state.or.us/apps/wr/wrinfo/>
The Department's online record of your water right file. A PDF copy of your permit and other related documents are available under the "Scanned Documents" section.
- **Claim of Beneficial Use / Certification Information**
<https://www.oregon.gov/OWRD/programs/WaterRights/Cert/Pages/default.aspx>
Find forms and information necessary to file a claim of beneficial use to complete the development of your water right and obtain a Certificate.
- **Extension of Time**
<https://www.oregon.gov/OWRD/programs/WaterRights/Cert/Pages/default.aspx>
Find forms and information necessary to file an extension of time if necessary to come into compliance with certain time sensitive conditions as required by the permit.

Additional Information:

- **Malheur Lake Basin Groundwater Rules:**
<https://secure.sos.state.or.us/oard/view.action?ruleNumber=690-512-0020>
In April 2016, the Water Resources Commission established the Greater Harney Valley Groundwater Area of Concern (GHVGAC) in the Malheur Lakes Basin Program Rules. Among other things, the rules required the Department to complete a Groundwater Study by 2020, and then convene a Rules Advisory Committee to reexamine these rules in 2021.
- **Groundwater Study Advisory Committee:**
<https://www.oregon.gov/OWRD/programs/GWWL/GW/HarneyBasinStudy/Pages/default.aspx>
In May 2016, OWRD and the Harney County Court appointed a Groundwater Study Advisory Committee to foster an open exchange of information, data, and ideas between Harney County residents, interested parties, and the groundwater study team.
- **Community-Based Water Planning:**
<http://hcwatershedcouncil.com/community-based-water-planning/>
In addition to the groundwater study, the Harney County Watershed Council and Harney County Court have undertaken a place-based integrated water resources planning effort in the basin. The Community-Based Planning group is working to develop integrated solutions for meeting long-term water needs", in which they will recommend a suite of actions to address the community's groundwater-related challenges.

Oregon Water Right Agent Authorization

To Oregon Water Resources Department:

I/We, the undersigned, as owner(s) of those Oregon water rights referenced below, do hereby authorize John A. Short or Bryce Withers of Water Right Services, LLC as our agent to represent me/us in all matters relating to these water rights, transfers, and/or extensions thereof. **Please copy Agent on ALL correspondence relating to these water rights, transfers, and extensions.**

Applications:

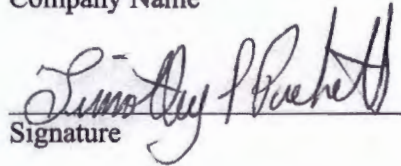
Permits: G-17100, G-17441, G-15451

Transfers:

Certificate:

Golden Rule Farms, Inc.
Company Name

President
Title


Signature

Timothy P. Puchtel 6-14-19
Printed Name Date

RECEIVED

JUN 14 2019

OWRD

Water Right Services, LLC

John A. Short CCB 197121

541-389-2837

P.O. Box 1830
Bend, OR 97709

johnshort@usa.com
www.oregonwater.us



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.Oregon.gov/OWRD

November 7, 2018

GOLDEN RULE FARMS INC.
PO BOX 255
CHRISTMAS VALLEY, OR 97641

Reference: Transfer Application T-12609

The above referenced transfer application was denied in the records of the Water Resources Department on November 7, 2018, by Special Order Volume 109, Page 885 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 986-0825 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Stacy H. Phillips
Water Right Services Support
Transfers and Conservation Section

cc: J R. Johnson, Watermaster Dist. # 10 (via email)
John A. Short, Agent
Harney County

Enclosure

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

In the Matter of Permit Amendment)
T-12609, Harney County)
)
) FINAL ORDER
) DENYING A CHANGE IN POINTS OF
) APPROPRIATION AND A CHANGE IN
) PLACE OF USE

Authority

Oregon Revised Statute (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

GOLDEN RULE FARMS, INC.
PO BOX 255
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On March 16, 2017, GOLDEN RULE FARMS, INC. filed an application to change the points of appropriation and to change the place of use under Permits G-15451, G-17100, and G-17441. The Department assigned the application number T-12609.
2. On December 26, 2014, the Department approved an extension of time for Permit G-15451, in order to complete application of water on or before October 30, 2019.
3. On August 2, 2016, the Department approved an assignment of Permit G-17100 and Permit G-17441 from Helen den Hoed to Golden Rule Farms, Inc.
4. On March 17, 2017, the Department approved an assignment of Permit G-15451 from Carpenter Ranch, LLC/Tom Carpenter to Golden Rule Farms, Inc.
5. Notice of the application for the permit amendment was published in the Department's weekly notice on March 21, 2017, and in the Burns Times Herald newspaper on September 26, and October 3, 2018, pursuant to ORS 540.520(5). No comments were filed in response to the notice(s).
6. On May 11, 2018, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of the deficiencies in the application. The Department requested that the deficiencies be resolved by June 11, 2018. No response was received to the letter.

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 137-004-0080 and OAR 690-01-0005 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.

7. On June 13, 2018, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of the deficiencies in the application. The Department requested that the deficiencies be resolved by July 13, 2018.
8. On July 12, 2018, the applicant's agent submitted a revised map.
9. On July 12, 2018, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of the deficiencies in the application. An approved Land Use form identifying tax lots 6100 and 6102, where the change in point of appropriation was taking place was not included with the application. The Department requested that the deficiencies be resolved by August 1, 2018.
10. On August 14, 2018, the applicant's agent submitted an approved Land Use form.
11. On September 28, 2018, the Department submitted correspondence to the applicant and the applicant's agent. The Department notified the applicant that Permit G-17441 had a current date for complete application of water to beneficial use set for October 1, 2018, and Permit G-17100 had a current date for complete application of water to beneficial use set for October 31, 2018. The Department requested the applicant submit an Application for Extension of Time for each permit, and gain approval in order for the Department to continue processing Permit Amendment application T-12609, no later than October 29, 2018. No response was received to the correspondence.
12. Permit Amendment Application T-12609 proposes to move the authorized points of appropriation (POA) under Permit G-15451 from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original POA in miles (mi)		
						Well 15	Well 16	Well 17
25 S	31 E	WM	28	SE SW	WELL 1 - 1240 FEET NORTH AND 2750 FEET WEST FROM THE SW CORNER OF SECTION 27	2.7 mi	3.6 mi	3.8 mi
25 S	31 E	WM	28	NW SE	WELL 2 - 1270 FEET SOUTH AND 1410 FEET WEST FROM THE SW CORNER OF SECTION 27	3.0 mi	3.9 mi	4.1 mi
25 S	31 E	WM	28	NE SE	WELL 3 - 1380 FEET NORTH AND 150 FEET WEST FROM THE SW CORNER OF SECTION 27	3.2 mi	4.1 mi	4.3 mi
25 S	31 E	WM	28	NE SE	WELL 4 - 1375 FEET NORTH AND 30 FEET WEST FROM THE SW CORNER OF SECTION 27	3.2 mi	4.1 mi	4.3 mi
25 S	31 E	WM	27	NW SW	WELL 5 - 1360 FEET NORTH AND 1260 FEET EAST FROM THE SW CORNER OF SECTION 27	3.4 mi	4.3 mi	4.5 mi
25 S	31 E	WM	32	NE NE	WELL 14 - 500 FEET SOUTH AND 20 FEET WEST FROM THE NW CORNER OF SECTION 33	2.2 mi	3.1 mi	3.3 mi
25 S	31 E	WM	33	NW NW	WELL 18 - 770 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 33	2.4 mi	3.3 mi	3.5 mi

13. Permit Amendment Application T-12609 proposes to move the authorized points of appropriation under Permit G-17100 from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original POA in miles (mi)	
						Well 1	Well 2
25 S	31 E	WM	28	SE SW	WELL 1 - 1240 FEET NORTH AND 2750 FEET WEST FROM THE SW CORNER OF SECTION 27	Well 1	Well 2
						2.3 mi	2.2 mi
25 S	31 E	WM	28	NW SE	WELL 2 - 1270 FEET SOUTH AND 1410 FEET WEST FROM THE SW CORNER OF SECTION 27	2.2 mi	2.3 mi
25 S	31 E	WM	28	NE SE	WELL 3 - 1380 FEET NORTH AND 150 FEET WEST FROM THE SW CORNER OF SECTION 27	2.2 mi	2.3 mi
25 S	31 E	WM	28	NE SE	WELL 4 - 1375 FEET NORTH AND 30 FEET WEST FROM THE SW CORNER OF SECTION 27	2.2 mi	2.3 mi
25 S	31 E	WM	27	NW SW	WELL 5 - 1360 FEET NORTH AND 1260 FEET EAST FROM THE SW CORNER OF SECTION 27	2.3 mi	2.4 mi
25 S	31 E	WM	32	NE NE	WELL 14 - 500 FEET SOUTH AND 20 FEET WEST FROM THE NW CORNER OF SECTION 33	2.1 mi	1.9 mi
25 S	31 E	WM	33	NW NW	WELL 18 - 770 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 33	2.0 mi	1.9 mi

14. Permit Amendment Application T-12609 proposes to move the authorized points of appropriation under Permit G-17441 from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original POA in miles (mi)		
						Well	Well 1	Well 2
25 S	31 E	WM	28	SE SW	WELL 1 - 1240 FEET NORTH AND 2750 FEET WEST FROM THE SW CORNER OF SECTION 27	Well	Well 1	Well 2
						1.5 mi	1.9 mi	2.1 mi
25 S	31 E	WM	28	NW SE	WELL 2 - 1270 FEET SOUTH AND 1410 FEET WEST FROM THE SW CORNER OF SECTION 27	1.7 mi	2.1 mi	2.3 mi
25 S	31 E	WM	28	NE SE	WELL 3 - 1380 FEET NORTH AND 150 FEET WEST FROM THE SW CORNER OF SECTION 27	1.9 mi	2.3 mi	2.5 mi
25 S	31 E	WM	28	NE SE	WELL 4 - 1375 FEET NORTH AND 30 FEET WEST FROM THE SW CORNER OF SECTION 27	1.9 mi	2.3 mi	2.5 mi
25 S	31 E	WM	27	NW SW	WELL 5 - 1360 FEET NORTH AND 1260 FEET EAST FROM THE SW CORNER OF SECTION 27	1.7 mi	2.2 mi	2.3 mi

25 S	31 E	WM	32	NE NE	WELL 14 - 500 FEET SOUTH AND 20 FEET WEST FROM THE NW CORNER OF SECTION 33	1.0 mi	1.4 mi	1.6 mi
25 S	31 E	WM	33	NW NW	WELL 18 - 770 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 33	1.1 mi	1.5 mi	1.7 mi

15. Permit Amendment Application T-12609 also proposes to move the authorized point of appropriation for Well 16 under Permit G-15451 approximately 0.1 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	1	SW NW	WELL 16 - 250 FEET NORTH AND 730 FEET EAST FROM THE W1/4 CORNER OF SECTION 1

16. Permit Amendment Application T-12609 also proposes to change a portion of the place of use of Permit G-15451 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	28	SW NE	31.4
25 S	31 E	WM	28	SE NW	28.2
25 S	31 E	WM	28	NE SW	28.1
25 S	31 E	WM	28	NE SE	31.4
25 S	31 E	WM	28	NW SE	32.9
25 S	31 E	WM	33	NW NW	25.9
25 S	31 E	WM	33	SW NW	22.1
Total					200.0

17. Permit Amendment Application T-12609 also proposes to change the place of use of Permit G-17100 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	27	NE SE	33.0
25 S	31 E	WM	27	NW SE	40.0
25 S	31 E	WM	27	SW SE	36.0
25 S	31 E	WM	27	SE SE	27.9
25 S	31 E	WM	33	NE NE	28.5
25 S	31 E	WM	33	NW NE	27.9
25 S	31 E	WM	33	SW NE	35.1
25 S	31 E	WM	33	SE NE	28.0
25 S	31 E	WM	33	NE NW	24.6
25 S	31 E	WM	33	NW NW	2.0
25 S	31 E	WM	33	SW NW	12.4
25 S	31 E	WM	33	SE NW	32.6
Total					320.0

18. Permit Amendment Application T-12609 also proposes to change the place of use of Permit G-17441 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	27	NE SW	40.0
25 S	31 E	WM	27	NW SW	40.0
25 S	31 E	WM	27	SW SW	39.2
25 S	31 E	WM	27	SE SW	38.9
25 S	31 E	WM	28	NE SE	1.2
25 S	31 E	WM	28	SE SE	0.7
Total					160.0

Permit Amendment Review Criteria

- 19. The changes would not result in injury to other water rights.
- 20. The proposed places of use are owned and/or controlled by the permit holder.
- 21. The changes do not enlarge the permits.
- 22. The changes do not alter any other terms of the permits.
- 23. The proposed place of use is contiguous to the authorized place of use.
- 24. The proposed wells shall each be constructed to develop groundwater from either the predominantly basin fill unit or the underlying predominantly volcanic/sedimentary bedrock unit, but not both.
- 25. The applicant is unable to complete application of the water to beneficial use under Permit G-17441, and Permit G-17100.

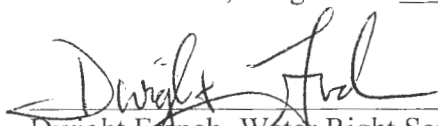
Conclusions of Law

The change in points of appropriation and change in place of use proposed by Permit Amendment Application T-12609 are not consistent with the requirements of ORS 537.211. The complete application of water date for Permit G-17441 ended October 1, 2018, and the complete application of water date for Permit G-17100 ended October 31, 2018. The applicant has not submitted an Application for Extension of Time for Permit G-17441, and Permit G-17100. Without current dates for complete application of water, the Department cannot approve T-12609.

Now, therefore, it is ORDERED:

Permit Amendment Application T-12609 is denied.

Dated at Salem, Oregon this NOV 07 2018.



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

Mailing Date: NOV 08 2018



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

March 17, 2017

Golden Rule Farms Inc.
P.O. Box 255
Christmas Valley, Oregon 97641

Reference: Application G-15118, Permit G-15451

The assignment by proof from Carpenter Ranch, LLC to Golden Rule Farms, Inc. has been recorded in the records of the Water Resources Department.

The Departments records will now show Golden Rule Farms, Inc. as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 122925 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit(s) to be familiar with the conditions and timelines contained in the permit(s).

Please note that this permit requires complete application of water to the proposed use by October 30, 2019, and 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).

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 122925

cc: Watermaster 10
Carpenter Ranch, LLC
Data Center, OWRD (cover letter & request)

File



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

Request for Assignment

By Proof of Ownership
(If Water Right Holder is Not Available)

If for multiple rights, a separate form and fee for each right will be required.

I, Golden Rule Farms, Inc
(Name of Party Requesting Assignment)

PO Box 255 Christmas Valley OR 97641
(Mailing Address) (City) (State) (Zip) (Phone #)

- hereby request assignment of application/permit/transfer/license/GR Certificate of Registration;
- hereby request assignment of a portion of application/permit/transfer/license/GR Certificate of Registration; *(You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)*

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # G-15118 ; Permit # G-15451 ; Transfer# _____
 -OR-

RECEIVED BY OWRD

License # _____ GR Statement # _____ ; GR Certificate of Registration # _____

Carpenter Ranch, LLC / Tom Carpenter
(Name of Holder of Record)

MAR 16 2017

1930 Lewis St SE Salem OR 97302
(Mailing Address) (City) (State) (Zip) (Phone #)

SALEM, OR

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) *Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)*

- 1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 13 day of MAR, 2017.

Party Requesting Assignment Timothy Puchelt

Party Requesting Assignment _____

ASSIGN APPROV 3/17/17 ST

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
 Fee receipt # 122925
 For Director by Jerry Sauter, Program Analyst in Water Rights Division *[Signature]*

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of **\$85**.

PUBL 02 1998
300/94L ✓ 9-1-27
25 31 32

981181

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, ROBERT E. VAN DE ROSTYNE AND IMA L. VAN DE ROSTYNE, husband and wife, Grantors, for and in consideration of the sum of THIRTY THOUSAND AND 00/100 Dollars to us paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land, more particularly described as follows:

South Half of the Northeast quarter and North Half of the Southeast quarter, in Section Thirty-Two, Township Twenty-Five South, Range Thirty-One East, Willamette Meridian, County of Harney and State of Oregon.

Code 4-2 Map 25-31-32 Tax Lot 300 Reference No. 23137

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Easements, reservations and restrictions of record.

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

WITNESS our Hand and Seal this 10th day of June, in the year One Thousand Nine Hundred and Ninety Eight.

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.

Robert E. Van De Rostyne
 ROBERT E. VAN DE ROSTYNE
Ima L. Van De Rostyne
 IMA L. VAN DE ROSTYNE

STATE OF CALIFORNIA
COUNTY OF ~~SAN~~ LOS ANGELES

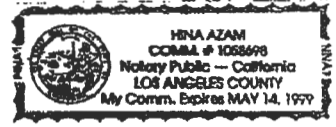
BE IT REMEMBERED, that on this 10th day of June, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT E. VAN DE ROSTYNE and IMA L. VAN DE ROSTYNE, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Hina Azam
 Notary Public for the State of CALIFORNIA
 My Commission Expires: MAY 14th, 1999

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L.L.C.
910 Cascade Highway N.E.
Salem, Or. 97301

After Recording Please Return to:
CARPENTER RANCH, L.L.C.
910 Cascade Highway N.E.
Salem, Or. 97301

STATE OF OREGON
 County of Harney
 I certify that the within instrument was received for record on this 10th day of June, 1998, at 5:40 P.M. and recorded Microfilm on 10/15/98 at 1:51 P.M. in the office of said County Clerk.
 By *[Signature]* Deputy



RECEIVED BY OWRD

MAR 16 2017

SALEM, OR



HARNEY COUNTY, OR 2016-0739
DEEDWD
Total:\$51.00 06/17/2016 01:42 PM



00012323201600007390030034

THIS SPA

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



After recording return to:
Golden Rule Farms Inc and Ten Thirty One, LLC
PO Box 255
Christmas Valley, OR 97641

Until a change is requested all tax statements shall be sent to the following address:
Golden Rule Farms Inc and Ten Thirty One, LLC
PO Box 255
Christmas Valley, OR 97641
File No. 108986AM

STATUTORY WARRANTY DEED

Carpenter Ranch LLC aka Carpenter Ranch, L.L.C.,

Grantor(s), hereby convey and warrant to

Golden Rule Farms, Inc.

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:

- 25S 31E 00 6800
- 25S 31E 32 300
- 25S 31E 00 7100
- 25S 31E 00 6900
- 25S 31E 00 7000
- 25S 31E 00 5600
- 25S 31E 00 6100
- 25S 31E 00 6000
- 25S 31E 00 6101
- 25S 31E 00 6102
- 25S 31E 00 6200

The true and actual consideration for this conveyance 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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MAR 16 2017

SALEM, OR

Page 2 Statutory Warranty Deed
Escrow No. 108986AM

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 15 day of June, 2016

Carpenter Ranch, LLC
by: Carpenter Management Services, Inc.,
its Manager

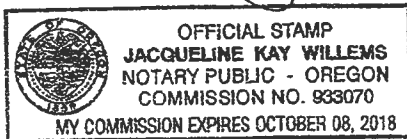
By: James B. Hall Jr.
James B. Hall Jr., Vice President

State of Oregon) ss
County of Marion)

On this 15 day of June, in the year 2016, before me, a Notary Public in and for said state, personally appeared James B. Hall, Jr., Vice President of Carpenter Management Services, Inc., known or identified to me to be the Managing Member in the Limited Liability Company known as Carpenter Ranch, LLC, who executed the foregoing instrument, and acknowledged to me that he/she 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.

Jacqueline Kay Willems
Notary Public for the State of Oregon
Residing at: Salem OR
Commission Expires: 10/08/2018



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MAR 16 2017

SALEM, OR

253100
47,50,51,52,53
49

253132
300
94I

PP 9909112
1

EXHIBIT "A"
LEGAL DESCRIPTION

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:
Sec. 32: S1/2SE1/4, N1/2SE1/4, S1/2NE1/4.
Sec. 33: W1/2SW1/4SE1/4, NW1/4, SW1/4.

A parcel of land located in Sec. 28 and 33, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcel No. 1 of Partition Plat No. 99-09-112, recorded September 14, 1999, Instrument No. 992054, Harney County Plat Records.

A portion of land located in the SW1/4 of Sec. 28, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2 of Partition Plat No. 96-10-063, recorded October 29, 1996, Instrument No. 962135, Harney County Plat Records.

6800
6900
7000
7100
6100
5600
6101
6102
6000
94

RA 257

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:
Sec. 28: SW1/4NE1/4, S1/2NW1/4,
W1/2W1/2W1/2W1/2W1/2W1/2NE1/4SE1/4,
N1/2SW1/4, NW1/4SE1/4.
Sec. 29: E1/2NE1/4, SW1/4NE1/4, E1/2SW1/4, W1/2SE1/4,
E1/2SE1/4.
Sec. 32: N1/2NE1/4.

pp 9610063
1,2

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MAR 16 2017

SALEM, OR

NS JAN 05 2000

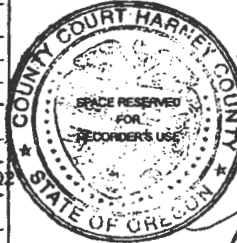
INSTRUMENT # 2000.0015

Grantor's Name and Address

Grantor's Name and Address

After recording, return to (Name, Address, Zip):
 Carpenter Ranch LLC
 c/o Lewis Street Management
 1930 Lewis Street SE Salem, OR 97302

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 same as above



STATE OF OREGON,
 County of Harney } ss.
 I certify that the within instrument
 was received for record on the 5th day
 of January, 2000, at
3:04 o'clock P.M., and recorded in
 book/reel/volume No. _____ on page
 _____ and/or as fee/file/instru-
 ment/microfilm/reception No 20000015,
 Records of said County.
 Witness my hand and seal of County
 affixed.
Marie Suzanne LaChik
 NAME TITLE
 By Jeri Roberson, Deputy.

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

Joseph J. Siri and Kelly S. Siri, Grantor,
 conveys and warrants to Carpenter Ranch LLC, C., Grantee,

the following described real property free of encumbrances, except as specifically set forth herein, situated in Harney County, Oregon, to-wit:

See Exhibit "A" 14-127
74
131
78
97
95

5600 6900 Southern ✓
6100 7800
6002 7100
6101
6700 7100/94/35 31

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): those shown on Page 2

The true consideration for this conveyance is \$ 534,000.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 29th day of December, 1999

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.

Joseph J. Siri
 Joseph J. Siri

Kelly S. Siri
 Kelly S. Siri

STATE OF OREGON, County of Harney) ss.
 This instrument was acknowledged before me on December 29, 1999,
 by Joseph J. Siri and Kelly S. Siri



Heather Zink
 Notary Public for Oregon
 My commission expires 9-9-2002

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 MAR 16 2017
 SALEM, OR

JAN 05 2000

INSTRUMENT # ~~20000015~~

EXHIBIT "A"

TITLE "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

Sec. 32: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 33: W $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM road right of way conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 363, Deed Records.

Also a parcel of land located in the SW $\frac{1}{4}$ of Sec. 28, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 96-10-063, recorded October 26, 1996, Instrument No. 962135, Harney County, Plat Records.

Also a parcel of land located in Sections 27, 28, 33, and 34, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 99-09-112, recorded September 14, 1999, Instrument No. 992054, Harney County, Plat Records. SAVE AND EXCEPT road right of way conveyed to Harney County, Oregon by deed recorded June 18, 1962, in Book 71, Page 365, Deed Records.

Together with all irrigation equipment presently located on this property and the water well pump.

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SALEM, OR

JAN 05 2000

INSTRUMENT # 20000015

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, which is described as follows:

Beginning at the Northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27;

thence S. 89° 47' 50" E., along the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 112.21 feet;

thence S. 00° 12' 00" W. 208.71 feet;

thence N. 89° 47' 50" W. 110.77 feet to the West line of said Sec. 27;

thence continuing N. 89° 47' 50" W. 97.94 feet to a point 37.5 feet East of the centerline of an existing power transmission line;

thence N. 00° 12' 00" E., parallel to said transmission line, 208.71 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28;

thence S. 89° 47' 50" E., along said North line, 96.50 feet to the point of beginning.

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MAR 16 2017

SALEM, OR

JAN 05 2000

INSTRUMENT # ~~4000000~~

WARRANTY DEED (EXCEPTIONS)

PAGE 2

1. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

2. RIGHTS OF THE PUBLIC in streets, roads and highways.

3. UNRECORDED OIL AND GAS LEASE, including the terms and provisions thereof, to E.L. Newell and Annie Newell, recorded May 22, 1945, in Book 1, Pages 192 and 228, Lease Records.

4. UNRECORDED OIL AND GAS LEASE, including the terms and provisions thereof, from E.L. Newell and Annie Newell to O.T. Atwood, dated April 30, 1941, as disclosed by the assignments below.

A portion of the interest of O.T. Atwood in the above lease was assigned of record to Oliver Zimmerman and Eva D. Zimmerman, by instrument recorded May 22, 1945, in Book 1, Page 192, Lease Records. (Affects the SE1/4SW1/4SW1/4 of Sec. 27, Twp. 25 S, R. 31 E., W.M.)

A portion of the interest of O.T. Atwood in the above lease was assigned of record to Wm. G. Sinclair and Mabel M. Sinclair, by instrument recorded October 13, 1945, in Book 1, page 228, Lease Records. (Affects the W1/2SW1/4SW1/4SW1/4 of Sec. 27, Twp. 25 S., R. 31 E., W.M.)

5. MINERALS RESERVED by the Pacific Land and Livestock Company, Inc., a corporation, as to full interest therein, in Deed recorded September 17, 1973, in Book 95, Page 244, and re-recorded October 22, 1974, in Book 97, Page 376 of Deeds, and all rights of said Pacific Land and Livestock Company, Inc., a corporation, and its successors in interest, as owners thereof.

6. EASEMENT, including the terms and provisions thereof, to Harney Electric Cooperative, Inc., an Oregon corporation, recorded May 14, 1984, in Book 121, Page 45, Deed Records.

7. LICENSE TO USE REAL PROPERTY, AND EASEMENTS, including the terms and provisions thereof, to Harney Electric Cooperative, Inc., an Oregon corporation, recorded May 18, 1984, in Book 121, Page 45, Deed Records.

8. LEASE, including the terms and provisions thereof, from Joseph J. Siri and Kelly Siri to Harney Electric Cooperative, Inc., an Oregon Corporation, dated May 21, 1999, recorded May 21, 1999, Instrument No. 991077, Deed Records.

9. OIL AND GAS LEASE, including the terms and provisions thereof, from E.E. Larson to Earl C. Miller, Trustee, dated March 9, 1929, recorded January 20, 1931, in Book "C", Page 156, Miscellaneous Records, which is to run for a term of 10 years from date, and as long hereafter as oil or gas is produced.

The interest of Earl C. Miller, Trustee, was assigned of record to Oregon Oil Company, an Oregon corporation, by instrument recorded January 20, 1931, in Book "C", Page 157, Miscellaneous Records.

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

10. EASEMENT, including the terms and provisions thereof, to Harney Electric Cooperative Inc., recorded September 3, 1999, Instrument No. 991975, Deed Records.

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MAR 16 2017

SALEM, OR

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **122925**

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0104 (fax)

INVOICE # _____

RECEIVED FROM: **Golden Rule Farms, Inc.**

APPLICATION	
PERMIT	
TRANSFER	T-121609

BY: _____

CASH: CHECK:# **7913** OTHER: (IDENTIFY)

TOTAL REC'D \$ **5835⁰⁰**

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	4611	\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)	ASSIGNMENT	\$ 8500
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER		\$
0203	GROUND WATER		\$
0205	TRANSFER	46110	\$ 5750⁰⁰
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR		\$
	LANDOWNER'S PERMIT		\$
	OTHER (IDENTIFY)		\$

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **122925**

DATED: **3-16-17** BY: **N Cook**

MEMORANDUM

TO: ADRIENNE NICHOLS, GROUND WATER SECTION
FROM: CERTIFICATE SECTION – CONNIE VANCE
SUBJECT: PUMP TEST FOR PERMIT G-15451 APPLICATION G-15118
DATE: 3/17/2016

The attached pump test was recently received. We have retained the original for the application file.

S:\groups\wr\certs\Resource Center\pump test memo normal.doc

Oregon Water Resources Department
PUMP TEST FORM COVER SHEET

Well Owner:

Name: Golden Rule Farms, Inc.
 Address: PO Box 255
 County: Harney
 City: Christmas Valley State: OR Zip: 97641
 Original owner (from well log): VJ Lefor

Well Location:

Township: 26 S Range: 30 E
 Section: 1 $\frac{1}{4}$ NW $\frac{1}{16}$ SW $\frac{1}{64}$ SE
 Well depth: 263.0 Date drilled: 3/21/1997
 Owners well no. (if any): # 3
 POD ID: L-11939

Water Right Information:

Application: G-15118 Permit: G-15451 Certificate: _____
 Is this well listed on more than one water right? Yes If yes, list additional water rights below:
 Application: _____ Permit: _____ Certificate: _____
 Application: _____ Permit: _____ Certificate: _____

Pump Test:

Test Conducted by: Billy Herndon Well Owner? Yes
 Company: Golden Rule Farms, Inc.
 Address: PO Box 255 Date of Test: 10/26/2015
 City: Christmas Valley State: OR Zip: 97641
 Daytime phone: _____

Method of discharge measurement (see our brochure for more information): Other (approved)
 Method of water-level measurement (pick one or enter other method used): Electric tape
 Length of air line (if used): _____

Pump type (pick one or enter other method used): Choose one or enter alternative
 Was the pump test conducted during normal use of the well? Yes Note: _____

Are you aware of any wells, other than domestic or stock wells, pumping within 1000 feet of the tested well during the test or within 24 hours prior to the test? Yes Note: _____
 If yes, give approximate distances to each and approximate pumping rate of each. If possible, indicate if they were turned on or off during the test: _____

Is there a lake, stream or other surface water body within $\frac{1}{4}$ mile of the tested well? Yes If yes, give approximate distance from the well and approximate elevation difference between the surface water and the well head. Approx. distance: _____ ft Approx. elevation difference: _____ ft

Well elevation is at _____ surface water body.

Description of measuring point (e.g. top port of 1 inch port pipe, west side) Hole cut at ground level.

Measuring point distance at _____ land surface _____ feet.

Static water level measurements: (A minimum of three measurements are required in the hour before pumping begins at no less than 20 minutes apart):

Time	Depth to water below meas. point	Depth to water below land surface
<u>9:00 am</u>	<u>124.00</u>	<u>124.00</u>
<u>9:20 am</u>	<u>124.00</u>	<u>124.00</u>
<u>9:40 am</u>	<u>124.00</u>	<u>124.00</u>

Discharge measurements: (A discharge measurement is required at the start of pumping and at least once an hour during the test; additional measurements should be noted on the Pump Test Data Sheet):

Time	Discharge Rate	Discharge Units (e.g. gpm, cfs, etc)
_____	<u>Est 1000 gpm</u>	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>
_____	_____	<u>gpm (gallons per minute)</u>

Time pump turned on: Date 10/26/2015 Time 10:00 am
 Time pump turned off: Date 10/26/2015 Time 2:00 pm
 Total pumping time: 4 hours 0 minutes

Note: Well must be idle for at least 16 hours prior to the test.

Additional forms can be obtained from our web site at: <http://www.wrd.state.or.us> OWRD 2/9/2000

Required Signature: _____

Stanley P. ...
 RECEIVED BY OWRD
 MAR 14 2016
 SALEM, OR

PUMP TEST DATA SHEET

Application: G-15118 Permit: G-15451 Certificate: N/A Pod Id: L-11939

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
10/26/2015	9:00		124'0"		Hole @ ground level.	10/26/2015	2:02	2	127'6"		
	9:20		124'0"				2:04	4	127'0"		
	9:40		124'0"				2:06	6	127'0"		
	10:00		124'0"				2:08	8	126'6"		
	10:02	2	148'0"				2:10	10	126'0"		
	10:04	4	146'0"				2:15	15	125'9"		
	10:06	6	146'0"				2:20	20	125'6"		
	10:08	8	144'0"								
	10:10	10	140'0"								
	10:15	15	137'0"								
	10:20	20	137'0"								
	10:25	25	137'0"								
	10:30	30	137'0"								
	10:45	45	137'0"								
	11:00	60	137'0"								
	11:15	75	137'0"								
	11:30	90	137'6"								
	11:45	105	137'6"								
	12:00	120	137'6"								
	12:15	135	137'6"								
	12:30	150	137'6"								
	12:45	165	137'6"								
	1:00	180	137'6"								
	1:15	195	137'6"								
	1:30	210	137'9"								
	1:45	225	137'9"								
	2:00	240	138'0"								

RECEIVED BY OWRD

MAR 14 2016

SALEM, OR

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

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

APPLICATION FILE NUMBER: G-15118

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 596.6 ACRES

MAXIMUM RATE: 7.45 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 2000

WELL LOCATIONS:

WELL #15 SE 1/4 SE 1/4, SECTION 36, T25S, R30E, W.M.; 30 FEET
NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36

WELL #16 SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; 25 FEET
NORTH & 1300 FEET EAST, FROM THE W 1/4 CORNER, SECTION 1

WELL #17 SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; 16 FEET
NORTH & 100 FEET EAST, FROM THE W 1/4 CORNER, SECTION 1

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 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 31.4 ACRES
NW 1/4 SW 1/4 31.4 ACRES
SW 1/4 SW 1/4 31.4 ACRES

Application G-15118 Water Resources Department

PERMIT G-15451

SE 1/4 SW 1/4 31.4 ACRES
NE 1/4 SE 1/4 31.4 ACRES
NW 1/4 SE 1/4 31.4 ACRES
SW 1/4 SE 1/4 31.4 ACRES
SE 1/4 SE 1/4 31.4 ACRES

SECTION 36

TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.

NE 1/4 NW 1/4 31.4 ACRES
LOT 1 (NW 1/4 NW 1/4) 31.4 ACRES
LOT 2 (SW 1/4 NW 1/4) 31.4 ACRES
SE 1/4 NW 1/4 31.4 ACRES
NE 1/4 SW 1/4 31.4 ACRES
LOT 3 (NW 1/4 SW 1/4) 31.4 ACRES
LOT 4 (SW 1/4 SW 1/4) 31.4 ACRES
SE 1/4 SW 1/4 31.4 ACRES

SECTION 31

TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.

LOT 3 (NE 1/4 NW 1/4) 31.4 ACRES
LOT 4 (NW 1/4 NW 1/4) 31.4 ACRES
SW 1/4 NW 1/4 31.4 ACRES

SECTION 1

TOWNSHIP 26 SOUTH, RANGE 30 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.

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.

STANDARD CONDITIONS

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.

SEE NEXT PAGE

Complete application of the water to the use shall be made on or before October 1, 2007. 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 June 20, 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.

PERMIT STATUS REVIEW BY Chingste DATE 9/9/14 FILE # G-15118

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update appropriate db

Yes Extension pending 6/4/14 _____

NO Assignment is pending _____

NO Cancellation has been requested _____

NO Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

NO Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

____ Send **certified** "C" date notice packet to permit holder.

"C" DATE 10/1/2007 BASIN NUMBER 12 WM # 10

CWRE or AGENT _____

S:\groups\wr\PERMIT C jdc-date-checklist.doc

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits
(OAR 690-315-0010 through OAR 690-315-0060)

Application: G- 15118 Permit: G- 15451 Permit Amendment? No Yes T- _____ pending approved

Permit Holder's Name: Carpenter Ranch LLC

Permit Holder's Mailing Address: 1930 Lewis St SE Salem, OR 97302 email jbhoffice@aol.com

Phone Number: 503-375-9939

POD Location: Township 25S (26S) Range 30E (30E) Section 36 (01) $\frac{1}{4}$ SESE (SWNW)

Drainage Basin: 12 County: Harney Watermaster District: 10 Watermaster: JR Johnson

Date Permit was issued: 6/20/2003

Priority Date: 4/5/2000

Date of PN: 6/17/2014

Source: Three wells in Malheur Lake Basin

Use: Irrigation of 596.6 acres

"Q": 7.45 cfs

Orig "A" Date: _____

Orig "B" Date: 10/1/

Orig "C" Date: 10/1/2007

Extension request rec'd: 6/4/2014

Last Authorized "B" Date: 10/1/

Last Authorized "C" Date: 10/1/

Request Number (1, 2, 3...): 1

Proposed "B" Date: 10/1/

Proposed C Date: 10/1/2019

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
<input type="checkbox"/>	<input checked="" type="checkbox"/>	meter before use
<input type="checkbox"/>	<input checked="" type="checkbox"/>	record monthly water use and submit annually
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

- Work was accomplished within the time allowed in the permit or previous extension
- Water right permit holder conformed with the permit or previous extension conditions
- Financial investments were made toward developing the beneficial water use.
 - Amount Invested to date: \$ _____ Estimated Remaining Cost: \$ _____
- Beneficial use made of the water during the permit or previous extension time limits
 - Permit holder has beneficially used 2 cfs gpm af of the total permitted quantity of water on 130 acres

GW REVIEW: Y N 5/14
near and some delay
MITIGATION REVIEW: Y N

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Determination of the market and the present demand for water or power to be supplied:

Identify the closest surface water or localized water basin. Malheur Lake

Ground Water Permits: Is the POA located...

Surface Water Permits: Is the POD located...

Yes No

- above a state scenic waterway? Name _____ Source: OWRD "Areas Above State Scenic Waterways" Map
- within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html
- within a sensitive, threatened or endangered species area Source: "/gisdata/dev/projects/salmon/div33map.aml"
- within a critical or limited Ground Water Area? Name of area _____
- within a Withdrawn Area? Name of area _____
- in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
- within an area ranking low / moderate / high / highest for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request

No ... "Good Cause" *cannot* be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints (Years: 2018)

Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permit holder shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permit holder shall submit a map of the survey and the claim of beneficial use."

NOTES:
 Jnclear if meters are in place
 Need Water use reporting
 Jnclear if wells 15 and 17 will be developed
 Well HARN 51555 drilled in 2008/2009

Extension "PFO" Dates
Mailing / Issuance Date: _____ **Protest Deadline Date:** _____
Reviewer's Name: _____ **Date:** _____

PARRETT Steve W

From: Denise <neecee@apeands.com>
Sent: Friday, June 13, 2014 12:24 PM
To: 'PARRETT Steve W'
Cc: Scott
Subject: RE: Carpenter Ranch extension applications

We do not recall seeing any meters put on yet on any of the wells.

Denise

From: PARRETT Steve W [<mailto:steve.w.parrett@state.or.us>]
Sent: Friday, June 13, 2014 10:23 AM
To: Denise
Subject: RE: Carpenter Ranch extension applications

Denise,

One aspect of the applications which I found somewhat difficult to decipher is whether meters have already been installed on any or all of the wells.

Could you review those permits and applications and provide any clarity on this subject?

No big rush, but I would like to make an informed finding on my end about whether those conditions have been met.

Thank you.

Steve

From: Denise [<mailto:neecee@apeands.com>]
Sent: Friday, June 13, 2014 10:23 AM
To: 'PARRETT Steve W'
Subject: RE: Carpenter Ranch extension applications

Yes we are. Please send us copies. Thank you.

Denise Montgomery
All Points Engr & Surveying, Inc
PO Box 767
Terrebonne, OR 97760
PH 541-548-5833
FAX: 541-585-4602

From: PARRETT Steve W [<mailto:steve.w.parrett@state.or.us>]
Sent: Thursday, June 12, 2014 3:15 PM
To: Denise
Subject: Carpenter Ranch extension applications

Denise,

I have received several extension applications from James Hall, Carpenter Ranch.

**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 # **112267**

INVOICE # _____

RECEIVED FROM: Carpenter Ranch
BY: _____

APPLICATION	G15118
PERMIT	6-15451
TRANSFER	

CASH: CHECK.# 7669 OTHER: (IDENTIFY)

TOTAL REC'D \$ 575.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 4/6/11
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ 575.00

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **112267** DATED: 6-4-14 BY: Clungate

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

Public Notice Route Slip ... New Application Extension of Time
Per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**
Money Received on: 6-4-14

◆ **Extension Specialist ...**
 Added to tracking spreadsheet

After fee is received and app info is added to spreadsheet, route to...

◆ **Codi Holmes...**
 Publish on Public Notice (initial 30-day comment): Date of notice 6/17/14

Update WRIS Database

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

Yes or No: Return file to Extension Specialist after PN SWP

Yes or No: Return file to Extension Specialist after PN _____



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

June 16, 2014

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Right Services Division has received your application for an extension of time for **APPLICATION FILE #: G-15118 (Permit G-15451)**. Your application will be reviewed in the future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you are interested in having your application reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

You may continue the use of water under your water right until the Water Resources Department formally takes action on your extension application. If your permit includes conditions, water use reporting, water level measurement reporting, etc., you are required to comply with the conditions.

Any additional development that occurs after the expired completion date, identified on the permit or an extension order, can only be claimed upon an approved extension application.

If you have questions concerning your extension of time application, please contact Steve Parrett at (503) 986-0825. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's website at: www.wrd.state.or.us.

7. Are all questions on the application answered? _____
 (NOTE: Supporting documentation such as: copies of the permit, well log(s), annual water use reports, static water level measurement reports, evidence demonstrating construction/work/water use accomplished, etc. may be included.)

The tables below are informational only. No need to check off.

■ NON-Municipal or NON-Quasi-Municipal Permit Extension Applications:

▪ Ques. #1 - Information provided on beginning of construction ("A" Date) under the permit.	▪ Ques. #5-C - Well location information provided <u>and</u> whether a permit amendment is necessary.
▪ Ques. #2 - Information provided on compliance with permit conditions.	▪ Ques. #6 - Information provided on number of acres irrigated, if applicable.
▪ Ques. #3 - Description provided of progress made in developing the permit.	▪ Ques. #7 - Description provided of remaining work left to be accomplished to perfect the permit.
▪ Ques. #4 - Monetary investment made in the project to date provided.	▪ Ques. #8 - Description provided of estimated cost to complete the project associated with the permit.
▪ Ques. #5-A - Max amount of water beneficially used to date for a SW permit indicated.	▪ Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
▪ Ques. #5-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	▪ Ques. #10 - Justification provided of why the requested time is necessary to complete project.

■ Municipal/Quasi-Municipal Permit Extension Applications:

▪ Ques. #2 - For Quasi-Municipal permits only, information provided on beginning of construction ("A" Date) under the permit.	▪ Ques. #8 - Estimate provided of current peak water demand of the population served <u>and</u> the methodology used to make the estimate.
▪ Ques. #3 - For Municipal permits issued on or after June 29, 2005, information provided on beginning of construction ("A" Date).	▪ Ques. #9 - Explanation provided of why the permit has not been fully developed/perfected.
▪ Ques. #4 - Description provided of progress made in developing the permit <u>and</u> financial expenditures made in the project to date.	▪ Ques. #10-A - Estimate provided of demand projection for the permit, the methodology used to make the estimate <u>and</u> anticipated date for full beneficial use of the permit.
▪ Ques. #5-A & #5-B - Information provided on compliance (or non-compliance) with permit conditions.	▪ Ques. #10-B - For extension requests greater than 50 years, documentation provided that the demand projection is consistent with the lands and uses proposed to be served by the permit holder.
▪ Ques. #6-A - Max amount of water beneficially used to date for a SW permit indicated.	▪ Ques. #11 - Estimate of costs to complete the project and a summary of future schedule to complete construction / perfect the water right.
▪ Ques. #6-B - Well construction information provided <u>and</u> max amount of water beneficially used to date for a GW permit indicated.	▪ Ques. #12 - Justification provided of why the requested time is necessary to complete project and/or apply water to full beneficial use.
▪ Ques. #6-C - Well location information provided <u>and</u> whether a permit amendment is necessary.	▪ Ques. #14 - A copy of any agreements regarding use of the undeveloped portion of the permit and maintaining the persistence of fish, if applicable.
▪ Ques. #7 - Estimate provided of current population served under the permit <u>and</u> the methodology used to make the estimate.	▪ Attachment A - A tabular inventory of the water supplier's water rights and any other water use authorizations.

8. Has the \$575 fee been paid? 112267
 *If applicable, has the \$85 fee for the Assignment been paid? _____
 (As of July 1, 2013, the Extension of Time fee is \$575, and Request for Assignment fee is \$85)

If the fee has NOT been paid, the application cannot be accepted.

****NOTE:** If the fee is the only item missing, contact the applicant to see if they can submit the fee with the next few days. If the applicant commits to submitting the fee within one week, hold the Extension Application, and explain to them that if it is not received the application will be returned (as we are required to keep any application, regardless of how complete, if retained by the Department as long as two weeks).

9. If after completing this checklist, it is not clear whether the application can be accepted, please route both the money slip and Extension Application to **Michele McAleer**, or **Anne Reece** for municipal and quasi-municipal applications. One will either: **1)** accept the application; **2)** return the application; or **3)** prepare a deficiency letter.

Reviewed by: SWP - CSG SWP Date: 6-5-14

Completeness Checklist for Permit Extension of Time Application

Minimum completeness criteria for Extension of Time Applications are set forth in OAR 690-086-0020(3) for NON-Municipal or NON-Quasi-Municipal permits and in OAR 690-086-0070(3) for Municipal or Quasi-Municipal permits.

1. Pull the permit file. If a copy of the permit is not in the file, pull up an image of the permit in WRIS.
2. Is the permit to be extended Non-Cancelled according to WRIS and the permit file? yes
If the permit has been cancelled, the Extension Application cannot be accepted.
3. Is the extension applicant's name and mailing address supplied? _____
If yes, is the applicant a permit holder of record (*i.e.*, permit issued or assigned to them)? _____
If the extension applicant is **NOT** a permit holder of record, a "Request for Assignment" must be accepted and processed before the Extension Application can be processed.
If an Assignment has **not** yet occurred, and is **not** submitted with the Extension of Time Application, the application cannot be accepted.
*** NOTE:** The applicant **may** submit a complete "Request for Assignment," at the same time, which **must** include the statutory fee of \$85 for the assignment, required proof of ownership, or signature of previous permit holder, in addition to all necessary items required for the Extension of Time Application so that **both applications can be accepted**.
4. Is the appropriate Extension of Time Application used? _____
If the wrong application form is used, the Extension Application cannot be accepted.
▪ If a Municipal or Quasi-Municipal permit, use: "Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits."
▪ If a NON-Municipal or NON-Quasi-Municipal permit, use: "Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)."
5. Are the requested date(s) for extension identified (*Page 1*)? yes 10/30/17
▪ Check the permit to see if it includes a "B-Date" and/or a "C-Date."
"B-Date" = date by which construction of the water delivery system for the permit is to be completed.
"C-Date" = date by which full beneficial use of water under the permit is to be accomplished.
NOTE: For permits with both a "B-Date" and a "C-Date," the applicant will likely request an extension of both dates (*i.e.*, to complete construction of the water delivery/distribution system and to apply water to full beneficial use). Unless, of course, construction of the water delivery system is complete. In which case, the applicant would likely only request an extension of the "C-Date" (*i.e.*, to apply water to full beneficial use).
For permits with only a "C-Date," the applicant will only be requesting an extension of the date in which to apply water to full beneficial use.
6. Is the Extension Application signed (with an original signature) by permit holder(s) of record or an authorized agent? _____
(If signed by agent, documentation from the permit holder(s) granting authorization for the agent to sign on their behalf must be provided or be present and current in the permit file.)
If **not** signed by a permit holder of record or authorized agent, the Extension Application cannot be accepted.
NOTE: If the permit covers land that has been subdivided and assigned to different, individual parties... we only need signatures of the permit holder(s) of record for the portion of the permit involved in the Extension of Time Application.



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

JUN 04 2014

SALEM, OR

Application for Extension of Time for a Water Right Permit
(Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

I, James B. Hall, Jr, Vice President for Manager, Carpenter Ranch, LLC

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

the holder of: Application Number G-15118 Permit Number G-15451 [OAR 690-315-0020(3)(b)]

**A separate application must be submitted for each permit as per OAR 690-315-0020(2). **

1930 Lewis St SE
MAILING ADDRESS

Salem, OR 97302
CITY, STATE, ZIP

503-375-9939
PHONE

jbhoffice@aol.com
E-MAIL ADDRESS

X do hereby request that the time to apply water to full beneficial use under the terms and conditions of the permit, which now expires on Month 10 Day 1 Year 2007, be extended to October 30, Year 2019.

Please Note. If the permit does specify a date when construction must be completed, you should request to extend both the time to apply water to full beneficial use and to complete construction. These dates are typically found on the permit above the signature of the Director.

and

[X] do hereby request that the time to complete construction of the water system, which now expires on Month 10 Day 1 Year 2006, be extended to October 30, Year 2019

Sign after completing the entire application, questions 1-11.

I am the permit holder, or have attached to this application written authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension. I have completed the entire application.

Signature James B. Hall, Jr.

Date 5/22/2014

Printed Name/Title James B. Hall, Jr., Vice President for Manager

MAIL COMPLETED and SIGNED APPLICATION with the \$575 STATUTORY FEE TO:

Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301

RECEIVED BY OWRD

JUN 04 2014

SALEM, OR

Submit the following items with your Application for Extension of Time:

- **The signed and completed Application for Extension of Time.**
- **\$575 check to OWRD or Oregon Water Resources Department**
- **All supporting documentation and/or evidence referenced in the application.**

Reference materials needed to complete this Application:

- **Water right permit.** A copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (using the link to the Water Rights Information System (WRIS)). A copy of the permit may be requested from the Water Rights Division at 503-986-0801 (copy fees will apply).
- **Documentation** which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Helpful information for completing this Application:

- Permit holders of **municipal or quasi-municipal water use permits DO NOT use this form.** The form *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits* is at the following link: <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete construction of the water project and/or to fully use the permitted quantity of water under the permit terms & conditions.
- The attached *Instructions for Completing an Application for Extension of Time for a Water Right Permit* will help you answer each question on the application. If, after reading the instructions, you need assistance, please call the Extensions Specialist at 503-986-0900.
- Permit extensions are evaluated under OAR Chapter 690, Division 315, which may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>. Please note that OWRD may require additional information, if necessary, to evaluate the application per OAR 315-0020(3)(n).
- OWRD will review applications received for completeness and will return incomplete or deficient applications per OAR 690-315-0040(1)(a) to the applicant.

Questions to Complete this Application for Extension of Time

Please see the instruction sheet to help you answers these questions.

[OAR 690-315-0020(3)(d)]

1. **Did the “actual construction” of the water system/well drilling begin within the time specified in the permit?** Yes No N/A, if not specified in this permit

Date “actual construction” began is:

Describe details of construction: Well & irrigation system constructed

[OAR 690-315-0020(3)(e)(A)]

- 2-A. **Please Describe how you have complied with each standard and special condition in the original permit [and, if applicable, conditions contained in any order approving a permit amendment and/or order approving a prior extension of time].**

TIP: The instruction sheet explains which typical conditions must be addressed here.

Condition Number: Hand-number each condition on a copy of your permit (and, if applicable, any permit amendment and/or prior extension). Include a copy of your hand-numbered permit.

CHART-A

Condition Number	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	4/2009	Part of well & irrigating system constructed
2	12/2013	Water Use Reporting

- 2-B. **If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.**

CHART-B

Condition Number	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
3	12/1/2013	Water Use Reporting didn't begin till after C-Date

RECEIVED BY OWRD

JUN 04 2014

[OAR 690-315-0020(3)(e)(C)]

6. Provide the total number of acres actually irrigated to date under this permit (if any).

Surface Water Permits: I have applied water to _____ acres for irrigation to date.

Ground Water Permits: I have applied water to 130 acres for irrigation to date.

Please specify which wells are being utilized for this irrigation.

Well # 16 Acres 130 Well # _____ Acres _____

Well # _____ Acres _____ Well # _____ Acres _____

[OAR 690-315-0020(3)(j)]

7. Provide a summary of future plans and a schedule to complete construction of the water system, and/or apply water to full beneficial use under the permit terms and conditions.

CHART-F

APPROXIMATE DATE RANGE (projected)	LIST & DESCRIBE WORK TO BE ACCOMPLISHED TO COMPLETE WATER DEVELOPMENT (projected)	ESTIMATED COST (projected)
Now to 2023	Report water use annually	\$2000
Year: 2019	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
8.	Estimated remaining total cost to complete the water development: [OAR 690-315-0020(3)(g)]	\$2000

[OAR 690-315-0020(3)(h)]

9. Describe the reasons why the water development was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) Is the project of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit? If yes, describe.

Yes. Only one center pivot sprinkler and 1 well have been developed.

JUN 04 2014

SALEM, OR

9-B) Did the financial resources needed to develop the project preclude completion of the project within authorized time frames? If yes, describe.

No

9-C) Did good faith attempts to comply with other agency permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delay completion of the project? If yes, describe.

No

9-D) Have other unforeseen events delayed full development of the water system and use of water within the authorized time frames? If yes, describe.

Yes. The owners new manager wasn't aware of the water use reporting condition.

[OAR 690-315-0020(3)(k)]

10. Justify the time requested to complete the project and/or apply the water to full beneficial use. Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time. Include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.

Five years is assumed to be enough time submitting water use reports & completing the irrigation system to show good faith with the condition.

11. Provide any other information you wish OWRD to consider while evaluating your Application for Extension of Time.

Management of the farm & water right appurtenant to is split between Burns & Salem. The new farm manager in Burns and Management in Salem weren't aware of the water use reporting condition until this year.

Thank you for submitting a complete and accurate application. Remember to sign the front page. If you have questions or need assistance, please ask to speak with the Department's Extension Specialist by calling 503-986-0900 during business hours.

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

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

APPLICATION FILE NUMBER: G-15118

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 596.6 ACRES

MAXIMUM RATE: 7.45 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 2000

WELL LOCATIONS:

WELL #15 SE 1/4 SE 1/4, SECTION 36, T25S, R30E, W.M.; 30 FEET
NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36

WELL #16 SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; 25 FEET
NORTH & 1300 FEET EAST, FROM THE W 1/4 CORNER, SECTION 1

WELL #17 SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; 16 FEET
NORTH & 100 FEET EAST, FROM THE W 1/4 CORNER, SECTION 1

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 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 31.4 ACRES
NW 1/4 SW 1/4 31.4 ACRES
SW 1/4 SW 1/4 31.4 ACRES

Application G-15118 Water Resources Department

PERMIT G-15451

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SE 1/4 SW 1/4 31.4 ACRES
 NE 1/4 SE 1/4 31.4 ACRES
 NW 1/4 SE 1/4 31.4 ACRES
 SW 1/4 SE 1/4 31.4 ACRES
 SE 1/4 SE 1/4 31.4 ACRES

SECTION 36

TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.

NE 1/4 NW 1/4 31.4 ACRES
 LOT 1 (NW 1/4 NW 1/4) 31.4 ACRES
 LOT 2 (SW 1/4 NW 1/4) 31.4 ACRES
 SE 1/4 NW 1/4 31.4 ACRES
 NE 1/4 SW 1/4 31.4 ACRES
 LOT 3 (NW 1/4 SW 1/4) 31.4 ACRES
 LOT 4 (SW 1/4 SW 1/4) 31.4 ACRES
 SE 1/4 SW 1/4 31.4 ACRES

SECTION 31

TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.

LOT 3 (NE 1/4 NW 1/4) 31.4 ACRES
 LOT 4 (NW 1/4 NW 1/4) 31.4 ACRES
 SW 1/4 NW 1/4 31.4 ACRES

SECTION 1

TOWNSHIP 26 SOUTH, RANGE 30 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.

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

Application G-15118 Water Resources Department

PERMIT G-15451

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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.

STANDARD CONDITIONS

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.

SEE NEXT PAGE

Application G-15118

Water Resources Department

PERMIT G-15451

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Complete application of the water to the use shall be made on or before October 1, 2007. 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 June 20, 2003

Paul R. Cleary
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.

Application G-15118
Basin 12
AMH- WEEK 37B

Water Resources Department
Volume 2 SILVIES R MISC

PERMIT g-15451
District 10

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SALEM, OR

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

HARN 51555 #16

Harn
 51555

G-15451

WELL ID. # L 38946

START CARD # W198686

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

(1) LAND OWNER Well Number VJ1
 Name Clayden Ter Ranch LLC
 Address 1950 Lewis Street
 City Salem State OR Zip 97301

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

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

(4) PROPOSED USE
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION Special Construction: Yes No
 Depth of Completed Well 30.0 ft. = 320
 Explosives used: Yes No Type _____ Amount _____

BORE HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds
3.0"	0	20	BENTONITE	0	20	120 SACKS
1.2"	20	320				

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	0	230	260	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) 230'

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1400	20'		3 Hrs.

Temperature of water 54.0 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By who _____
 Discharge of water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of water: MAY 14 2009 APR 23 2009

(9) LOCATION OF WELL (legal description)
 County HARNOCY
 Tax Lot none Lot 70
 Township 0326 N or S Range 31 E or W WM
 Section 371 SW 14 T1W 14
 Lat _____ " or _____ (degrees or decimal)
 Long _____ " or _____ (degrees or decimal)
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL
57.5 ft. below land surface. Date 3/20/09
 _____ ft. below land surface. Date _____
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES
 Depth at which water was first found 70' - 85'

From	To	Estimated Flow Rate	SWL
85'	130'	100 Gal.	80'

(12) WELL LOG

Material	From	To	SWL
TOPSOIL	0	2	
Hard pan	2	15	
Sandstone	15	40	
Cinders & Clay	40	48	
Black cinders	48	85	
Blue clay & cinders	85	90	
Sandstone	90	100	80'
Cinders & Clay	100	125	80'
Blue clay	125	130	80'
Black clay	130	230	80'
CINDERSTONE	230	320	57'

Date Started 10/14/08 Completed 3/20/09

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

WWC Number _____ Date _____

Signed _____

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

WWC Number 1336 Date 4/14/09

Signed [Signature]

Oregon Water Resources Department
Water Right Services Division

PROPOSED FINAL ORDER

In the Matter of the Application for an Extension of Time for Permit G-15451, Water Right Application G-15118, in the name of Carpenter Ranch LLC

Permit Information

Application:	G-15118
Permit:	G-15451
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	April 5, 2000
Source of Water:	Three wells in Malheur Lake Basin
Purpose of Use:	Irrigation use on 596.6 Acres
Maximum Rate:	7.45 cubic feet per second (cfs)

*****Please read this Proposed Final Order in its entirety as it may contain additional conditions not included in the original permit. *****

In Summary, the Department proposes to:

- Grant an extension of time to apply water to full beneficial use from October 1, 2007 to October 30, 2019¹.
- Make the extension subject to certain conditions set forth below.

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

¹Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and a new or revised claim of beneficial use as deemed appropriate by the Department.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources

PFO – Proposed Final Order

cfs – cubic feet per second

gpm – gallons per minute

AUTHORITY

Generally, see ORS 537.630 and OAR Chapter 690 Division 315.

ORS 537.630(1) provides in pertinent part that the Oregon Water Resources Department may, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

OAR 690-315-0050(6) requires the Department, for extensions exceeding five years, to establish checkpoints to determine if diligence is being exercised in the development and perfection of the water use permit. Intervals between checkpoints will not exceed five year periods.

FINDINGS OF FACT

Background

1. Permit G-15451 was granted by the Department on June 20, 2003. The permit authorizes the use of up to 7.45 cfs of water from three wells in Malheur Lake Basin for irrigation use on 596.6 acres. The permit specified complete application of water was to be made on or before October 1, 2007.

2. The permit holder, Carpenter Ranch submitted an "Application for Extension of Time" to the Department on June 4, 2014, requesting both the time to complete construction of the water system and the time to apply water to full beneficial use under the terms and conditions of Permit G-15451 be extended from October 1, 2007 to October 30, 2019. However, since the permit does not contain a specific deadline for completing construction, the Department needs to only consider an extension of the time to apply water to full beneficial use. This is the first permit extension requested for Permit G-15451.
3. Notification of the Application for Extension of Time for Permit G-15451 was published in the Department's Public Notice dated June 17, 2014. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230², 537.248³, 537.630⁴ and/or 539.010(5)⁵.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

4. On June 4, 2014, the Department received a completed Application for Extension of Time and the fee specified in ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

5. Senate Bill 300 (1999 legislation) eliminated the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999, including this application.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

6. As of June 4, 2014, the remaining work to be completed consists of installing meters on the wells, submitting annual reports of the amount of water used each month, developing irrigation on 466.6 acres and applying water to full beneficial use.
7. Given the amount of development left to occur, the Department has determined that

²ORS 537.230 applies to surface water permits only.

³ORS 537.248 applies to reservoir permits only.

⁴ORS 537.630 applies to ground water permits only.

⁵ORS 539.010(5) applies to surface water and ground water permits.

the permit holder's request to have until October 30, 2019, to accomplish the application of water to beneficial use under the terms and conditions of Permit G-15451 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

8. Work was accomplished within the time allowed in the permit or previous extension as follows:
 - a. Construction of the wells was not completed prior to October 1, 2007.
 - b. No work was completed during the original development time frame under Permit G-15451.
 - c. From October 1, 2007 to June 4, 2014 construction of the well (HARN 15451) began October 14, 2008 and was completed March 3, 2009.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

9. The following beneficial use of water was made during the permit or previous extension time limits:
 - a. Since the issuance of Permit G-15451 on June 20, 2003, a maximum rate of 2.0 cfs of water has been appropriated from well (HARN 15451) for irrigation of 130 acres.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

10. Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the record does not show that a meter or other suitable measuring device has been installed, and (2) annual reports of the amount of water used each month have not been received by the Department.

In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Financial Investments to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-

0040(2)(b),(3)(d),(4)(d)]

11. As of June 4, 2014, the permit holder has invested approximately \$200,500, which is approximately 99 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$2000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

12. The Department has found good faith of the appropriator under Permit G-15451.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

13. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].

The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit G-15451; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined when an application for a new water right is submitted. The points of appropriation for Permit G-15451, are located within the Malheur Lake Basin, and are not located within a limited or critical ground water area. The Malheur Lake is not located within or above any state or federal scenic waterway, however, it is located within an area ranked "low" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is not located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. The points of appropriation are not in an area listed by the Department of Environmental Quality as a water quality limited stream.

Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].

14. None have been identified.

Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].

15. None have been identified.

16. OAR 690-315-0050(6) requires the Department to place a checkpoint condition on this extension of time in order to ensure diligence is exercised in the development and perfection of the water use permit. A "Checkpoint Condition" is specified under Item 1 of the "Conditions" section of this PFO to meet this condition.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

17. Use and income from the permitted water development will likely result in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

18. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

19. None have been identified.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 30, 2019, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).
6. As required by OAR 690-315-0050(6) and as described in Finding 16 above, the Department has established, as specified in the "Conditions" section of this PFO (Item

1), progress checkpoints in order to ensure future diligence is exercised in the development and perfection of Permit G-15451.

PROPOSED ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

Extend the time to apply water to beneficial use under Permit G-15451 from October 1, 2007 to October 30, 2019.

Subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2015. A form will be enclosed with your Final Order.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) **The Checkpoint requires the permit holder to install a meter and submit annual reports of the amount of water used each month.**
- (c) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

DATED: November 4, 2014


Dwight W. French, Administrator,
Water Right Services Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may submit a written protest to the proposed final order. The written protest must be received by the Water Resources Department no later than **December 19, 2014**, being 45 days from the date of publication of the proposed final order in the Department's weekly notice.
2. A written protest shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the proposed final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the proposed final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the protest upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The applicant or non-applicant protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a protest has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submits a written request for a contested case hearing within 30 days after the close of the period for submitting protests.

-
- If you have questions about statements contained in this document, please contact Mabelle A Bamberger at (503)986-0802.
 - If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Patricia McCarty at 503-986-0820.
 - If you have any questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.
 - Address any correspondence to : Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-1266
Fax: 503-986-0901
-

Mailing List for Extension PFO Copies

PFO Date: November 4, 2014

Copies Mailed

Application: G-15118
Permit: G-15451

By: BK
On: 11/4/14

Original mailed to Applicant:

Carpenter Ranch LLC
1930 Lewis Street SE
Salem, OR 97302

Copies sent to:

1. WRD - App. File G-15118/ Permit G-15451
2. All Points Engr & Surveying, Inc.
Attention: Denise Montgomery
P.O. Box 767
Terrebonne, OR 97760

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 10, JR Johnson

CASEWORKER: MAB

Oregon Water Resources Department
Water Right Services Division

Water Rights Application
Number G-15118

FINAL ORDER

Extension of Time for Permit Number G-15451
Permit Holder: Carpenter Ranch LLC

Permit Information

Application:	G-15118
Permit:	G-15451
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	April 5, 2000
Source of Water:	Three wells in Malheur Lake Basin
Purpose of Use:	Irrigation use on 596.6 Acres
Maximum Rate:	7.45 cubic feet per second (cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315

Appeal Rights

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. A request 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 137-004-0080 you may either file 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.

Application History

Permit G-15451 was issued by the Department on June 20, 2003. The permit called for complete application of water to beneficial use by October 1, 2007. On June 4, 2014, Carpenter Ranch LLC submitted to the Department an Application for Extension of Time for Permit G-15451. In accordance with OAR 690-315-0050(2), on November 4, 2014, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 30, 2019. The protest period closed December 19, 2014, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated November 4, 2014.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

CONDITIONS

1. Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2015**. *A form is enclosed with this Final Order.*

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) **The Checkpoint requires the permit holder to install a meter and submit annual reports of the amount of water used each month.**
- (c) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

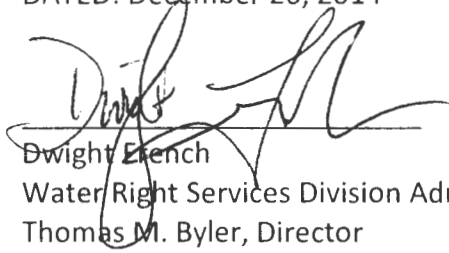
CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-15118, Permit G-15451, therefore, is approved subject to conditions contained herein. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2007 to October 30, 2019.

DATED: December 26, 2014



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

-
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 986-0802.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-



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

**Extension of Time
 Progress Report Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Carpenter Ranch LLC

Application G-15118

Permit G-15451

Progress Report for 2015

Report Due no later than October 1, 2015

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfections of Permit G-15451.

FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between June 4, 2014 and October 1, 2015	FINANCIAL INVESTMENT
	<i>Meter installed on all wells</i>	
	<i>Water usage report submitted to the Department</i>	

2. Describe actions to achieve compliance with conditions of the permit and/or previous extension.

3. Total number of acres irrigated to date: _____ (NA if not applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, to date.

Maximum rate used to date = _____ cfs (cubic feet per second)

or

Maximum rate used to date = _____ gpm (gallons per minute)

or

Acre Feet stored to date = _____ AF

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature _____ Date _____

Printed Name/Title _____

Diligence Shown <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Public Noticed: _____ <i>For OWRD use only</i>
Reviewed by: _____	Date: _____

Mailing List for Extension FO Copies

FO Date: December 26, 2014

Copies Mailed

Application: G-15118
Permit: G-15451

By: BJW
On: 12/26/14

Original mailed to permit holder

Carpenter Ranch LLC
1930 Lewis Street SE
Salem, OR 97302

Copies sent to:

1. WRD - App. File G-15118/ Permit G-15451
2. All Points Engr & Surveying, Inc.
Attention: Denise Montgomery
P.O. Box 767
Terrebonne, OR 97760

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving notification via e-mail - FO available in WRIS for review
(DONE BY EXTENSION SPECIALIST)

4. WRD - Watermaster District 10, JR Johnson

If Progress Reports are included:
(DONE BY EXTENSION SPECIALIST)

Add record to Progress Report tracking sheet.xls Done: by MAB Date 12-22-14

CASEWORKER: MAB

Final Order: Permit G-15451

Page 1 of 1

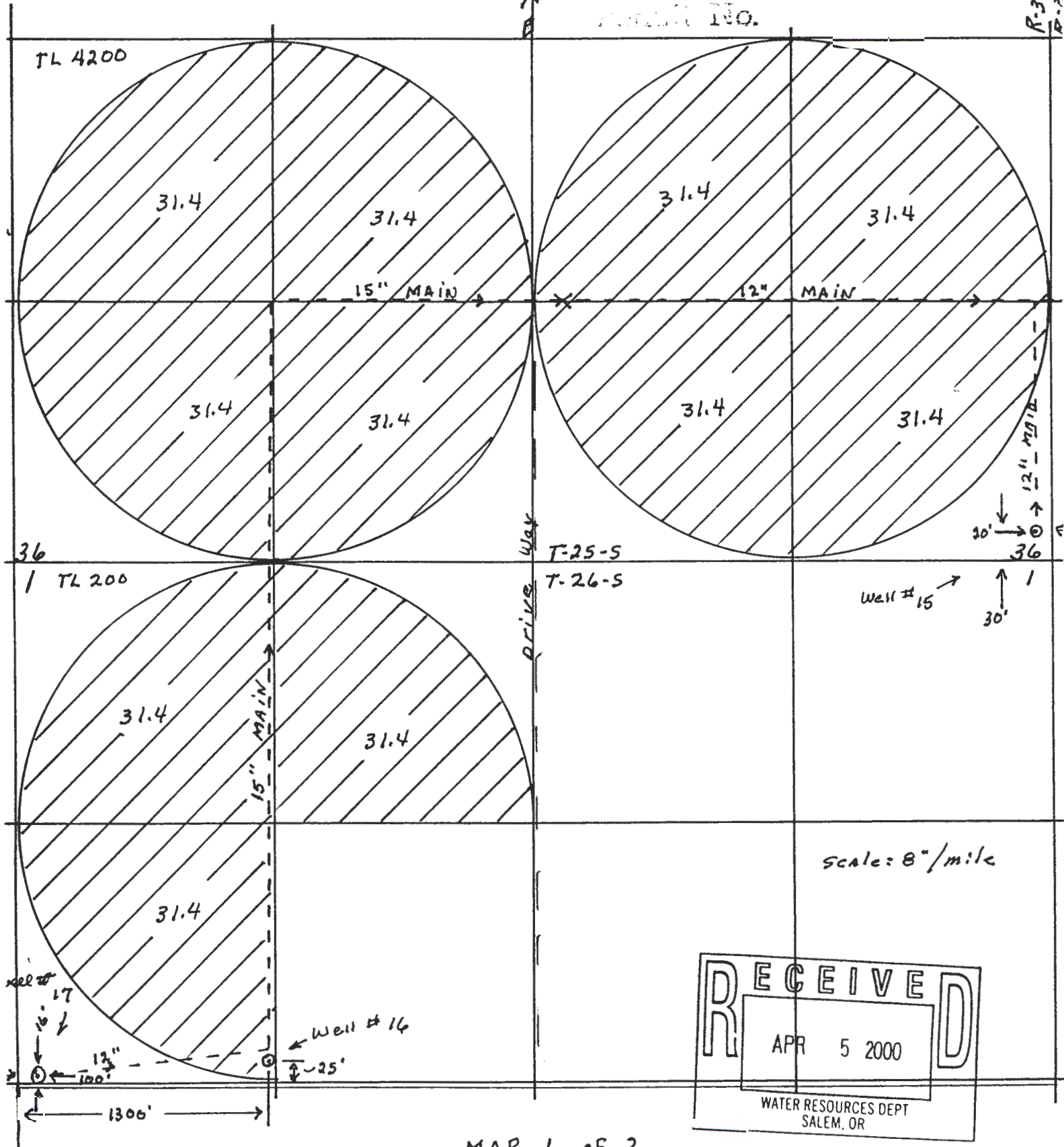
Carpenter Ranch LLC

T-25-S & T-26-S R-30-E Section 36 & 1

Map No. G-15118

PLAT NO.

R-30-E
R-31-E



TO: Water Rights Section May 1, 2000
 FROM: Groundwater/Hydrology Section Michael Zwart
 SUBJECT: Application G-15118 Reviewer's Name

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. ___ will not _____ surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7 B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not _____ and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7 B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or

4.
 - a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

G-15118

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ___ review of the well log;
 - b. ___ field inspection by _____;
 - c. ___ report of CWRE _____;
 - d. ___ other: (specify) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ___ was, or constructed according to the standards in effect at the time of
 - b. ___ was not original construction or most recent modification.
 - c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 199____
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 199____
(Signature)

Water Resources Department

MEMO

May 1, ~~2000~~ 2000

TO Application G- 15118

FROM GW: Michael Zwart
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

- Yes
- No

The source of appropriation is within or above a Scenic Waterway.

- Yes
- No

Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)



At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Groundwater files Date: May 1, 2000

From: Michael J. Zwart

Subject: Application Review: G-15117 & G-15118, Carpenter Ranch, LLC;
Jim Hall

Application G-15117 proposes to use about 5.40 cfs from three wells (#18, #19, and #20) for primary irrigation of 432.2 acres. Wells #18 and #19 are constructed, but only #19 has a well log on file (HARN 1161). Well #20 is proposed. All wells reportedly are/will be similarly constructed and produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone.

Application G-15118 proposes to use about 7.45 cfs from three proposed wells (#15, #16, and #17) for primary irrigation of 596.6 acres. All wells reportedly will be similarly constructed and will produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone, based on nearby well logs.

All wells are over one mile from the nearest surface water sources, and therefore there is no potential for substantial interference with surface water.

I recommend permit condition 7B.

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15118

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T25S/R30E-36d

T26S/R30E-16

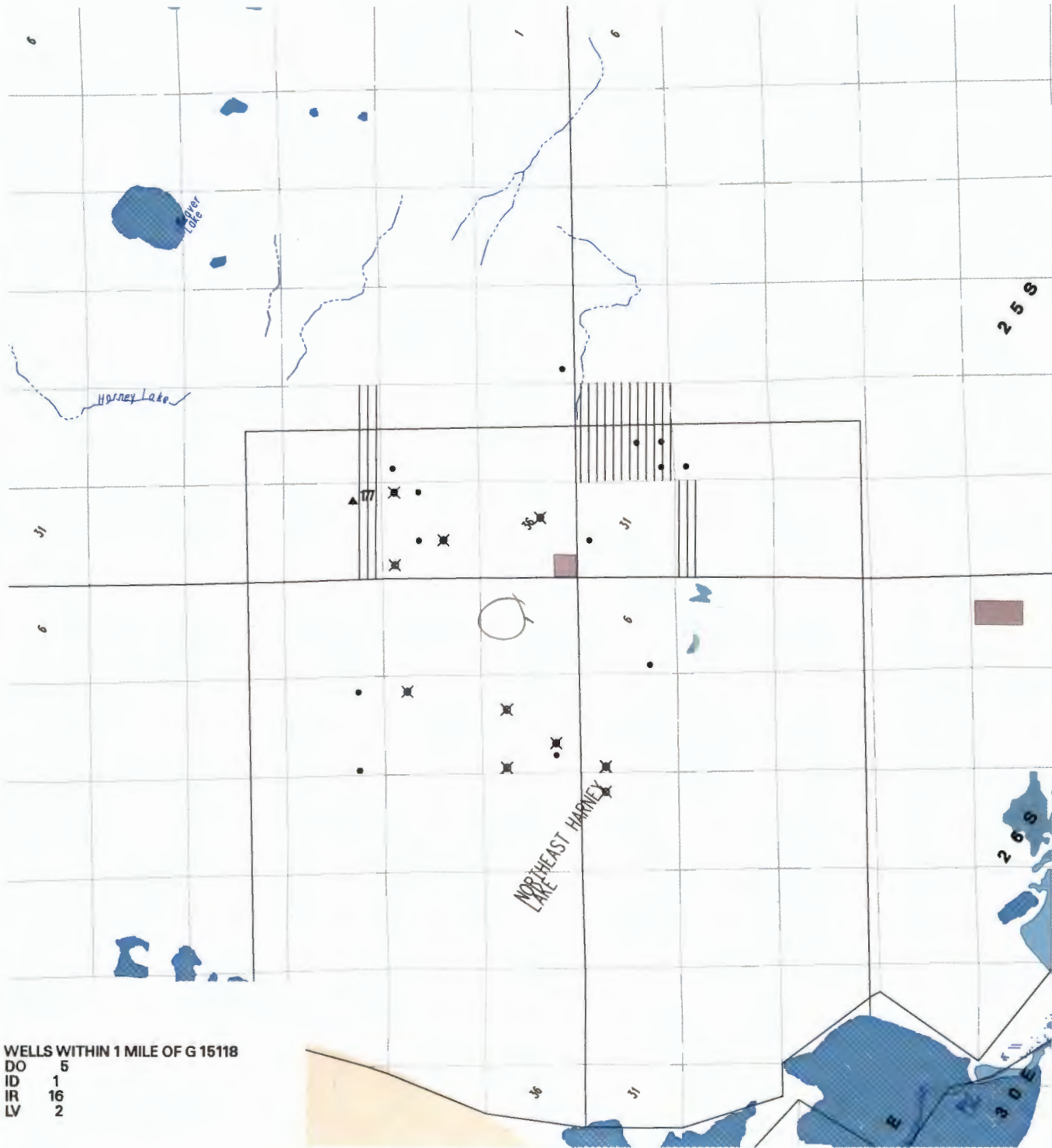
CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

Wells in the vicinity of application G 15118

- Application well(s) in this 1/4-1/4 section
- Well(s) identified in this section from OWRD's well log database within 1 mi. radius of application well(s)
- Well(s) identified in this 1/4-1/4 section from OWRD's well log database within 1 mi. radius of application well(s)
- ✕ Permitted well(s) in this 1/4-1/4 section within 1 mi. radius of application well(s)
- Conditioned, permitted well(s) in this 1/4-1/4 section within 5 mi. radius of application well(s)
- ▲ OWRD Observation well and well-id within 5 mi. radius of application well(s)
- Critical GW Area
- - - Regulated GW Area



WELLS WITHIN 1 MILE OF G 15118

DO	5
ID	1
IR	16
LV	2

PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15118

\$RECNO	APPLICATION	PERMIT	LOC-QQ	USE	RATE	DIV-UNITS
1	G	12396	G 11242	25.00S30.00E35NWNW	IR	4.9700 C
1	G	12396	G 11242	25.00S30.00E35NWNW	IR	4.9900 C
2	G	10977	G 10106	25.00S30.00E36SWNE	IR	1.0000 C
3	G	9764	G 8979	25.00S30.00E35NWSE	IR	1.7000 C
4	G	9764	G 8979	25.00S30.00E35SWSW	IR	1.7000 C
5	G	9722	G 8978	26.00S31.00E18NWNW	IR	1.1900 C
6	G	10268	G 9419	26.00S30.00E 9NWNW	IC	13.8800 C
7	G	10268	G 9419	26.00S30.00E 9SWNE	IC	13.8800 C
8	G	306	G 363	26.00S30.00E 9NESE	IR	0.6300 C
9	G	5345	G 5287	26.00S30.00E10SWSW	IR	1.8800 C
9	G	10268	G 9419	26.00S30.00E10SWSW	IC	13.8800 C
10	G	10268	G 9419	26.00S30.00E 9SWSE	IC	13.8800 C
11	G	9722	G 8978	26.00S31.00E18NWNW	IR	1.1900 C
12	G	10268	G 9419	26.00S30.00E 9NWNW	IC	13.8800 C
13	G	10268	G 9419	26.00S30.00E 9SWNE	IC	13.8800 C
14	G	306	G 363	26.00S30.00E 9NESE	IR	0.6300 C
15	G	5345	G 5287	26.00S30.00E10SWSW	IR	1.8800 C
15	G	10268	G 9419	26.00S30.00E10SWSW	IC	13.8800 C
16	G	10268	G 9419	26.00S30.00E 9SWSE	IC	13.8800 C

NO CONDITIONED WELLS WITHIN 1 MILE OF APPLICATION G 15118

APPLICATION G 15118 FALLS WITHIN THESE QUAD(S)

NORTHEAST HARNEY LAKE

STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMORANDUM

TO: MARIE LICARI, FISCAL
CC: FILE
FROM: Anita Huffman

SUBJECT: REQUEST FUND TRANSFER

PLEASE TRANSFER \$175.00 FROM FILE # G-15117,

RECEIPT # 59599, TO FILE #G-15118,. FOR:

_____ APPLICATION EXAMINATION FEES
____X____ PERMIT RECORDING FEES
_____ OTHER: _____

*0204-175⁰⁰
receipt & filed
corrected 7/21/03*

NOTE: Fees were applied to G-15117 in error. G-15117 already had a permit issued to it when these recording fees for G-15118 were received.

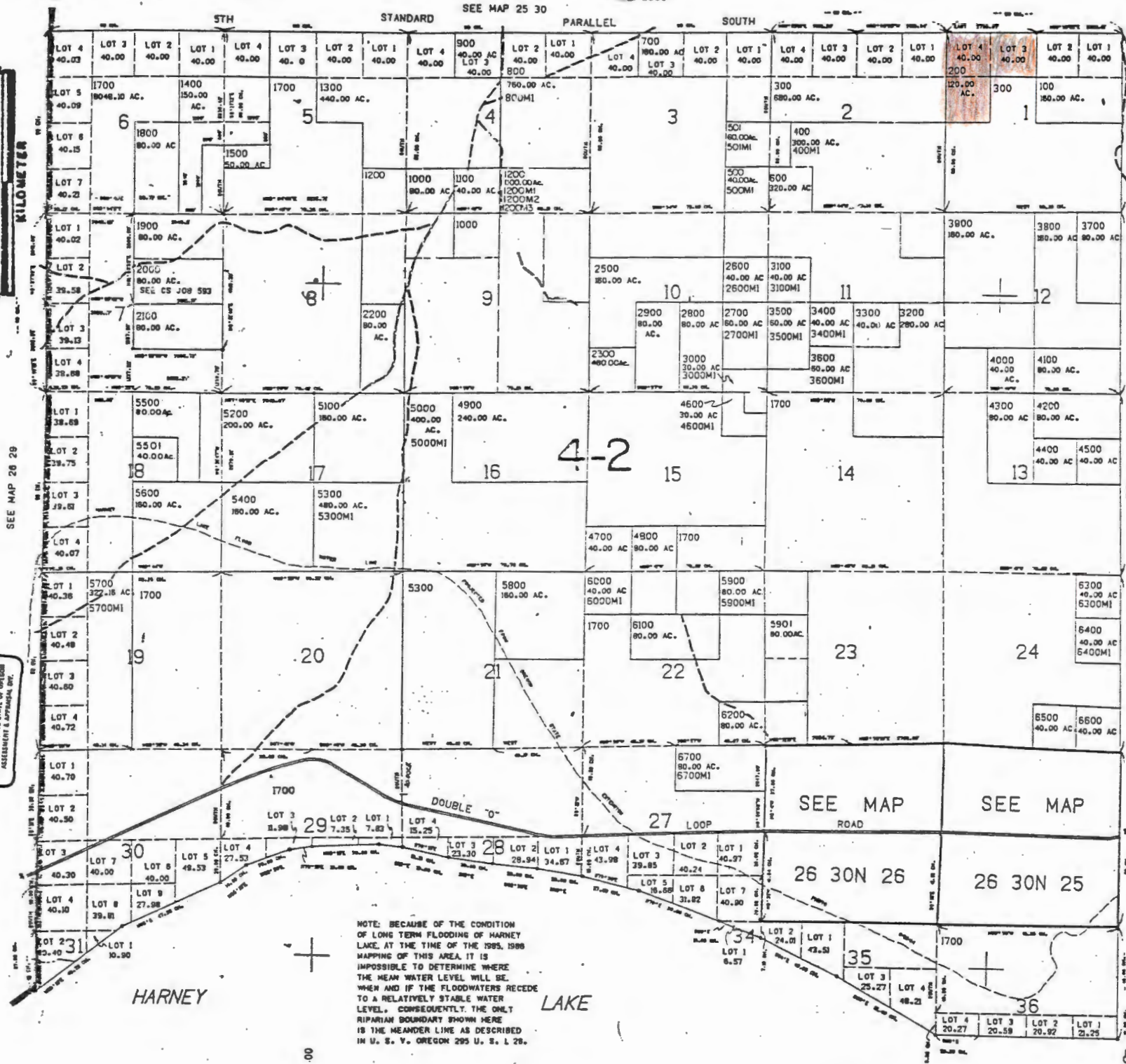
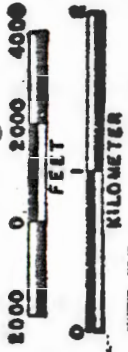
Supervisor's signature


JUN 27 2003

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

HAF COUNTY

& IN 26



CANCELLED NOS
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2400
1600M
2400M

RECEIVED
APR 5 2000
WATER RESOURCES DEPT
SALEM, OR

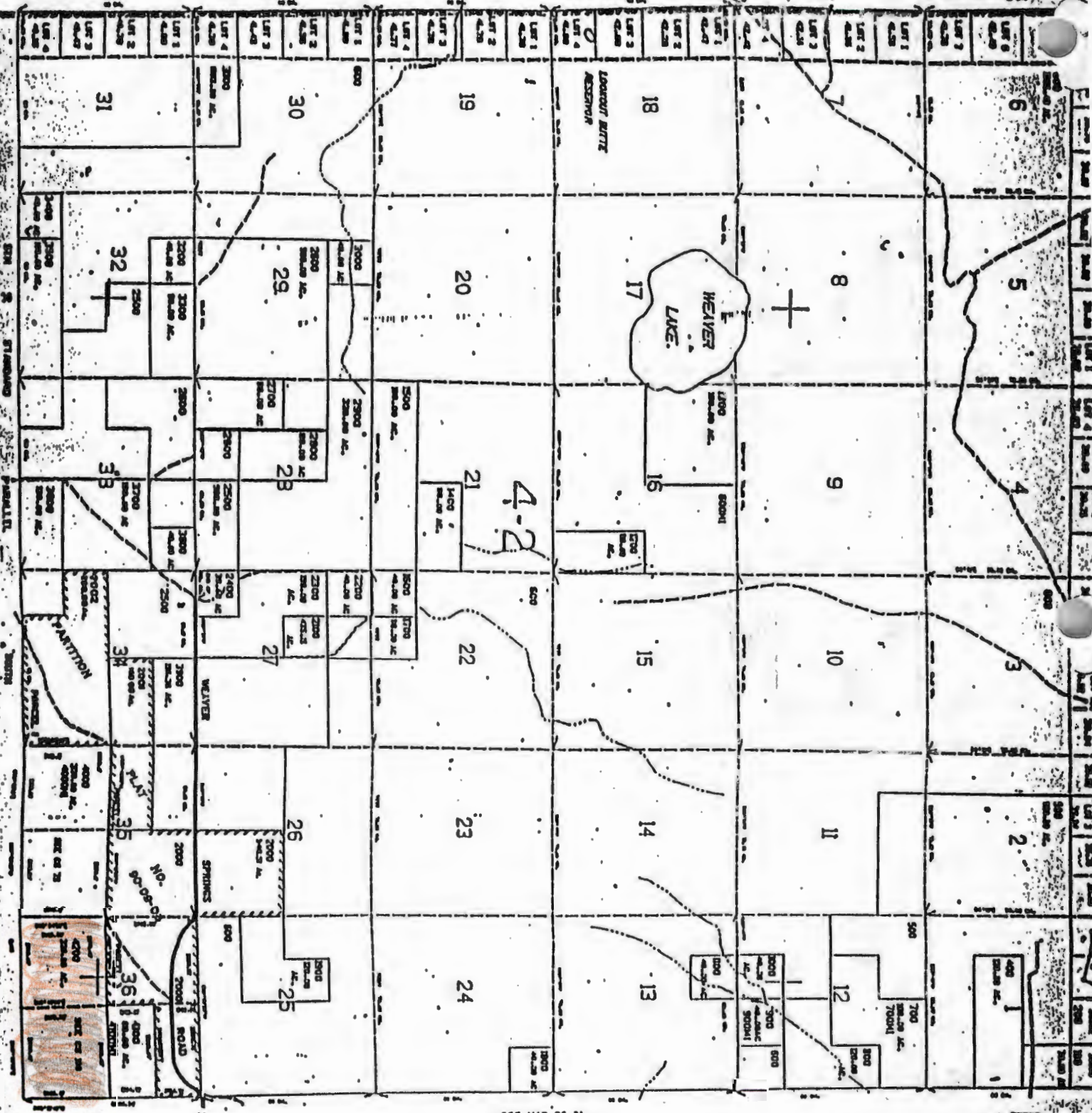
RECEIVED
JUN 3 1992
OFF. OF THE STATE OF OREGON
COURT REPORTERS & JOURNALISTS, INC.

NOTE: BECAUSE OF THE CONDITION OF LONG TERM FLOODING OF HARNEY LAKE AT THE TIME OF THE 1995, 1998 MAPPING OF THIS AREA, IT IS IMPOSSIBLE TO DETERMINE WHERE THE MEAN WATER LEVEL WILL BE, WHEN AND IF THE FLOODWATERS RECEDE TO A RELATIVELY STABLE WATER LEVEL. CONSEQUENTLY, THE ONLY RIPARIAN BOUNDARY SHOWN HERE IS THE MEANDER LINE AS DESCRIBED IN U. S. V. OREGON 295 U. S. L. 28.

Application No. G-15118
Permit No. G-15451

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JUN 3 1992
DEPT. OF WATER RESOURCES
SALEM, OREGON

SEE MAP 28 28



SEE MAP 30 31

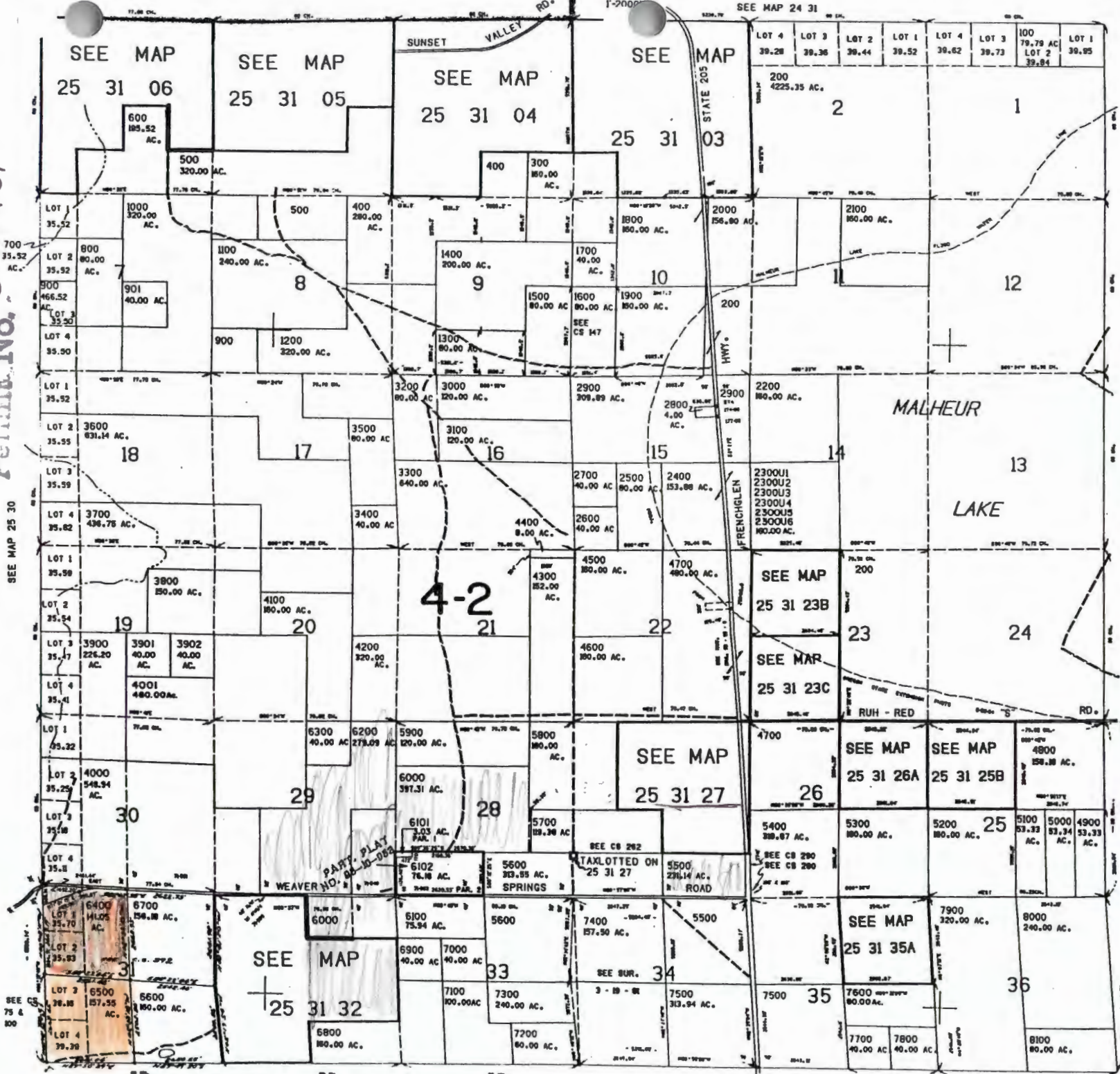
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HARNEY
25 30

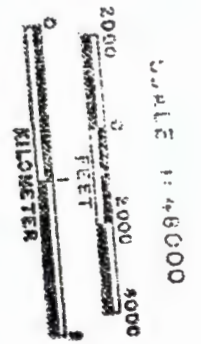
Application No. G-15118
Permit No. G-15451

RECEIVED
APR 5 2000
WATER RESOURCES DEPT
SALEM, OR

App. No. G-15118
 Permit No. G-15451



& INC
HARNEY
 CANCELLED NO.
 200M1
 200M2
 1200M1
 2000M1
 2100M1
 2500M1
 2600M1
 2700M1
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 5700M1
 5900M1
 6000M1
 6800M1
 7100M1
 7200M1
 7600M1
 7600M2



RECEIVED
 APR 5 2000
 WATER RESOURCES DEPT
 SALEM, OR

620000
 REVISED 3-15-99, JD
 25 31
 & INDEX

Mailing List for Permit Copies

Application# G-15118

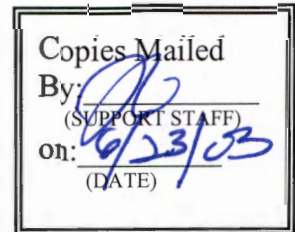
Mailing List Print Date June 6, 2003

Original mailed to(when permit issued, include copy of permit map):

Applicant: CARPENTER RANCH, LLC, 1930 LEWIS ST SE, SALEM, OR 97302

For Permit only - Permit Copies sent to (Remember to reduce copy margins):

1. WRD - File # G-15118
2. WRD - Ken Stahr
3. WRD - Data Center
4. WRD - Watermaster District #:10 (w/copy of permit map)
5. WRD - Regional Manager:ER (w/copy of permit map)



COPIES TO Other Interested Persons

6. _____
7. _____
8. _____

Caseworker: AMH

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **59599**

158 12TH ST. N.E.
SALEM, OR 97301-4172
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Carpenter Ranch
BY: _____

APPLICATION	G-15117
PERMIT	
TRANSFER	

CASH: CHECK:# ✓ 1089 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

0401 TREASURY 0417 WRD MISC CASH ACCT

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

0427 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	\$ <u>175.00</u>
0205	TRANSFER	\$		

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 (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **59599**

DATED: 4/29/03 BY: K. Hall

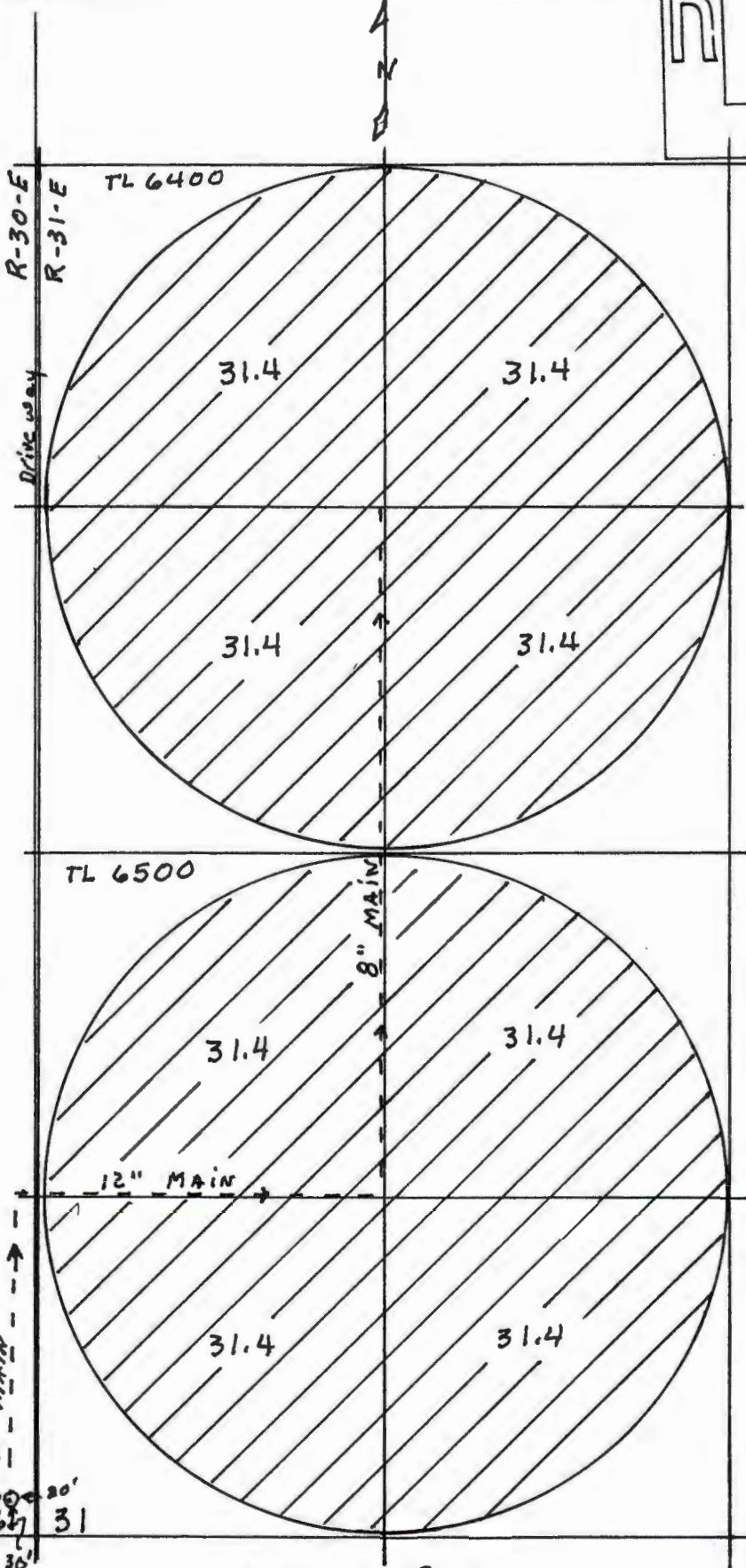
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Location No. G15118

Carpenter Ranch LLC permit No.

T-25-S R-31-E Section 31

R	E	C	E	I	V	E	D
	APR 5 2000						
	WATER RESOURCES DEPT SALEM, OR						



#15
 12" MAIN
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 Sec 30-E
 31
 Sec - 1 30'

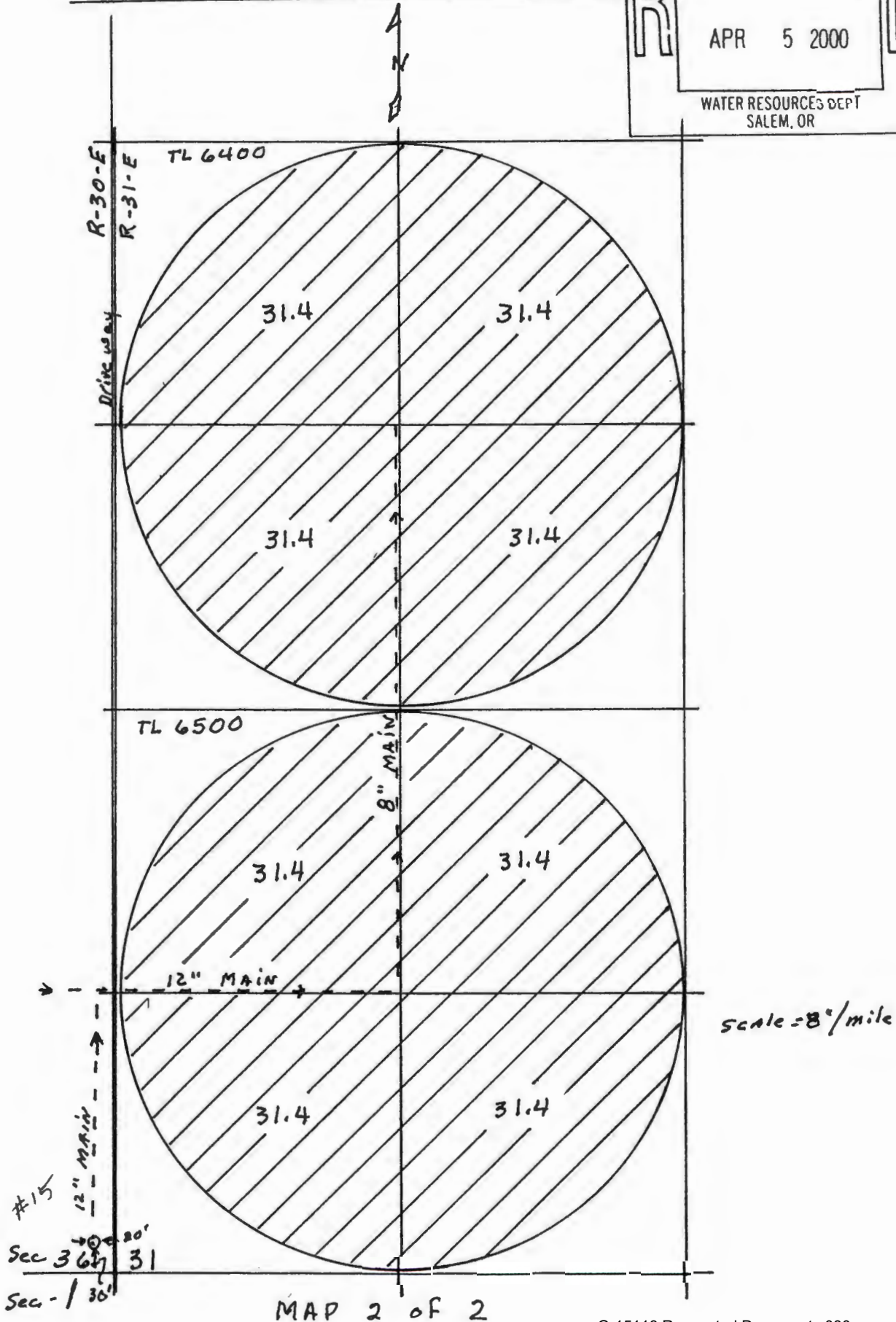
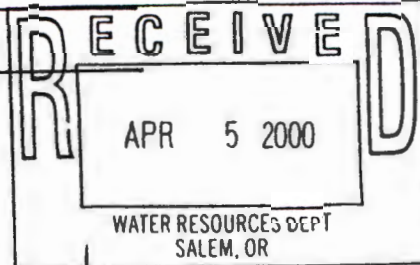
Scale = 8" / mile

Application No. G-15118

Permit No.

Carpenter Ranch LLC

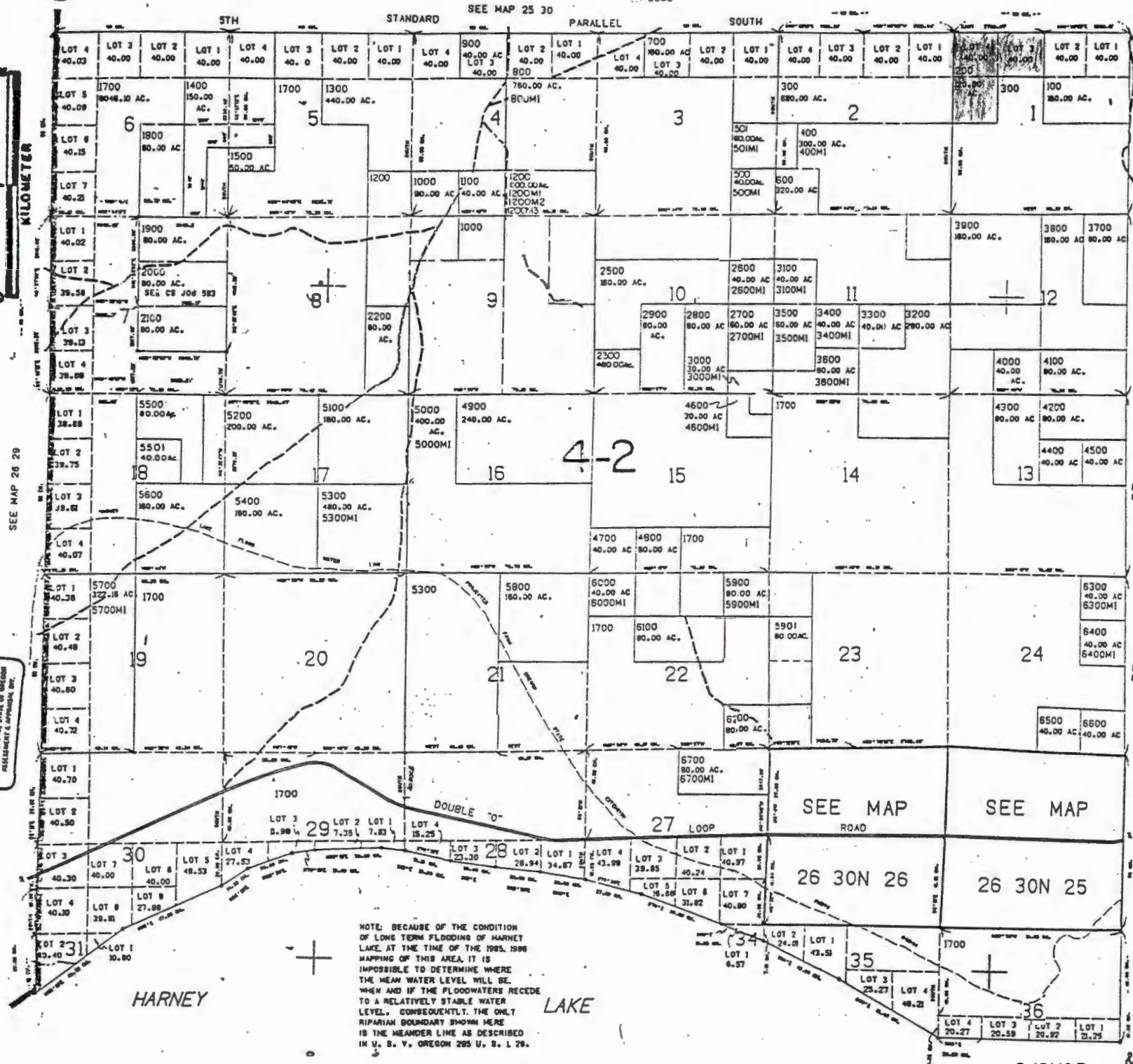
T-25-S R-31-E Section 31



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

HAF COUNTY

& IN' 26



CANCELLED NO.'S
1600
2501
2400
1800M
2400M

RECEIVED
APR 5 2000
WATER RESOURCES DEPT
SALEM, OR

RECEIVED
JUN 3 1992
DEPT. OF NATURAL RESOURCES
ASSESSMENT & APPRAISAL DIV.

Assessment No. 61518
Parcel No.

NOTE: BECAUSE OF THE CONDITION OF LONG TERM FLOODING OF HARNEY LAKE AT THE TIME OF THE 1985, 1986 MAPPING OF THIS AREA IT IS IMPOSSIBLE TO DETERMINE WHERE THE MEAN WATER LEVEL WILL BE WHEN AND IF THE FLOODWATERS REcede TO A RELATIVELY STABLE WATER LEVEL. CONSEQUENTLY THE ONLY RIPARIAN BOUNDARY SHOWN HERE IS THE MEANDER LINE AS DESCRIBED IN U. S. V. OREGON 295 U. S. L. 29.

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JUN 3 1992
OFFICE OF WATER RESOURCES DEPT
SALEM, OR

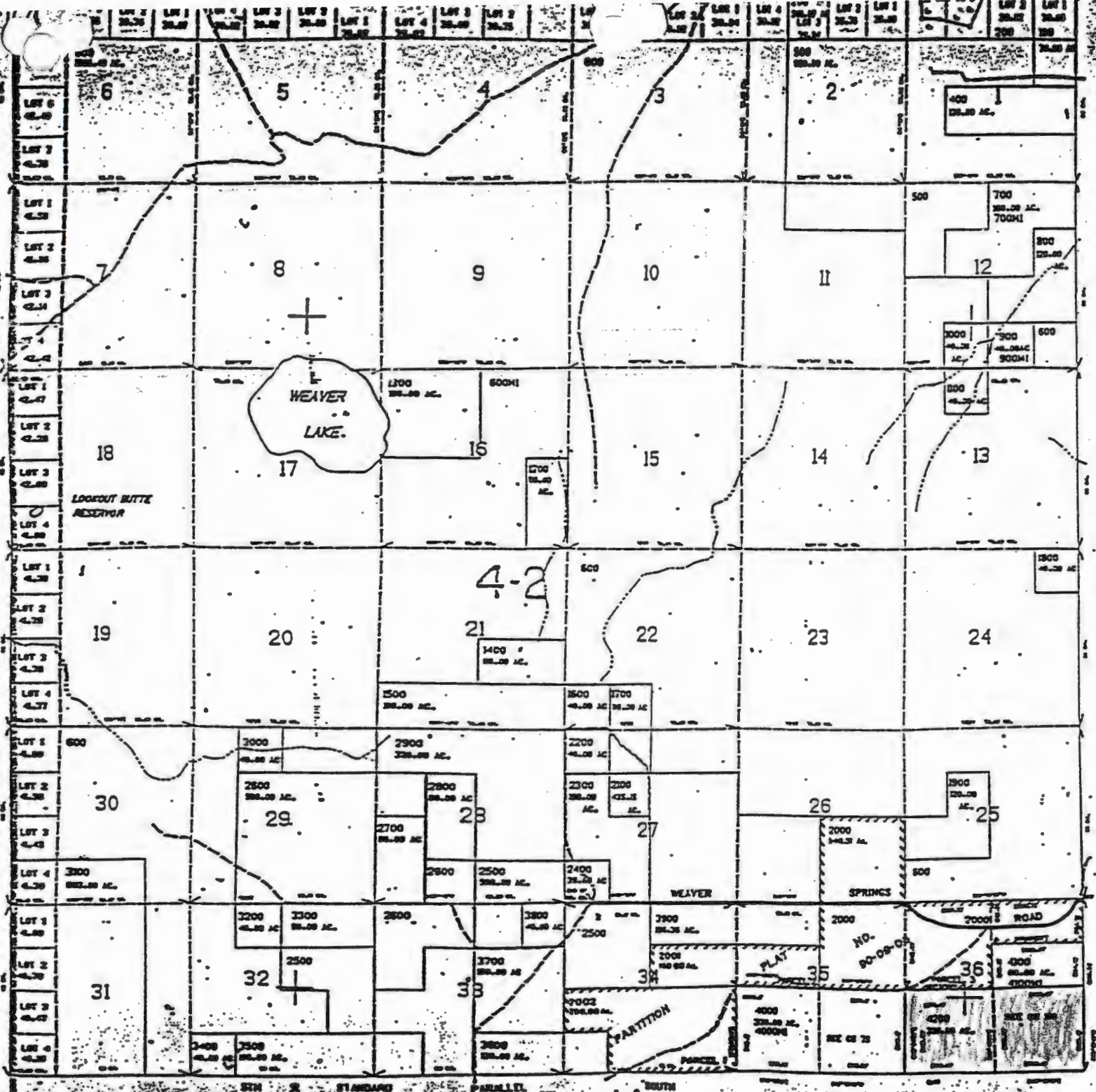
7277
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SEE MAP 25 28

HARNEY
25 30

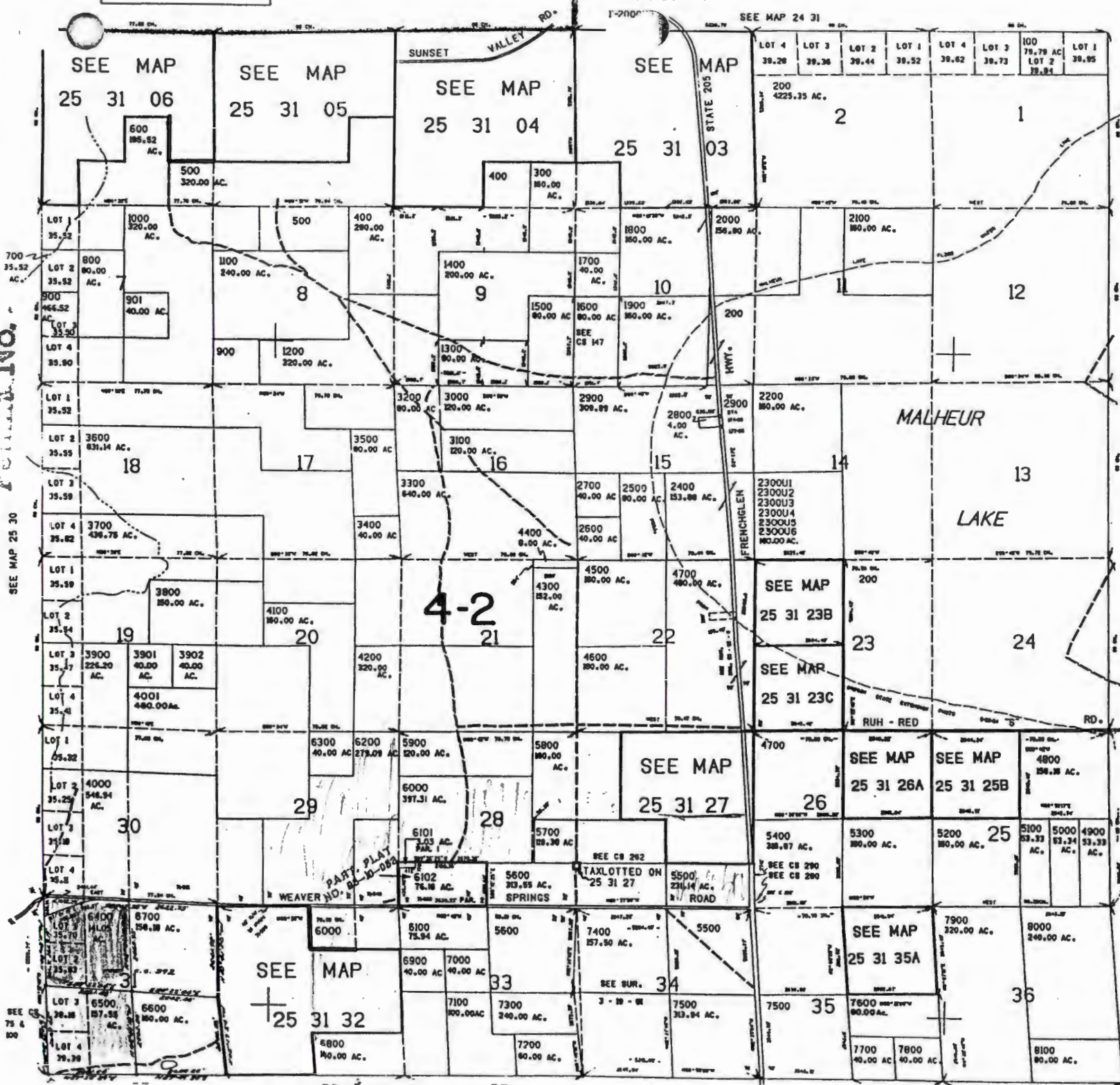
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WATER RESOURCES DEPT
SALEM, OR

Application No. G 15118
Permit No.

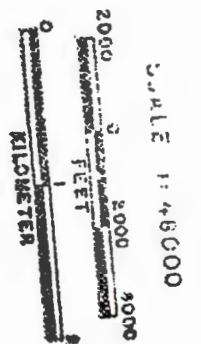


25 30

ACE No. G-15118
 A. No. 15118

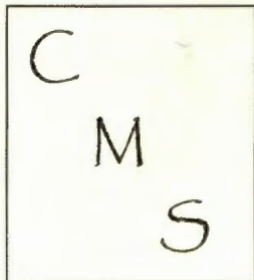


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 APR 5 2000
 WATER RESOURCES DEPT
 SALEM, OR

620.000
 REVISED 3-15-99, JD
 25 31
 & INT



Carpenter Management Services, Inc.

Ron MacDonald

Attorney at Law

1930 Lewis St SE, Salem OR 97302
(503) 375-9939 fax (503) 375-8247

June 4, 2003

Water Resources Department
Attn: Anita Huffman
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

RE: Application G-15117

In keeping with our prior conversation and correspondence, I have enclosed copies of all deeds held by Carpenter Ranch LLC pertaining to the properties owned in Harney County. These deeds were supplied by Harney County Title.

I trust the enclosed is responsive to your request. You can reach Sharon Reason at 541-573-1440 if you have any questions regarding the deeds.

After you have reviewed the enclosed, please advise me in writing if your request has been adequately responded to or, in the alternative, if you require additional information.

Regards,

A handwritten signature in black ink that reads "Ron MacDonald".

Ron MacDonald
Carpenter Management Services Inc.
Manager of Carpenter Ranch LLC

Enclosures

982333

DEC 23 1998

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, N. M. & F., INC., Grantor, for and in consideration of the sum of ONE HUNDRED SEVENTY FIVE THOUSAND TWO HUNDRED SIXTY AND 00/100 Dollars to it paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land in the County of Harney, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO-----

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JUN - 5 2003

WATER RESOURCES DEPT. SALEM, OREGON

Code 4-2 Map 25-30 Tax Lot 4200 Reference No. 23003
Code 4-2 Map 26-30N Tax Lot 200 Reference No. 45019
Code 4-2 Map 25-31 Tax Lot 6400 Reference No. 23601

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantor does covenant that it is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
2. The tax roll discloses that the described premises are assessed as Farm Use Land & if it becomes disqualified, additional tax, interest and penalties may be levied.
3. Easements, reservations and restrictions of record.

and that it will, and its successors shall Warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

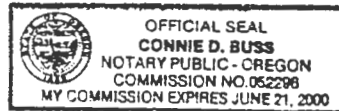
WITNESS our Hand and Seal this 22 day of December, in the year One Thousand Nine Hundred and Ninety Eight.

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 practises as defined in ORS 30.930.

N.M. & F. Inc
N. M. & F., INC.
BY: NORMAN L. STADELLI, PRESIDENT

STATE OF OREGON
COUNTY OF Harney

BE IT REMEMBERED, that on this 22nd day of December, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named NORMAN L. STADELLI, President of, N. M. & F., INC., to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.



Connie D. Buss
Notary Public for the State of OREGON
My Commission Expires:

--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L.L.C.
1930 LEWIS STREET S.E.
SALEM, OR 97302

After Recording Please Return to:
CARPENTER RANCH, L.L.C.
1930 LEWIS STREET S.E.
SALEM, OR 97302

STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 22nd day of December, 1998, at 3:52 o'clock P.M. and recorded Microfilm number 172295
Records of said County
Deputy

DEC 23 1998

982333

EXHIBIT "A"

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

LEGAL DESCRIPTION

Land in County of Harney and State of Oregon

Township 25 South, Range 30 East, Willamette Meridian
Section 36: S1/2.

Township 26 South, Range 30 East, Willamette Meridian (North of
Malheur Lake)
Section 1: Government Lots 3 and 4, SW1/4NW1/4.

Township 25 South, Range 31 East, Willamette Meridian
Section 31: Government Lots 1 and 2, E1/2NW1/4, lying Southerly
of the Weaver Springs Road, as originally described
in deed to Harney County recorded June 18, 1962, in
Book 71, Page 361 and adjusted with a Lot Line
Adjustment recorded June 29, 1998, as Instrument No.
981161, Harney County Deed Record.

982234

WARRANTYDEED

KNOW ALL MEN BY THESE PRESENTS THAT, CLEMO L. RAY, JR., TRUSTEE Grantor, for and in consideration of the sum of THIRTY SEVEN THOUSAND FIVE HUNDRED AND 00/100 Dollars to me paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L. L. C., Grantee, the following tract of land, more particularly described as follows:

Government Lots Three and Four, East Half of the Southwest quarter, in Section Thirty-One, Township Twenty-Five South, Range Thirty-One East, Willamette Meridian, County of Harney and State of Oregon.

Code 4-2 Map 25-31 Tax Lot 6500 Reference No. 23136

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
2. The tax roll discloses that the within described premises are assessed as Farm Use Land & if it becomes disqualified additional tax, interest and penalties may be levied.
3. Easements, reservations and restrictions of record.

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

WITNESS my Hand and Seal this 8th day of November, in the year One Thousand Nine Hundred and Ninety Eight.

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.

CLEMO L. RAY, JR., TRUSTEE

STATE OF TEXAS
COUNTY OF McLennan

BE IT REMEMBERED, that on this 8th day of November, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CLEMO L. RAY, JR., TRUSTEE, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Sharon L. Rejcek
Notary Public for the State of TEXAS
My Commission Expires:



Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L. L. C.
1930 Lewis Street S. E.
Salem, Or. 97302

After Recording Please Return to:
CARPENTER RANCH, L. L. C.
1930 Lewis Street S. E.
Salem, Or. 97302

STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 5th day of November, 1998, at 2:50 o'clock P.M. and recorded Microfilm number 252224
Records of said County
Marianne County Clerk
Deputy

RECEIVED
JUN - 5 2003
WATER RESOURCES DEPT.
SALEM, OREGON

JAN 05 2000

NS

INSTRUMENT # 20000015

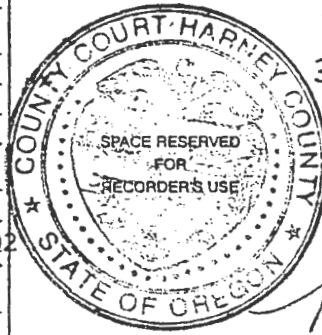
STATE OF OREGON,
County of Harney

I certify that the within instrument was received for record on the 5th day of January, 2000, at 3:04 o'clock P.M., and recorded book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. 20000015 Records of said County.

Witness my hand and seal of County affixed.

Marie Hernandez Co Clerk
NAME TITLE

By Marie Robinson, Deput



Grantor's Name and Address
Grantee's Name and Address
After recording, return to (Name, Address, Zip):
Carpenter Ranch LLC
c/o Lewis Street Management
1930 Lewis Street SE Salem, OR 97302
Until requested otherwise, send all tax statements to (Name, Address, Zip):
same as above

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL GRANTOR)

Joseph J. Siri and Kelly S. Siri, Grantor
conveys and warrants to Carpenter Ranch, LLC, C., Grantee
the following described real property free of encumbrances, except as specifically set forth herein, situated in Harney County, Oregon, to-wit:

See Exhibit "A"

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): those shown on Page 2

The true consideration for this conveyance is \$ 534,000.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 29th day of December, 1999.

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.

Joseph J. Siri
Joseph J. Siri

Kelly S. Siri
Kelly S. Siri

STATE OF OREGON, County of Harney) ss.
This instrument was acknowledged before me on December 29, 1999,
by Joseph J. Siri and Kelly S. Siri



Heather Zink
Notary Public for Oregon
My commission expires 9-9-2002

1. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. RIGHTS OF THE PUBLIC in streets, roads and highways.
3. UNRECORDED OIL AND GAS LEASE, including the terms and provisions thereof, to E.L. Newell and Annie Newell, recorded May 22, 1945, in Book 1, Pages 192 and 228, Lease Records.
4. UNRECORDED OIL AND GAS LEASE, including the terms and provisions thereof, from E.L. Newell and Annie Newell to O.T. Atwood, dated April 30, 1941, as disclosed by the assignments below.

A portion of the interest of O.T. Atwood in the above lease was assigned of record to Oliver Zimmerman and Eva D. Zimmerman, by instrument recorded May 22, 1945, in Book 1, Page 192, Lease Records. (Affects the SE1/4SW1/4SW1/4 of Sec. 27, Twp. 25 S, R. 31 E., W.M.)

A portion of the interest of O.T. Atwood in the above lease was assigned of record to Wm. G. Sinclair and Mabel M. Sinclair, by instrument recorded October 13, 1945, in Book 1, page 228, Lease Records. (Affects the W1/2SW1/4SW1/4SW1/4 of Sec. 27, Twp. 25 S., R. 31 E., W.M.)

5. MINERALS RESERVED by the Pacific Land and Livestock Company, Inc., a corporation, as to full interest therein, in Deed recorded September 17, 1973, in Book 95, Page 244, and re-recorded October 22, 1974, in Book 97, Page 376 of Deeds, and all rights of said Pacific Land and Livestock Company, Inc., a corporation, and its successors in interest, as owners thereof.
 6. EASEMENT, including the terms and provisions thereof, to Harney Electric Cooperative, Inc., an Oregon corporation, recorded May 14, 1984, in Book 121, Page 45, Deed Records.
 7. LICENSE TO USE REAL PROPERTY, AND EASEMENTS, including the terms and provisions thereof, to Harney Electric Cooperative, Inc., an Oregon corporation, recorded May 18, 1984, in Book 121, Page 45, Deed Records.
 8. LEASE, including the terms and provisions thereof, from Joseph J. Siri and Kelly Siri to Harney Electric Cooperative, Inc., an Oregon Corporation, dated May 21, 1999, recorded May 21, 1999, Instrument No. 991077, Deed Records.
 9. OIL AND GAS LEASE, including the terms and provisions thereof, from E.E. Larson to Earl C. Miller, Trustee, dated March 9, 1929, recorded January 20, 1931, in Book "C", Page 156, Miscellaneous Records, which is to run for a term of 10 years from date, and as long htereafter as oil or gas is produced.

The interest of Earl C. Miller, Trustee, was assigned of record to Oregon Oil Company, an Oregon corporation, by instrument recorded January 20, 1931, in Book "C", Page 157, Miscellaneous Records.
- NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.
10. EASEMENT, including the terms and provisions thereof, to Harney Electric Cooperative Inc., recorded September 3, 1999, Instrument No. 991975, Deed Records.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

JAN 05 2000

INSTRUMENT # 20000015

EXHIBIT "A"

TITLE "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

Sec. 32: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 33: W $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM road right of way conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 363, Deed Records.

Also a parcel of land located in the SW $\frac{1}{4}$ of Sec. 28, Twp. 25 S., R. 31. E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 96-10-063, recorded October 26, 1996, Instrument No. 962135, Harney County, Plat Records.

Also a parcel of land located in Sections 27, 28, 33, and 34, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 99-09-112, recorded September 14, 1999, Instrument No. 992054, Harney County, Plat Records. SAVE AND EXCEPT road right of way conveyed to Harney County, Oregon by deed recorded June 18, 1962, in Book 71, Page 365, Deed Records.

Together with all irrigation equipment presently located on this property and the water well pump.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

JAN 05 2000

INSTRUMENT # 20000015

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, which is described as follows:

Beginning at the Northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27;

thence S. 89° 47' 50" E., along the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 112.21 feet;

thence S. 00° 12' 00" W. 208.71 feet;

thence N. 89° 47' 50" W. 110.77 feet to the West line of said Sec. 27;

thence continuing N. 89° 47' 50" W. 97.94 feet to a point 37.5 feet East of the centerline of an existing power transmission line;

thence N. 00° 12' 00" E., parallel to said transmission line, 208.71 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28;

thence S. 89° 47' 50" E., along said North line, 96.50 feet to the point of beginning.

RECEIVED

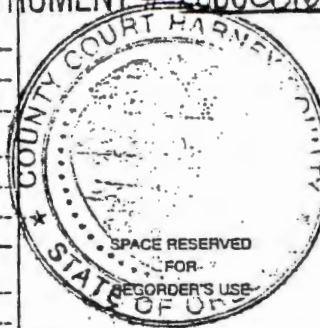
JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON.

U 5 2000

NS

INSTRUMENT # 20000016



STATE OF OREGON, County of Harney } ss.

I certify that the within instrument was received for record on the 5th day of January, 2000, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. 20000016, Records of said County.

Witness my hand and seal of County affixed.

Marion Harrison, Co. Clerk
NAME TITLE

By *[Signature]*, Deputy.

Grantor's Name and Address

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Carpenter Ranch, LLC
C/O Lewis Street Management
1930 Lewis Street SE, Salem, OR 97302

Until requested otherwise, send all tax statements to (Name, Address, Zip):

same as above

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

Joseph J. Siri and Kelly S. Siri, Grantor,
conveys and warrants to Carpenter Ranch, LLC, LLC, Grantee,

the following described real property free of encumbrances, except as specifically set forth herein, situated in Harney County, Oregon, to-wit:

In Twp. 26 S., R. 31 E., W.M.: (North of Malheur Lake)
Sec. 4: NE1|4

Together with any and all irrigation equipment present on the property.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): those shown on Page 2

The true consideration for this conveyance is \$ 16,000.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 29th day of December, 1999

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.

Joseph J. Siri
Joseph J. Siri

Kelly S. Siri
Kelly S. Siri

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on December 29, 1999, by Joseph J. Siri and Kelly S. Siri



Heather Zink

Notary Public for Oregon

My commission expires 9-9-2002

JAN 05 2000

INSTRUMENT # 20000016

WARRANTY DEED (EXCEPTIONS)

PAGE 2

1. AS DISCLOSED by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. MINERALS RESERVED by the Pacific Land and Livestock Company, Inc., a corporation, as to full interest therein, in Deed recorded September 19, 1973, in Book 95, Page 244, and re-recorded October 22, 1974, in Book 97, Page 376, of Deeds, and all rights of said Pacific Land and Livestock Company, Inc., an Oregon corporation, and its successors in interest, as owners thereof.
3. MINERALS RESERVED by Harney County, Oregon, as to full interest therein, in Deed recorded September 9, 1996, Instrument No. 961794, and all rights of said Harney County, Oregon, and its successors in interest, as owners thereof.
4. RESERVATIONS in deed from Harney County, Oregon, recorded September 9, 1996, Instrument No. 961794, Deed Records, reserving the right for a right of way for county roads.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, ROBERT L. JOHNSON AND VICKI L. JOHNSON, Grantors, for and in consideration of the sum of ONE HUNDRED FORTY FIVE THOUSAND NINE HUNDRED AND 00/100 Dollars to us paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L. L. C., Grantee, the following tract of land in the County of Harney, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO-----

Code 4-2 Map 25-31 Tax Lot 6000 Reference No. 23126

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
2. Easements, reservations and restrictions of record.
3. Tax roll discloses that the described premises are assessed as Farm Use Land & if it should become disqualified, additional tax, interest and penalties may be levied.

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

WITNESS our Hand and Seal this 5th day of January, in the year One Thousand Nine Hundred and Ninety Eight.

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.

Robert L. Johnson
ROBERT L. JOHNSON
Vicki L. Johnson
VICKI L. JOHNSON

STATE OF OREGON
COUNTY OF HARNEY

BE IT REMEMBERED, that on this 5th day of January, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT L. JOHNSON and VICKI L. JOHNSON, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Sharon Reason
Sharon Reason
Notary Public for the State of OREGON
My Commission Expires: 04-30-00



--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L. L. C.
910 Cascade Hwy NE
Salem, OR. 97301

After Recording Please Return to:
CARPENTER RANCH, L. L. C.
910 Cascade Hwy NE
Salem, OR. 97301

STATE OF OREGON } ss
County of Harney
I certify that the within instrument was received for record on the 5th day of January, 1998 at 10:25 o'clock AM and recorded Microfilm number 78,012,4.
Records of said County.
Maria Iurriaga, County Clerk
By: [Signature] Deputy

RECEIVED
JUN - 5 2003
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

Legal Description

Land in County of Harney and State of Oregon

Township 25 South, Range 31 East, Willamette Meridian

- Section 28: SW1/4NE1/4, NW1/4SE1/4,
W1/2W1/2W1/2W1/2W1/2W1/2NE1/4SE1/4, N1/2SW1/4,
S1/2NW1/4.
- Section 29: E1/2SE1/4, EXCEPTING THEREFROM road right of way
conveyed by deed, over the SE1/4SE1/4, to Harney
County, recorded June 18, 1962, in Book 71, Page 349,
Deed Records.
- Section 32: NE1/4NE1/4, EXCEPTING THEREFROM road right of way
conveyed by deed to Harney County, recorded June 18,
1962, in Book 71, Page 349, Deed Records.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

JAN 27 1998

WARRANTY DEED

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT. SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS THAT, JOE B. GATES, III, Grantor, for and in consideration of the sum of SIXTEEN THOUSAND AND 00/100 Dollars to me paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH L. L. C., Grantee, the following tract of land more particularly described as follows:

The Northwest quarter of the Northeast quarter, in Section Thirty-Two, Township Twenty-Five South, Range Thirty-One East, Willametta Meridian, County of Harney and State of Oregon, EXCEPTING THEREFROM County Road right of way.

Code 4-2 Map 25-31 Tax Lot 6200 Reference No. 23133

TO HAVE AND TO HOLD the granted premises unto the said Grantee, heirs and assigns forever.

And the Grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
2. The tax roll discloses that the described premises are assessed as Farm Use Land, & if it should become disqualified, additional tax, interest & penalties may be levied.

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

WITNESS my Hand and Seal this 27 day of January, in the year One Thousand Nine Hundred and Ninety Eight.

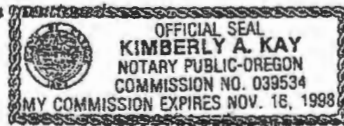
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to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

Handwritten signature of Joe B. Gates, III and printed name JOE B. GATES, III

STATE OF OREGON
COUNTY OF HARNEY

BE IT REMEMBERED, that on this 27th day of January, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named JOE B. GATES, III, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Handwritten signature of Kimberly A. Kay and printed name Notary Public for the State of OREGON My Commission Expires: 11-16-98



--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address: CARPENTER RANCH L. L. C. 910 Cascade Hwy N.E. Salem, OR. 97301

After Recording Please Return to: CARPENTER RANCH L. L. C. 910 Cascade Hwy N.E. Salem, OR. 97301

STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 27th day of January 1998 at 1:10 P.M. and recorded Michael Davidson, 1980158, Records of said County.
By: Maria Durango, County Clerk

JUL 02 1998

981181

RECEIVED

JUN - 5 2003

WARRANTY DEED

WATER RESOURCES DEPT. SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS THAT, ROBERT E. VAN DE ROSTYNE AND IMA L. VAN DE ROSTYNE, husband and wife, Grantors, for and in consideration of the sum of THIRTY THOUSAND AND 00/100 Dollars to us paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land, more particularly described as follows:

South Half of the Northeast quarter and North Half of the Southeast quarter, in Section Thirty-Two, Township Twenty-Five South, Range Thirty-One East, Willamette Meridian, County of Harney and State of Oregon.

Code 4-2 Map 25-31-32 Tax Lot 300 Reference No. 23137

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Easements, reservations and restrictions of record.

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

WITNESS our Hand and Seal this 10th day of June, in the year One Thousand Nine Hundred and Ninety Eight.

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.

Robert E. Van De Rostyne
ROBERT E. VAN DE ROSTYNE

Ima L. Van De Rostyne
IMA L. VAN DE ROSTYNE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

BE IT REMEMBERED, that on this 10th day of June, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ROBERT E. VAN DE ROSTYNE and IMA L. VAN DE ROSTYNE, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Hina Azam
Notary Public for the State of CALIFORNIA
My Commission Expires: MAY 14, 1999

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L.L.C.
910 Cascade Highway N.E.
Salem, Or. 97301

After Recording Please Return to:
CARPENTER RANCH, L.L.C.
910 Cascade Highway N.E.
Salem, Or. 97301

STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 10th day of June, 1998, at 4:24 PM, and recorded Microfilm June 18, 1998.
Deputy
By: [Signature] Deputy

HINA AZAM
COMM. # 1058698
Notary Public - California
LOS ANGELES COUNTY
My Comm. Expires MAY 14, 1999

JUL 02 1998

981182

RECEIVED

JUN - 5 2003

WARRANTY DEED

WATER RESOURCES DEPT. SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS THAT, JACK D. COLLINS And IRMA B. COLLINS, as Trustees of the Jack B. Collins and Irma B. Collins Living Trust, executed the 18 day of August 1993, Grantors, for and in consideration of the sum of ONE HUNDRED FIFTEEN THOUSAND AND 00/100 Dollars to us paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO-----

Code 4-2 Map 25-31 Tax Lot 5500 Reference No. 23131
Code 4-2 Map 25-31 Tax Lot 5700 Reference No. 23125

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
2. The assessment roll discloses that the described premises are assessed as Farm Use Land & if said land becomes disqualified, additional tax, interest and penalties may be levied.
3. Easements, reservations and restrictions of record.

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

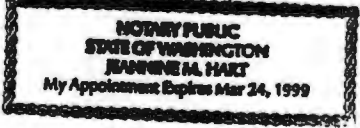
WITNESS our Hand and Seal this 8th day of June, in the year One Thousand Nine Hundred and Ninety Eight.

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 practises as defined in ORS 30.930.

Jack D. Collins (Trustee)
JACK D. COLLINS, Trustee
Irma B. Collins, Trustee
IRMA B. COLLINS, Trustee

STATE OF WASHINGTON
COUNTY OF Clark

BE IT REMEMBERED, that on this 8th day of June, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named JACK D. COLLINS, Trustee and IRMA B. COLLINS, Trustee, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.



Joanne M. Hart
Notary Public for the State of WASHINGTON
My Commission Expires: 24 March 1999

--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, LLC
910 CASCADE HIGHWAY N.E.
SALEM, OR 97301

After Recording Please Return to:
CARPENTER RANCH, LLC
910 CASCADE HIGHWAY N.E.
SALEM, OR 97301

STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 19th day of June, 1998, at 10:00 A.M. and recorded Microfilm number 231182.
Joanne M. Hart, County Clerk
Deputy

981182

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

Legal Description

Land in County of Harney and State of Oregon

Township 25 South, Range 31 East, Willamette Meridian

Section 27: S1/2SE1/4, N1/2SW1/4, EXCEPTING THEREFROM that portion of the S1/2SE1/4 conveyed by deed to the State of Oregon, by and through its State Highway Commission, recorded June 20, 1940, in Book 39, Page 67, Harney County Deed Records, Also, EXCEPTING THEREFROM County road right of way from that portion of the S1/2SE1/4.

Section 28: NE1/4SE1/4, EXCEPTING THEREFROM the West 20.33 feet.

Section 34: NE1/4, EXCEPTING THEREFROM that portion conveyed by deed to the State of Oregon, by and through its State Highway Commission, recorded June 20, 1940, in Book 39, Page 67, Harney County Deed Records, Also, EXCEPTING THEREFROM County road right of way.

SEP 03 1998

NABB

981638

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That JOE B GATES III

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CARPENTER RANCH LLC

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in HARNEY County, State of Oregon, described as follows, to-wit:

Township 25 South, Range 31 East, Willamette Meridian
Section 29: E1/2NE1/4, SW1/4NE1/4, W1/2SE1/4, E1/2SW1/4, ⁸⁰
EXCEPTING THEREFROM road right-of-way to Harney County, Oregon, over the SW1/4SE1/4

Subject to:

1. The seller's right to an easement which is forty (40) feet in width along the westerly boundary of said property which easement the seller shall maintain.
2. The rights of the public in roads and highways.
3. Trust Deed, including the terms and provisions thereof, executed by Joe B Gates III, as grantor, to Land Title Insurance and Escrow Corp., as trustee, dated June 2, 1998, recorded June 12, 1998, as Instrument No. 981023, Harney County Mortgage Records, all of the terms and conditions of which the grantor agrees to pay, perform, and hold the grantee harmless therefrom.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

(CONTINUE DESCRIPTION ON REVERSE IF NECESSARY)

The true and actual consideration for this conveyance is \$ 60,000.⁰⁰ (Here comply with ORS 93.030.)

JOE B GATES III

Grantor's Name and Address
CARPENTER RANCH LLC
1930 LEWIS ST SE
SALEM, OR 97302

After recording return to (Name, Address, Zip):
CARPENTER RANCH LLC
ATTN: RON MACDONALD
1930 LEWIS ST SE SALEM OR 97302

Until requested otherwise send all tax statements to (Name, Address, Zip):
CARPENTER RANCH LLC
1930 LEWIS ST SE
SALEM, OR 97302



STATE OF OREGON,
County of Harney } ss.

I certify that the within instrument was received for record on the 3rd day of September, 1998, at 1:38 o'clock P.M., and recorded in book/reel/volume No. _____ on page _____ and/or as tee/filg/instrument/microfilm/reception No. 981638 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Maria P. ..., Co. Clerk
NAME TITLE
By [Signature], Deputy.

SEP 03 1998

981638



To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.
And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

EXCEPT THOSE SET FORTH ABOVE

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 3rd day of September, 1998; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

JOE B GATES, III

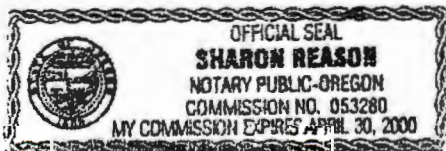
Joe B Gates III

STATE OF OREGON, County of Harney ss. This instrument was acknowledged before me on September 3, 1998

by Joe B. Gates III

This instrument was acknowledged before me on _____, 19____

by _____
as _____
of _____



Sharon Reason
Notary Public for Oregon
My commission expires 04-30-2000

DEC 08 1998

982217

WARRANTYDEED

KNOW ALL MEN BY THESE PRESENTS THAT, SHERMAN S. ZEMKE AND JOYCE Y. ZEMKE, husband and wife, Grantors, for and in consideration of the sum of TWENTY FOUR THOUSAND AND 00/100 Dollars to us paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land, more particularly described as follows:

North Half of the Southeast quarter, in Section Twenty-Seven, Township Twenty-Five South, Range Thirty-One East, Willamette Meridian, County of Harney and State of Oregon, EXCEPTING THEREFROM highway right of way conveyed by deed to the State of Oregon, State Highway Commission, recorded June 11, 1940, in Book 39, Page 82, Harney County Deed Records.

Code 4-2 Map 25-31-27 Tax Lot 400 Reference No. 23123

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT.

- 1. Rights of the public in roads and highways.
2. Easements, reservations and restrictions of record.

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

WITNESS our Hand and Seal this 7 day of December, in the year One Thousand Nine Hundred and Ninety Eight.

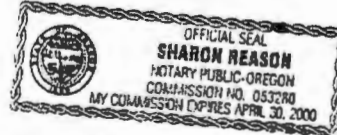
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to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

Signatures of Sherman S. Zemke and Joyce Y. Zemke with printed names below.

STATE OF OREGON
COUNTY OF HARNEY

BE IT REMEMBERED, that on this 7th day of December, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named SHERMAN S. ZEMKE and JOYCE Y. ZEMKE, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Signature of Sharon Reason, Notary Public for the State of Oregon, My Commission Expires: 04/30/00



--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address: CARPENTER RANCH, L.L.C. 1930 LEWIS STREET S.E. SALEM, OREGON 97302

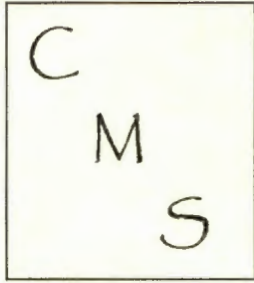
After Recording Please Return to: CARPENTER RANCH, L.L.C. 1930 LEWIS STREET S.E. SALEM, OREGON 97302

STATE OF OREGON }
County of Harney }
I certify that the within instrument was received for record on the 7th day of December, 1998, at 11:10 o'clock, P.M., and recorded Microfilm number 982217.
Deed Records of said County.
Harney County Clerk
Deputy

RECEIVED
JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

G-15457



Carpenter Management Services, Inc.

Ron MacDonald
Attorney at Law

1930 Lewis St SE, Salem OR 97302
(503) 375-9939 fax (503) 375-8247

RECEIVED

APR 09 2003

WATER RESOURCES DEPT.
SALEM, OREGON

April 8, 2003

Water Resources Department
Attn: Anita Huffman
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

RE: Application G-15117

This responds to your letter of April 2, 2003 which has been delivered to me for response. A copy of your letter is attached.

I called you on April 7th and have not received the courtesy of a return call. Once again I am asking that you return my call to speak of this matter. You can reach me at the number previously given, which is the number above. I look forward to hearing from you.

Ron MacDonald
Carpenter Management Services Inc.
Manager of Carpenter Ranch LLC

CC: Mitch Lewis, Watermaster District #10
File
Tom and Ginger Carpenter
Jim Hall

*Returned call
4/9/03 8:30 AM
4/9/03 3:30 PM*

OREGON WATER RESOURCES DEPARTMENT



State of Oregon
Water Resources Department
158 12th ST NE, Salem, OR 97301
(503) 378-8455
www.wrd.state.or.us

FAX TRANSMITTAL

TO: Ron Macdonald FAX NUMBER: (503) 375-8247
DATE: 4/14/03 PAGES: 2, INCLUDING COVER SHEET
FROM: A. Huffman PHONE: (503) 378-8455 EXT. 229

COMMENTS: _____
As requested.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD & TECHNICAL SERVICES

- Hydrographics
- Ground Water
- Information Services
- GIS/Mapping

FAX: (503) 378-2496

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

FIELD & TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Regional Liaisons
- Transfers

FAX: (503) 378-8130

WATER RIGHTS

- Water Rights information
- Adjudications
- Hydroelectric
- Certifications / Final Proofs
- Hearings / Contested Cases

NORTHWEST REGION

- District 16 Watermaster

FAX: (503) 378-6203

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-15117
 CARPENTER RANCH LLC
 1930 LEWIS ST SE
 SALEM, OR 97302

2. Article Number
(Transfer from service label)

7002 2410 0004 9157 7238

PS Form 3811, August 2001

Domestic Return Receipt

W/R

102595-02-M-1035

COMPLETE THIS SECTION

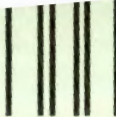
A. Signature
 X Christina Anderson Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
Christina Anderson 4-4-02

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
APR 07 2003

WATER RESOURCES DEPT.
158 12TH ST NE
SALEM OR 97301



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

CERTIFIED MAIL
Return Receipt Requested

April 2, 2003

Carpenter Ranch, LLC
Jim Hall
1930 Lewis St. SE
Salem, OR 97302

RE: Application G-15117

Dear Mr. Hall:

On October 23, 2001, the Department issued a Final Order for application #G-15118. The Final Order identified that recording fees in the amount of **\$175.00**, and the legal description of Exhibit A of the warranty deed for Tax Lot 4200, Tax Lot 200, and Tax Lot 6400 located in Townships 25 and 26 South, Range 30 East, must be submitted to the Department before a permit would be issued. As of this date, the Department has not yet received the requested information.

Please submit this information by **May 2, 2003**. If we do not receive the information requested by this date, we will reject the above referenced application consistent with ORS 537.153. If your application is rejected, the priority date associated with your application will be lost. Further, if you are using the water you are in violation of state laws (ORS 537.130).

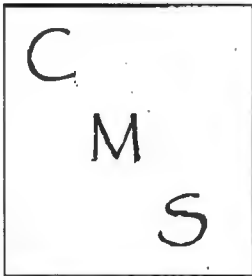
Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455 extension 229.

Sincerely,

Anita M. Huffman
Senior Water Rights Technician

cc: Mitch Lewis, Watermaster District #10
File

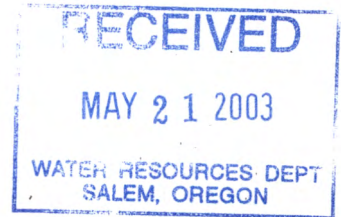




Carpenter Management Services, Inc.

Ron MacDonald
Attorney at Law

1930 Lewis St SE, Salem OR 97302
(503) 375-9939 fax (503) 375-8247



May 21, 2003

Water Resources Department
Attn: Anita Huffman
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

RE: Application G-15117

VIA FACSIMILE ONLY 503-378-8130

Confirming our conversation of today and in response to your letter received in our office on May 20, 2003, I have contacted Sharon Reason at Harney County Title and have asked her to provide to me complete legal descriptions of the real property owned by Carpenter Ranch in Harney County. The title company will provide and upon receipt, I will provide those descriptions to you.

Regards,

Ron MacDonald
Carpenter Management Services Inc.
Manager of Carpenter Ranch LLC



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

May 16, 2003

Carpenter Management Services, Inc.
Ron MacDonald
1930 Lewis Street SE
Salem, OR 97302

REFERENCE FILE: G-15117, Carpenter Ranch

Dear Mr. MacDonald:

Thank you for submitting the permit recording fee and legal description for the above referenced file. The fees have been applied to the file and a permit will issue as soon as the file is complete.

The legal descriptions you provided were descriptions already on file with the Department. The lands involved with this application include lands not included in those legal descriptions. I've enclosed a copy of the maps indicating which legal descriptions we've received and those still pending.

You may check with Harney County Assessor's office or a title company for assistance in securing the correct legal descriptions.

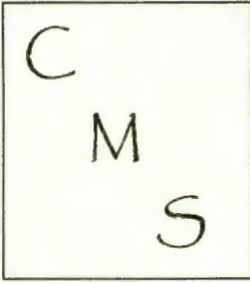
I will issue a permit for the above referenced file as soon as the necessary legal descriptions are received. If you have any questions, please give me a call at (503)378-8455 extension 229, or you may e-mail me at: Anita.M.HUFFMAN@wrд.state.or.us.

Sincerely,

Anita Huffman
Senior Water Rights Technician

enclosures





Carpenter Management Services, Inc.

Ron MacDonald
Attorney at Law

1930 Lewis St SE, Salem OR 97302
(503) 375-9939 fax (503) 375-8247

April 28, 2003

Water Resources Department
Attn: Anita Huffman
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

RE: Application G-15117

This responds further to your letter of April 2, 2003 regarding the above application. Enclosed is the required fee of \$175.00.

Also enclosed is a Permit to Appropriate Public Waters issued from Harney County which contains the legal description of the subject property, together with a plat map and Deed from Joseph J. Siri and Kelly S. Siri dated December 29, 1999.

I trust that these documents are responsive to your letter and fulfill your request. If not, please advise.

A handwritten signature in cursive script that reads 'Ron MacDonald'.

Ron MacDonald
Carpenter Management Services Inc.
Manager of Carpenter Ranch LLC

Enclosures

RECEIVED

APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

NS

INSTRUMENT # 20000015



Grantor's Name and Address

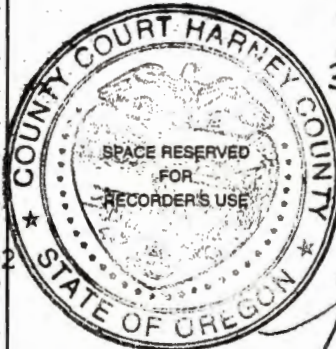
Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Carpenter Ranch LLC
c/o Lewis Street Management
1930 Lewis Street SE Salem, OR 97302

Until requested otherwise, send all tax statements to (Name, Address, Zip):

same as above



STATE OF OREGON, County of Harney } ss.

I certify that the within instrument was received for record on the 5th day of January, 2000, at 3:04 o'clock P.M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. 20000015, Records of said County.

Witness my hand and seal of County affixed.

Maria Hernandez Co Clerk
NAME TITLE

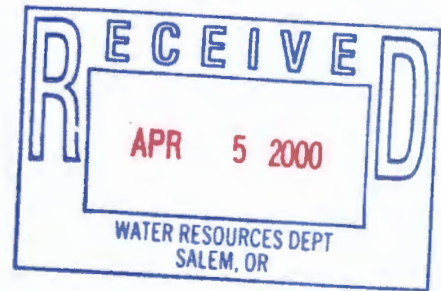
By [Signature], Deputy.

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

Joseph J. Siri and Kelly S. Siri, Grantor,
conveys and warrants to Carpenter Ranch, LLC, C., Grantee,
the following described real property free of encumbrances, except as specifically set forth herein, situated in Harney County, Oregon, to-wit:

See Exhibit "A"

Application No. G-15117
Permit No. _____



(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): those shown on Page 2

The true consideration for this conveyance is \$ 534,000.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 29th day of December, 1999.

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.

[Signature]
Joseph J. Siri

[Signature]
Kelly S. Siri

STATE OF OREGON, County of Harney) ss.
This instrument was acknowledged before me on December 29th, 1999,
by Joseph J. Siri and Kelly S. Siri



[Signature]
Notary Public for Oregon
My commission expires 9-9-2002

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

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

APPLICATION FILE NUMBER: G-15117

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 432.2 ACRES

MAXIMUM RATE: 5.4 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: April 5, 2000

WELL LOCATIONS:

WELL #20: NE 1/4 NW 1/4, SECTION 33. 770 FEET SOUTH & 1320 FEET
EAST FROM THE NW CORNER OF SECTION 33, T25S, R31E, W.M.

WELL #18: NW 1/4 NW 1/4, SECTION 33. 1320 FEET SOUTH & 2640 FEET
EAST FROM THE NW CORNER OF SECTION 33, T25S, R31E, W.M.

WELL #19: SW 1/4 NW 1/4, SECTION 34. 1895 FEET SOUTH & 860 FEET
EAST FROM NW THE CORNER OF SECTION 34, T25S, R31E, W.M.

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.

RECEIVED

APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Application G-15117 Water Resources Department

PERMIT G-14993

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SW 1/4 29.5 ACRES
 SE 1/4 SW 1/4 29.5 ACRES
 SECTION 27
 SW 1/4 SE 1/4 29.5 ACRES
 SE 1/4 SE 1/4 29.5 ACRES
 SECTION 28
 NE 1/4 NE 1/4 29.5 ACRES
 NW 1/4 NE 1/4 29.5 ACRES
 SW 1/4 NE 1/4 29.5 ACRES
 SE 1/4 NE 1/4 29.5 ACRES
 SW 1/4 NW 1/4 29.5 ACRES
 SE 1/4 NW 1/4 29.5 ACRES
 SECTION 33
 NE 1/4 NW 1/4 34.3 ACRES
 NW 1/4 NW 1/4 34.3 ACRES
 SW 1/4 NW 1/4 34.3 ACRES
 SE 1/4 NW 1/4 34.3 ACRES
 SECTION 34

TOWNSHIP 25 SOUTH, RANGE 31 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.

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

Application G-15117 Water Resources Department

PERMIT G-14993

to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

STANDARD CONDITIONS

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.

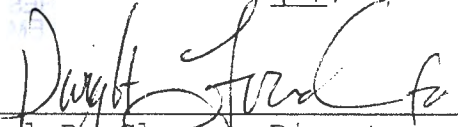
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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, 2006. 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, 2001


Paul R. Cleary, Director
Water Resources Department

NOTE: 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.

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WATER RESOURCES DEPT.
SALEM, OREGON

Application G-15117
Basin 12
JWG- WEEK 316

Water Resources Department
Volume 2 SILVIES R MISC

PERMIT G-14993
District 10

NS

INSTRUMENT # 20000015



Grantor's Name and Address

Grantee's Name and Address

After recording, return to (Name, Address, Zip):
 Carpenter Ranch LLC
 c/o Lewis Street Management
 1930 Lewis Street SE Salem, OR 97302

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 same as above



STATE OF OREGON, } ss.
 County of Harney

I certify that the within instrument was received for record on the 5th day of January, 2000, at 3:04 o'clock P.M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No 20000015, Records of said County.

Witness my hand and seal of County affixed.
Maria Hernandez Co Clerk
 NAME TITLE
 By *Janis Robinson*, Deputy.

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

Joseph J. Siri and Kelly S. Siri, Grantor,
 conveys and warrants to Carpenter Ranch, LLC, C., Grantee,
 the following described real property free of encumbrances, except as specifically set forth herein, situated in Harney County, Oregon, to-wit:
 See Exhibit "A"

RECEIVED
 APR 29 2003
 WATER RESOURCES DEPT.
 SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): those shown on Page 2

The true consideration for this conveyance is \$ 534,000.00 (Here, comply with the requirements of ORS 93.030.)

Dated this 29th day of December, 1999.

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.

Joseph J. Siri
Joseph J. Siri

Kelly S. Siri
Kelly S. Siri

STATE OF OREGON, County of Harney) ss.
 This instrument was acknowledged before me on December 29, 1999,
 by Joseph J. Siri and Kelly S. Siri



Heather Zink
 Notary Public for Oregon
 My commission expires 9-9-2002

INSTRUMENT # 20000015

EXHIBIT "A"

TITLE "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

Sec. 32: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 33: W $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM road right of way conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 363, Deed Records.

Also a parcel of land located in the SW $\frac{1}{4}$ of Sec. 28, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 96-10-063, recorded October 26, 1996, Instrument No. 962135, Harney County, Plat Records.

Also a parcel of land located in Sections 27, 28, 33, and 34, Twp. 25 S., R. 31 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcels No. 1 and 2, of Partition Plat No. 99-09-112, recorded September 14, 1999, Instrument No. 992054, Harney County, Plat Records. SAVE AND EXCEPT road right of way conveyed to Harney County, Oregon by deed recorded June 18, 1962, in Book 71, Page 365, Deed Records.

Together with all irrigation equipment presently located on this property and the water well pump.

RECEIVED

APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

INSTRUMENT # 20000015

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28, which is described as follows:

Beginning at the Northwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27;

thence S. 89° 47' 50" E., along the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 112.21 feet;

thence S. 00° 12' 00" W. 208.71 feet;

thence N. 89° 47' 50" W. 110.77 feet to the West line of said Sec. 27;

thence continuing N. 89° 47' 50" W. 97.94 feet to a point 37.5 feet East of the centerline of an existing power transmission line;

thence N. 00° 12' 00" E., parallel to said transmission line, 208.71 feet to the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28;

thence S. 89° 47' 50" E., along said North line, 96.50 feet to the point of beginning.

RECEIVED

APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

CERTIFIED MAIL
Return Receipt Requested

April 2, 2003

Carpenter Ranch, LLC
Jim Hall
1930 Lewis St. SE
Salem, OR 97302

RECEIVED

APR 09 2003

WATER RESOURCES DEPT.
SALEM, OREGON

*4/7/03
content
missed
Manning*

RECEIVED

APR 04 2003

RE: Application G-15118

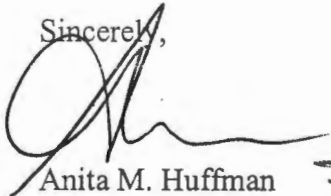
Dear Mr. Hall:

On October 23, 2001, the Department issued a Final Order for application #G-15118. The Final Order identified that recording fees in the amount of \$175.00, and the legal description of Exhibit A of the warranty deed for Tax Lot 4200, Tax Lot 200, and Tax Lot 6400 located in Townships 25 and 26 South, Range 30 East, must be submitted to the Department before a permit would be issued. As of this date, the Department has not yet received the requested information.

Please submit this information by **May 2, 2003**. If we do not receive the information requested by this date, we will reject the above referenced application consistent with ORS 537.153. If your application is rejected, the priority date associated with your application will be lost. Further, if you are using the water you are in violation of state laws (ORS 537.130).

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455 extension 229.

Sincerely,


Anita M. Huffman #229
Senior Water Rights Technician

cc: Mitch Lewis, Watermaster District #10 201
File

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15118

Final Order

Application History

On April 5, 2000, CARPENTER RANCH LLC; JIM HALL submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 7, 2001. The protest period closed September 21, 2001, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

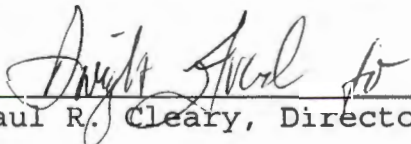
Order

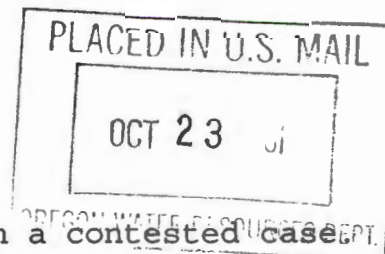
Upon payment of outstanding permit recording fees and the submission of a legal description, Exhibit A of the warranty deed for Tax Lot 4200, Tax Lot 200 and Tax Lot 6400 located in Townships 25 and 26 South, Range 30 East, Application G-15118 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$175.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees and submit the above requested information within 60 days from the date of this Final Order may result in the proposed rejection of Application G-15118.

If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED October 23 , 2001


Paul R. Cleary, Director



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise

precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458..

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

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

APPLICATION FILE NUMBER: G-15118

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 596.6 ACRES

MAXIMUM RATE: 7.45 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 2000

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 36, T25S, R30E, W.M.; SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; WELL #15 - 30 FEET NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36, T25S, R30E, W.M.; WELL #16 - 25 FEET NORTH & 1300 FEET EAST, WELL #17- 16 FEET NORTH & 100 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 1, T26S, R30E, W.M.

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 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 31.4 ACRES
NW 1/4 SW 1/4 31.4 ACRES
SW 1/4 SW 1/4 31.4 ACRES
SE 1/4 SW 1/4 31.4 ACRES
NE 1/4 SE 1/4 31.4 ACRES
NW 1/4 SE 1/4 31.4 ACRES
SW 1/4 SE 1/4 31.4 ACRES

Application G-15118 Water Resources Department

PERMIT DRAFT

SE 1/4 SE 1/4 31.4 ACRES
SECTION 36
TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.
NE 1/4 NW 1/4 31.4 ACRES
LOT 1 (NW 1/4 NW 1/4) 31.4 ACRES
LOT 2 (SW 1/4 NW 1/4) 31.4 ACRES
SE 1/4 NW 1/4 31.4 ACRES
NE 1/4 SW 1/4 31.4 ACRES
LOT 3 (NW 1/4 SW 1/4) 31.4 ACRES
LOT 4 (SW 1/4 SW 1/4) 31.4 ACRES
SE 1/4 SW 1/4 31.4 ACRES
SECTION 31
TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.
LOT 3 (NE 1/4 NW 1/4) 31.4 ACRES
LOT 4 (NW 1/4 NW 1/4) 31.4 ACRES
SW 1/4 NW 1/4 31.4 ACRES
SECTION 1
TOWNSHIP 26 SOUTH, RANGE 30 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.

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.

STANDARD CONDITIONS

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.

SEE NEXT PAGE

Complete application of the water to the use shall be made on or before October 1, 2005. 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 _____, 2001

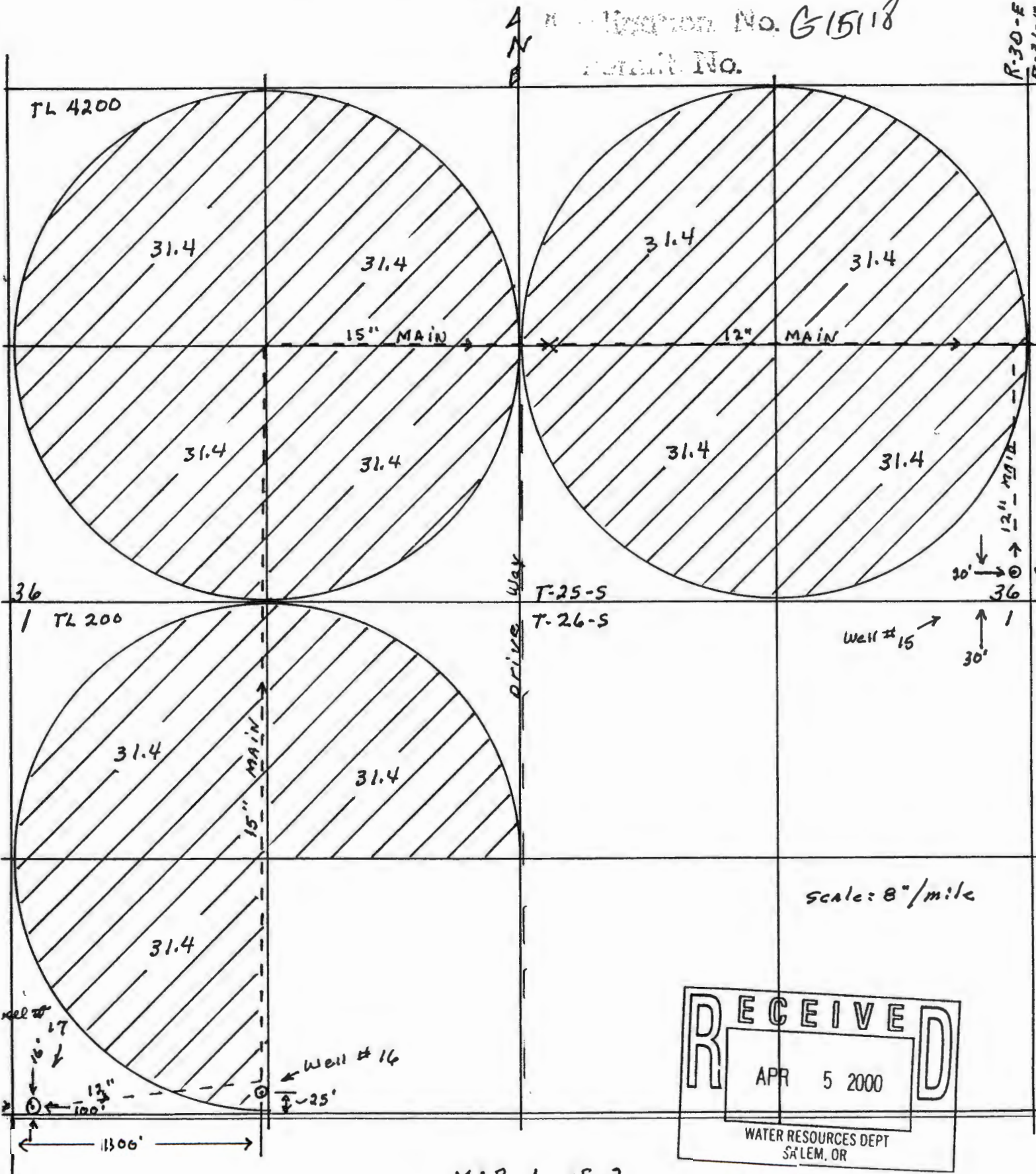
DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

Carpenter Ranch LLC

T-25-S & T-26-S R-30-E Section 36 & 1

Map No. G-15118
Sheet No.



MAP 1 OF 2

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SALEM, OR

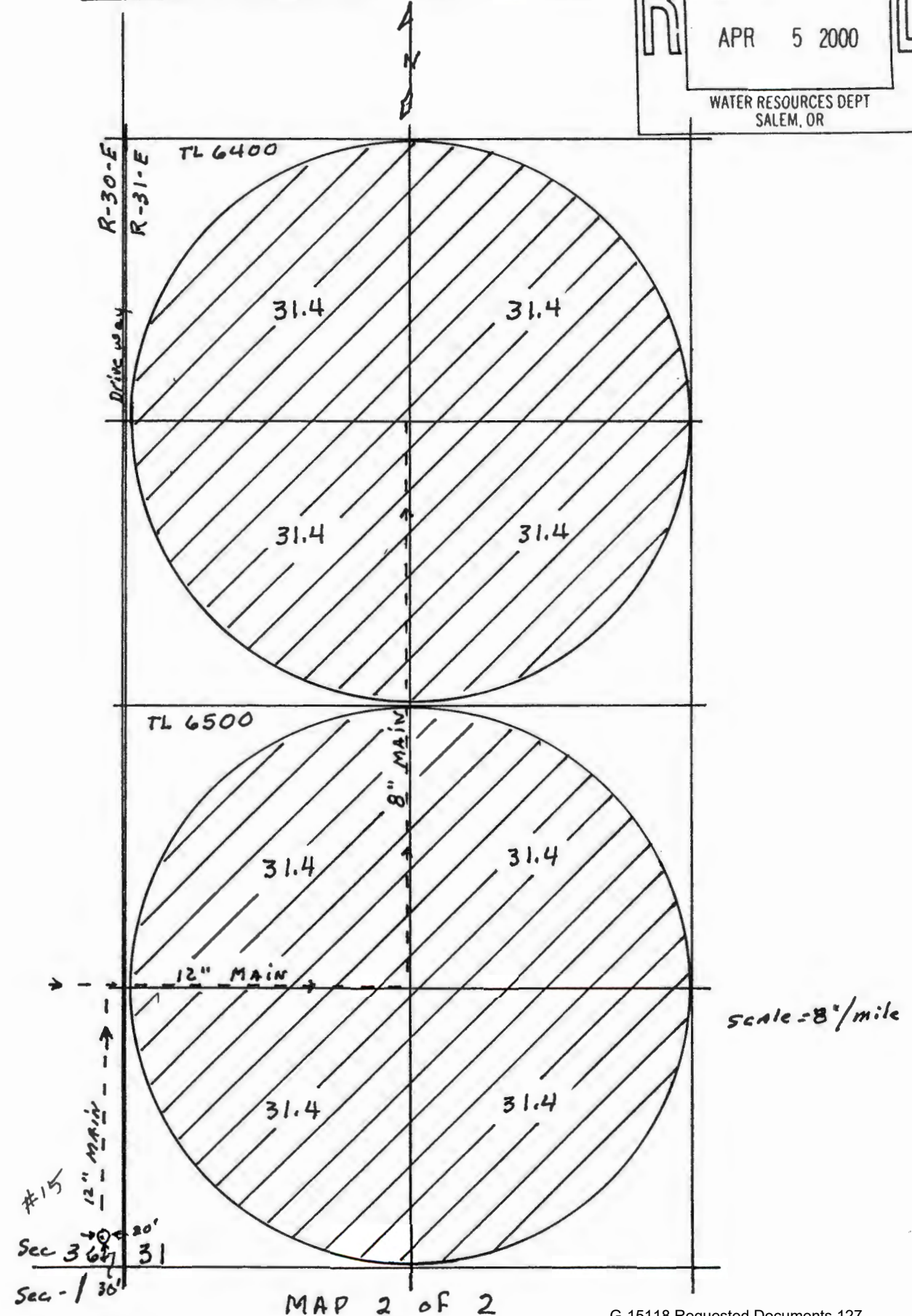
Application No. G-15118

Permit No.

Carpenter Ranch LLC

T-25-S R-31-E Section 31

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APR 5 2000	
WATER RESOURCES DEPT SALEM, OR	



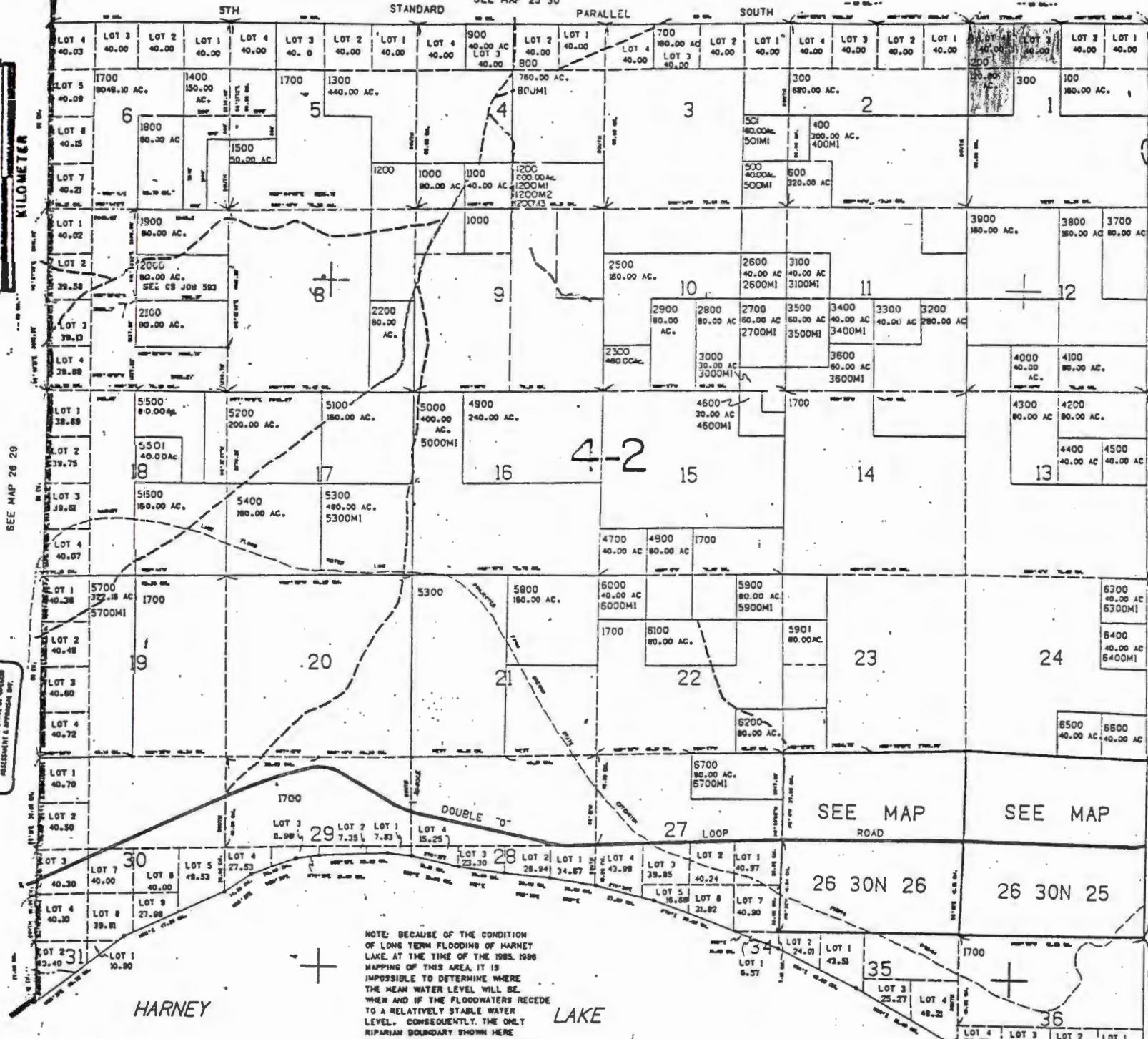
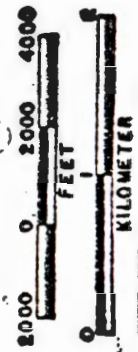
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

HAF COUNTY

2000'

8 IN' 26

SEE MAP 25 30



CANCELLED NOS
1600
2301
2400
3000M
2400M

RECEIVED
APR 2 2000
WATER RESOURCES DEPT
SALEM, OR

SEE MAP 28 31N

615118
110.

590.000

NOTE: BECAUSE OF THE CONDITION OF LONG TERM FLOODING OF HARNET LAKE AT THE TIME OF THE 1985, 1986 MAPPING OF THIS AREA IT IS IMPOSSIBLE TO DETERMINE WHERE THE MEAN WATER LEVEL WILL BE WHEN AND IF THE FLOODWATERS REcede TO A RELATIVELY STABLE WATER LEVEL. CONSEQUENTLY, THE ONLY RIPARIAN BOUNDARY SHOWN HERE IS THE MEANDER LINE AS DESCRIBED IN U. S. V. OREGON 285 U. S. L 76.

HARNET

LAKE

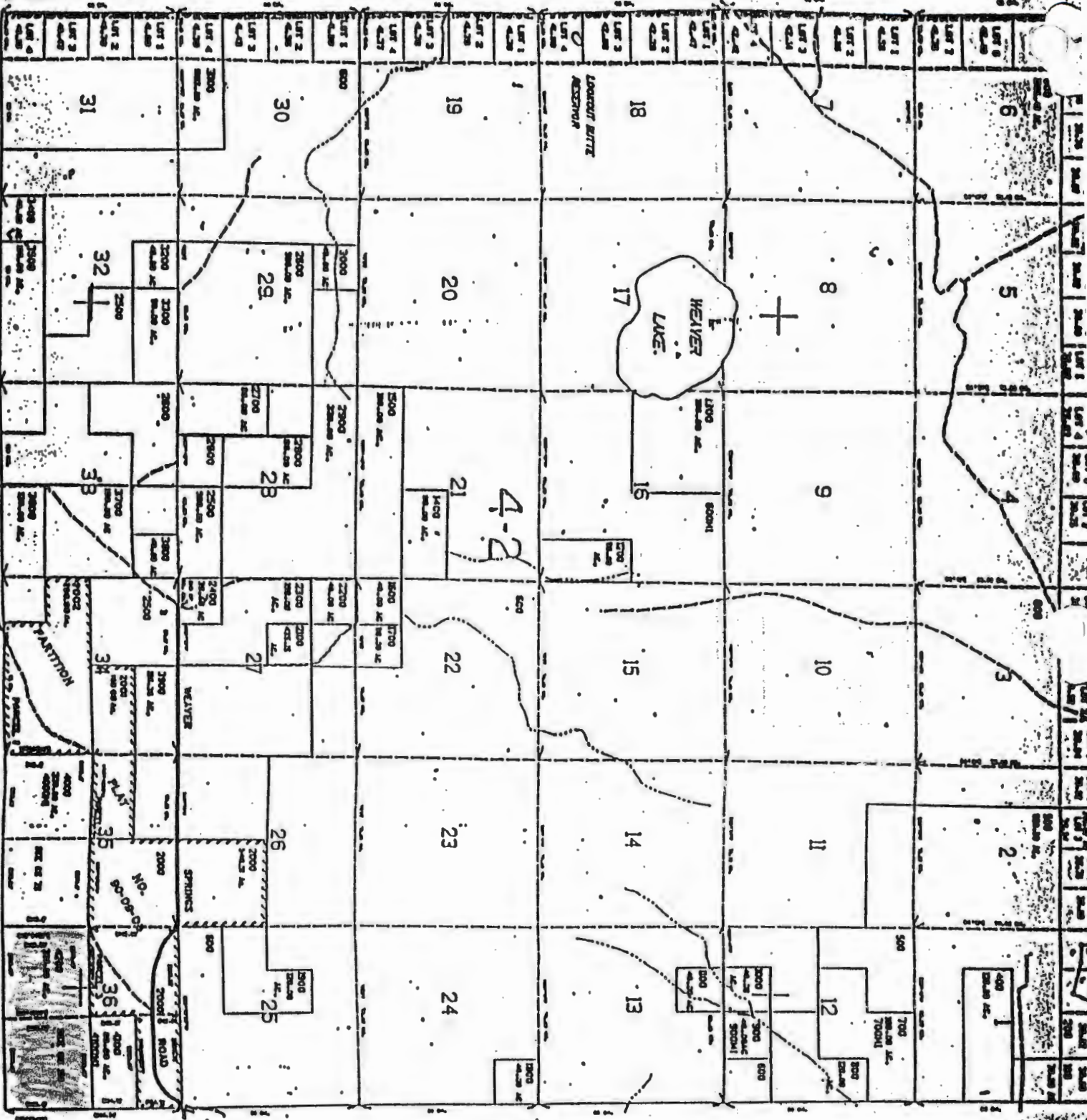
SEE MAP ROAD

SEE MAP

26 31 & INDEX

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JUN 3 1992
Water Resources Dept
SALEM, OR

SEE MAP 28 28



SEE MAP 25 31

25 30

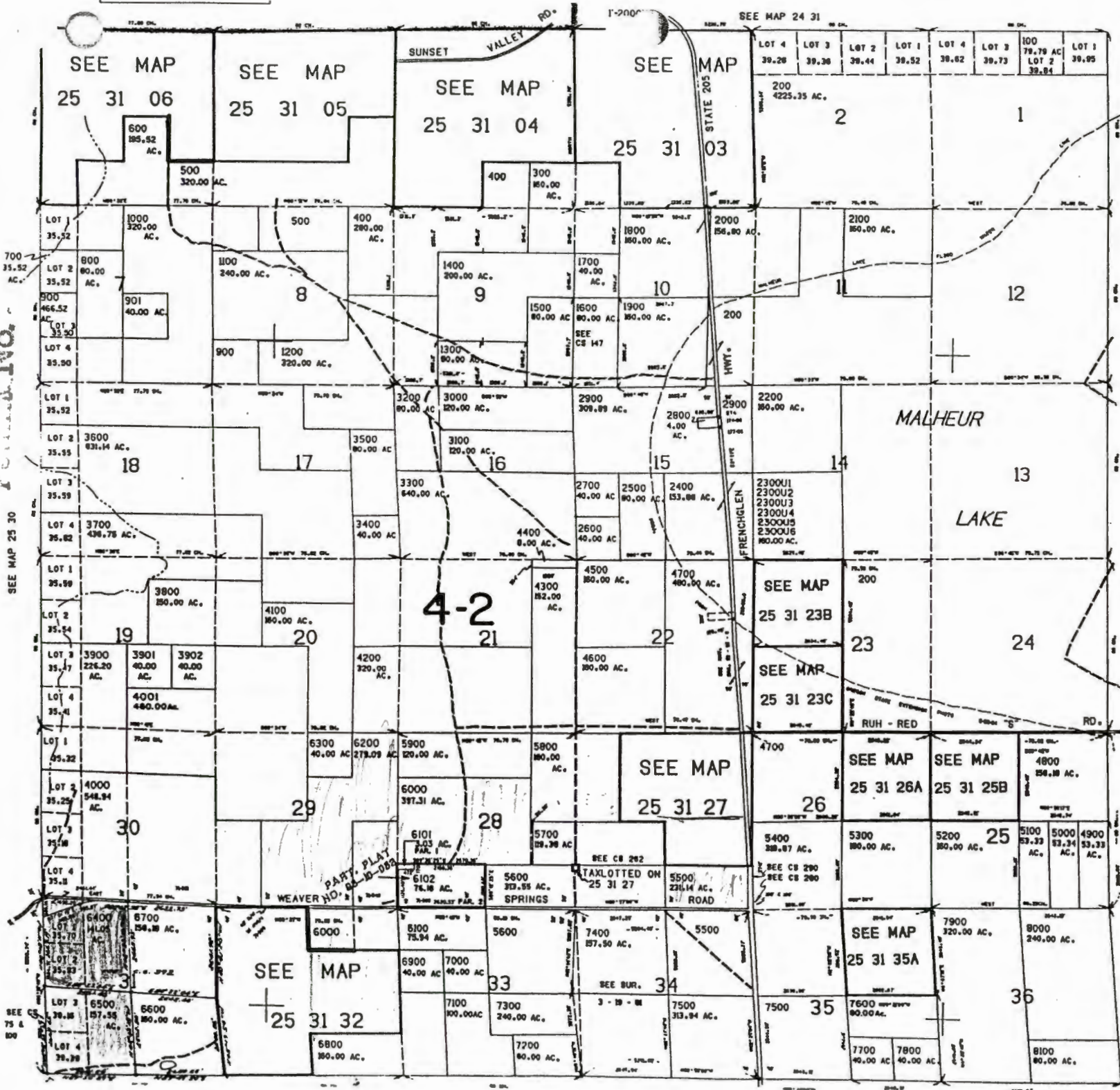
Application No. G-15118
Permit No.

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WATER RESOURCES DEPT
SALEM, OR

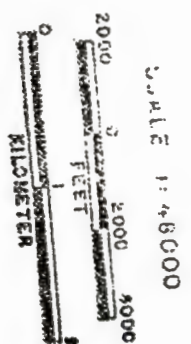
HARNEY
25 30

A. Parcel No. G-15118

SEE MAP 25 30



25 31
& INC
HARNEY
CANCELLED NO.
200M1
200M2
2000M1
2100M1
2500M1
2600M1
2700M1
5200M1
5700M1
5900M1
6000M1
6800M1
7100M1
7200M1
7600M1
7600M2



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WATER RESOURCES DEPT
SALEM, OR

620.000
REVISED 3-15-99, JD
25 31
& INDEX

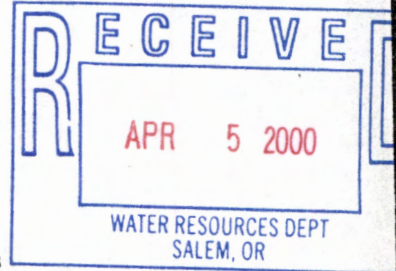
982333

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, N. M. & F., INC., Grantor, for and in consideration of the sum of ONE HUNDRED SEVENTY FIVE THOUSAND TWO HUNDRED SIXTY AND 00/100 Dollars to it paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L.L.C., Grantee, the following tract of land in the County of Harney, and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO-----

Application No. G15118
Permit No.



Code 4-2 Map 25-10 Tax Lot 4200 Reference No. 23003
Code 4-2 Map 26-30N Tax Lot 200 Reference No. 45019
Code 4-2 Map 25-31 Tax Lot 6400 Reference No. 23601

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantor does covenant that it is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

- 1. Rights of the public in roads and highways.
- 2. The tax roll discloses that the described premises are assessed as Farm Use Land & if it becomes disqualified, additional tax, interest and penalties may be levied.
- 3. Easements, reservations and restrictions of record.

and that it will, and its successors shall warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

WITNESS our Hand and Seal this 22 day of December, in the year One Thousand Nine Hundred and Ninety Eight.

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.

N.M. & F. Inc
N. M. & F., INC.
BY: NORMAN L. STADEL, PRESIDENT

STATE OF OREGON
COUNTY OF Harney

BE IT REMEMBERED, that on this 22nd day of December, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named NORMAN L. STADEL, President of N. M. & F., INC., to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.



Connie D. Buss
Notary Public for the State of OREGON
My Commission Expires:

--Space below for Recorder's use only--

Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH, L.L.C.
1930 LEWIS STREET S.E.
SALEM, OR 97302

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received for record on the 23rd day of December, 1998 at 2:50 o'clock P.M. and recorded Microfilm number 15118

FO CHECKLIST

FILE # G15118
 PFO WEEK # 313
 FO WEEK # 307

PFO TO FO CONVERSION

REVIEW DATE: 10/04/01
 INITIALS: SWG
 WM District 10
 Region Mgr ER
 ODFW Bio _____

FILE#: G 15118

Applicant Name and Address: CARPENTER RANCH LLC; HALL, JIM
1930 LEWIS ST SE
SALEM, OR 97302

In preparing to create the FO, you should check the following:

1. Y / N Were comments or protests received? If so, **from whom** and **when**? _____
 _____ Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)
2. On the PFO CC list, verify names and mailing addresses of **ALL** commentors (regardless of comment date, **affected landowners**, and **those who paid the \$10 fee**.)

3. Y / N / NA Have affected land owners been notified?
4. Y / N / NA Has ODFW asked for self certification of screening condition?
 If so, write "ODFW CERT" in the permit block on the front of the file.
6. Y / N Is water use prohibited for one or more months of the normal use period?
 If yes, is short season letter on file? _____. If short season letter is lacking, see item #10 below.
 Give applicant 60 days to submit required information.
7. Y / N Do the PFO conclusions require modification? Why? _____
 (If YES, circle FOMOD and one other type below)
8. Correct PFO errors (such as POD or POU location (verify from map))
9. Include or exclude permit conditions and management codes.
10. Y / N Is further processing possible? If not state reason: _____
11. _____ Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including **standing fees if no protest is filed and no modifications are being made to the PFO.**

(2) Issue FO w/o permit if fees are lacking.

L7. 45 = 8)
 7x 75

1st CFS/AF 150
 Addnl. 525
TOTAL Q 675

Exam Fee Paid	<u>250</u>
Q fee	<u>675</u>
Subtotal	<u>925</u>
Recording Fee	<u>175</u>
Total	<u>1100</u>
Amount Paid	<u>925</u>
Amount due/refund	<u>175</u>

FO Type: (circle types) DENIAL FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Map Other

FO & PERMIT (Permit # _____) FOMOD MGMT CODES::

12. ____ Assign permit numbers to files with oaths, fees, and no protests or other issues.

Once FO document is completed:

15. ____ Save WordPerfect document in M:\GROUPS\WR\FOWEEK_____ & delete duplicates.

16. ____ Print final draft of document and submit to team leader for review

17. Y / N Team leader review completed

18. Route to Dwight for signature

20. Update folders

21. To support for mailing

m:\groups\wr\fo\forms\FO Check List.wpd

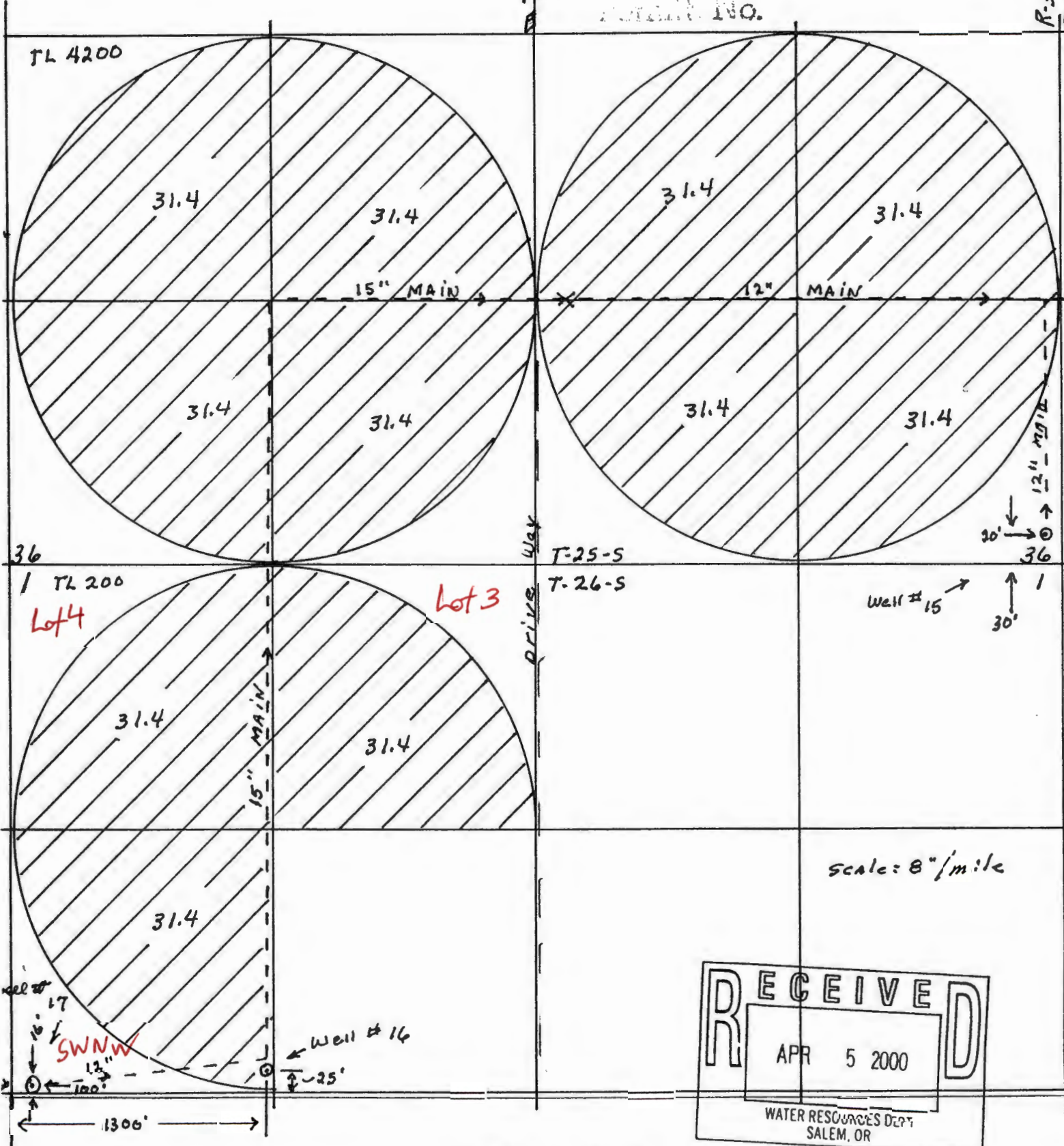
WORK COPY

Carpenter Ranch LLC

T-25-S & T-26-S R-30-E Section 36 & 1

Map No. G-15118
Sheet No.

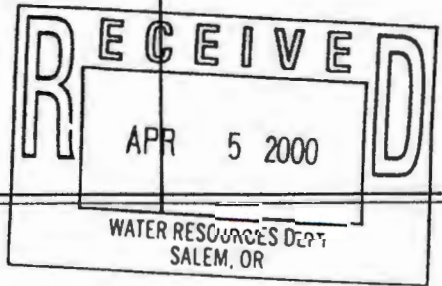
R-30-E
P-21-12



Lot 3

Lot 4

Scale: 8" / mile

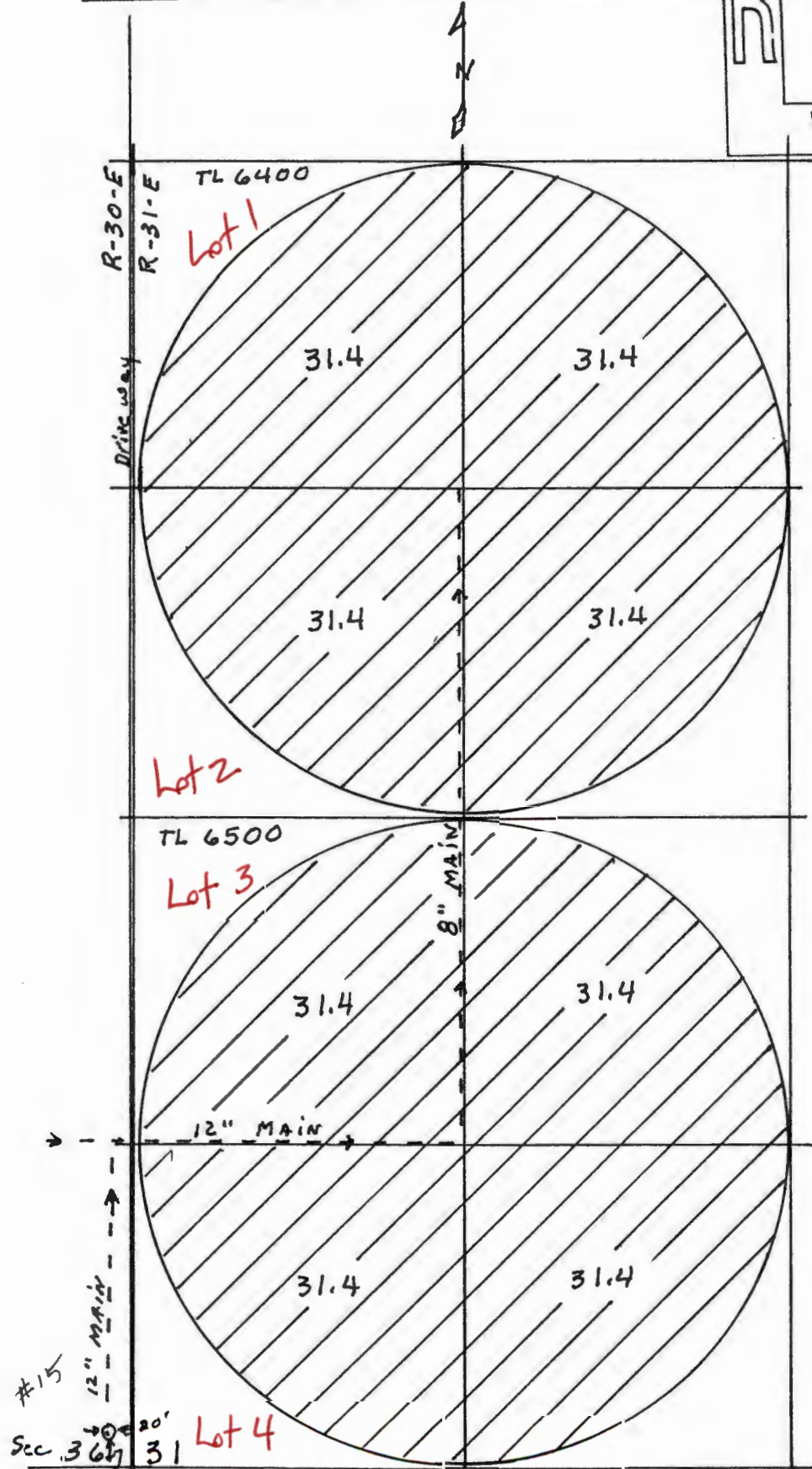
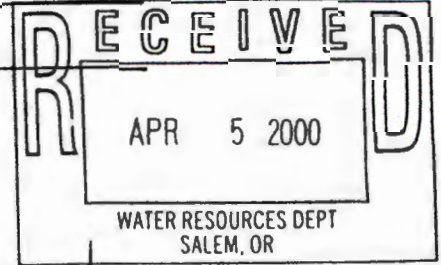


WORK COPY

Section No. G-15118

Carpenter Ranch LLC permit No.

T-25-S R-31-E Section 31



Scale = 8" / mile

Mailing List for FO Copies

Application # G-15118

Mailing List Print Date October 4, 2001

Original mailed to (when permit issued, include copy of permit map):

Applicant: CARPENTER RANCH LLC, JIM HALL, 1930 LEWIS ST SE
SALEM, OREGON 97302

Copies Mailed	
By:	<u>DC</u> (SUPPORT STAFF)
on:	<u>10/23</u> (DATE)

For FO w/Draft Permit - Copies sent to:

1. WRD - File # G-15118
2. WRD - Ker Stahl

For FO w/ Draft Permit - FO and Map Copies sent to:

3. WRD - Watermaster District #: 10
4. WRD - Regional Manager: EASTERN REGION

CASEWORKER: JWG - WEEK 309

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15118

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On April 5, 2000, CARPENTER RANCH LLC; HALL, JIM submitted an application to the Department for the following water use permit:

- Amount of Water: 7.45 CUBIC FEET PER SECOND (CFS)
- Use of Water: IRRIGATION OF 596.6 ACRES
- Source of Water: THREE WELLS IN MALHEUR LAKE BASIN
- Area of Proposed Use: HARNEY County within SECTION 36, TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.; SECTION 31, TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.; SECTION 1, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

On 12/15/00, the Department mailed the applicant notice of its Initial Review, determining that "The use of 7.45 CUBIC FEET PER SECOND from THREE WELLS IN MALHEUR LAKE BASIN for IRRIGATION OF 596.6 ACRES is allowable from March 1 through October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On 1/2/01, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available

- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Malheur Lake Basin Program allows the use for IRRIGATION during the irrigation season, March 1 through October 31.

THREE WELLS IN MALHEUR LAKE BASIN are not within or above a State Scenic Waterway.

An assessment of groundwater availability has been completed by the Department's Groundwater/Hydrology section. A copy of this assessment is in the file. The proposed use of groundwater **will, if properly conditioned, avoid injury** to existing rights or to the groundwater resource. Therefore, groundwater may be appropriated MARCH 1 THROUGH OCTOBER 31.

The Department finds that the amount of water requested, 7.45 CFS, is an acceptable rate.

The proposed well is not within a designated critical ground water area.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

The Groundwater Section finds, per OAR 390.835(9), there **is NOT** a preponderance of evidence that the proposed use of groundwater will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will

not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Malheur Lake Basin Plan.

No preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

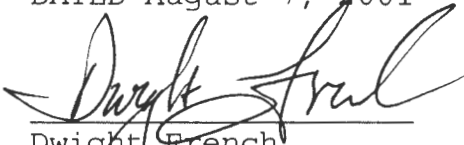
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the

preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED August 7, 2001


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **September 21, 2001**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97310
Fax: (503)378-2496.

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

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

APPLICATION FILE NUMBER: G-15118

SOURCE OF WATER: THREE WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 596.6 ACRES

MAXIMUM RATE: 7.45 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: April 5, 2000

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 36, T25S, R30E, W.M.; SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; WELL #15 - 30 FEET NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36, T25S, R30E, W.M.; WELL #16 - 25 FEET NORTH & 1300 FEET EAST, WELL #17- 16 FEET NORTH & 100 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 1, T26S, R30E, W.M.

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 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 31.4 ACRES
NW 1/4 SW 1/4 31.4 ACRES
SW 1/4 SW 1/4 31.4 ACRES
SE 1/4 SW 1/4 31.4 ACRES
NE 1/4 SE 1/4 31.4 ACRES
NW 1/4 SE 1/4 31.4 ACRES

Application G-15118 Water Resources Department

PERMIT DRAFT

SW 1/4 SE 1/4 31.4 ACRES

SE 1/4 SE 1/4 31.4 ACRES

SECTION 36

TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.

NE 1/4 NW 1/4 31.4 ACRES

NW 1/4 NW 1/4 31.4 ACRES

SW 1/4 NW 1/4 31.4 ACRES

SE 1/4 NW 1/4 31.4 ACRES

NE 1/4 SW 1/4 31.4 ACRES

NW 1/4 SW 1/4 31.4 ACRES

SW 1/4 SW 1/4 31.4 ACRES

SE 1/4 SW 1/4 31.4 ACRES

SECTION 31

TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.

NE 1/4 NW 1/4 31.4 ACRES

NW 1/4 NW 1/4 31.4 ACRES

SW 1/4 NW 1/4 31.4 ACRES

SECTION 1

TOWNSHIP 26 SOUTH, RANGE 30 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.

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.

STANDARD CONDITIONS

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.

SEE NEXT PAGE

Complete application of the water to the use shall be made on or before October 1, 2005. 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 _____, 2001

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

Application G-15118
Basin 12
JWG- WEEK 315

Water Resources Department
Volume 2 SILVIES R MISC

PERMIT DRAFT
District 10

Mailing List for PFO Copies

Application #G-15118

PFO Date August 7, 2001

Original mailed to:

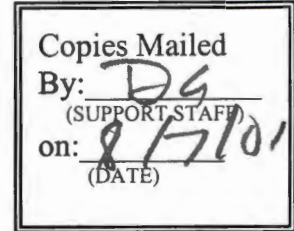
Applicant: CARPENTER RANCH LLC; JIM HALL, 1930 LEWIS ST SE, SALEM, OREGON 97302

Copies sent to:

1. WRD - File #G-15118

PFO, Map, and Fact Sheet Copies sent to:

2. WRD - Watermaster # District 10
3. WRD - Regional Manager: EASTERN REGION



Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

1. _____
2. _____
3. _____

CASEWORKER : JWG- WEEK 315

MEMO

TO:

- RUSS KLASSEN
- ANITA HUFFMAN
- CORY ENGEL
- KERRY LEFEVER
- JAN DEVITO

G-15117 - excellent

SUBJECT: FO REVIEW

FROM: JERRY GAINEY

Date: October 5, 2001

Please review the attached FOs (G-15117 and G-15118) and return to me after your review. This two applications go together.

Thanks

G-15118 -

see pg 2 of Draft Permit

Gov't lots 3 & 4 in Section 1, T 26 R 30
& lots in Section 31, T 25 R 31
- see deed - references Gov't lots 3 & 4

also notes "Exhibit A" - legal desc

- you may want to ask for

Exhibit A for legal desc

- also see copy of tax assessor maps

& GLO Plat map (microfiche)
In Vault

? - Maybe ask for new map showing Gov't lots?

~~Lot 1 As Proposed~~
 SE 1/4 SE 1/4 31.4 ACRES
 SECTION 36

TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.

~~Lot 3~~ NE 1/4 NW 1/4 31.4 ACRES
 Lot 1 ~~Lot 4~~ NW 1/4 NW 1/4 31.4 ACRES
 Lot 2 SW 1/4 NW 1/4 31.4 ACRES
 SE 1/4 NW 1/4 31.4 ACRES
 NE 1/4 SW 1/4 31.4 ACRES
 Lot 3 NW 1/4 SW 1/4 31.4 ACRES
 Lot 4 SW 1/4 SW 1/4 31.4 ACRES
 SE 1/4 SW 1/4 31.4 ACRES

SECTION 31

TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.

Lot 3 NE 1/4 NW 1/4 31.4 ACRES
 Lot 4 NW 1/4 NW 1/4 31.4 ACRES
 SW 1/4 NW 1/4 31.4 ACRES

SECTION 1

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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STATE OF OREGON

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH LLC
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503) 375-9939

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

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MAXIMUM RATE: 7.45 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 2000

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 36, T25S, R30E, W.M.; SW 1/4 NW 1/4, SECTION 1, T26S, R30E, W.M.; WELL #15 - 30 FEET NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36, T25S, R30E, W.M.; WELL #16 - 25 FEET NORTH & 1300 FEET EAST, WELL #17- 16 FEET NORTH & 100 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 1, T26S, R30E, W.M.

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NE 1/4 SE 1/4 31.4 ACRES
NW 1/4 SE 1/4 31.4 ACRES
SW 1/4 SE 1/4 31.4 ACRES

Application G-15118 Water Resources Department

PERMIT DRAFT

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-15118

Final Order

Application History

On April 5, 2000, CARPENTER RANCH LLC; JIM HALL submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on August 7, 2001. The protest period closed September 21, 2001, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Upon payment of outstanding permit recording fees, Application G-15118 shall be approved as proposed by the Proposed Final Order and as provided on the attached draft permit.

Permit recording fees are required in the amount of \$175.00. Said fees are due and payable no later than 60 days from the date of this Final Order. Failure to pay the required permit recording fees within 60 days from the date of this Final Order may result in the proposed rejection of Application G-15118.

If you need to request additional time to submit the required fees, the written request should be received in the Salem office of the Department by the deadline above. The Department will evaluate the request and determine whether or not the request may be granted.

DATED October , 2001

Paul R. Cleary, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458..

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

STANDARD CONDITIONS

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.

SEE NEXT PAGE

Complete application of the water to the use shall be made on or before October 1, 2005. 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 _____, 2001

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

PFO CHECKLIST

Application #: 6 15118

County HARNEY

Basin: MALHEUR LAKE #12

Township T25S Range 30E Section 36 & 1/4 1/4

T26S

30E

1 see maps

- 1. Shortcomings preventing PFO, FO, or permit? Y / N Should process continue Y / N
- 2. Groundwater Review A B C D River/Stream Name Malheur
 - a. Groundwater Availability A B C
 - b. Is second groundwater review complete? Y / N necessary? Y / N
 - c. Is the well located in a GWLA or CA? Y / N (If Y or close include map of POD) Area _____
- 3. Is use from BOR / Doug Co. project? Y / N Contract in file? N / Contract # _____
- 4. Is the use allowed by the Basin Program? Y / N Limited? Y / N
- 5. Water Availability Data OK / REDONE / NA (80% live flow & 50% storage) _____
- 6. Is the source **withdrawn** or limited by statute or Department order? Y / N
- 7. Is the Proposed Use located in or above a **SWW**? Y / N
- 8. Division 33: Y / N / NA Above Bonn (after July 17, 1992) Y / N Limit to April 15 - September 30 Y / N
Below Bonn (after April 8, 1994; June 3, 1994) Y / N add PISPC Y / N
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 9. IR identifies as on DEQ 303d List? Y / N / NA Comments received? Y / N
- 10. Have **conflicts** been addressed? Y / N / NA

11. Rate 1/80 CFS
Duty 3 AF Season: Normal 3/1 - 10/31 Req 3/1 - 10/31

12. Rate: Max 7.45 CFS Req 7.45 CFS

- 13. Small (≤ 0.1 cfs, ≤ 9.2 AF), Medium (> 0.1 or < 1.5 cfs, > 9.2 or < 100 AF) or Large (≥ 1.5 cfs, ≥ 100 AF) condition 7I and municipal require the Large condition
- 14. Conditions 7B
New River Basin or Bonanza? Y / N / NA (see M:\groups\wr\pfo\findings & other lang)
- 15. IR Date 12/15/05 Public Notice Date 1/2/01 Comment Rec'd NO
- 16. Filed after 10/23/99? Y / N (if Y A date should be removed)
- 17. CWRE, representatives or Property owners to notify? Y / N

summary:

Initials: JWG Date: 8-2-01

IR CHECKLIST

Application # G15118 Priority Date: 4/25/20
Basin: Malheur Lake County: Harney Watermaster District: # 10
Township: 25S Range: 30E Section: 36 1/4 1/4 2
WID: # 26S POU WID: # NA

1. Complete by Minimum Requirements checklist? Yes No
Items still required: _____

2. ☆Groundwater/Surface Water Interference: A B D If "A", indicate River/Stream _____
☆Groundwater Availability: A B ☆Conditions to be included on IR? List under Item #23 (over)

★★PLEASE NOTE: If GW / SW Interference (above) = "B", "C" or "D".....Skip Items #5, #14, #18 & #19

3. Basin Maps checked? Yes No Malheur Lake

4. Within or above a Scenic Waterway? Yes No Scenic Waterway
If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No _____

5. Within Oregon Streamflow Restoration Area? Yes No If Yes, include Streamflow Restoration Block

6. Is the well located in a Groundwater Limited Area? Yes No Name _____ GW Limited Area

7. Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes No **If Yes...Notify DEQ immediately!!!**
If Yes...cc: Andy Schaedel, NW Region Water Quality Manager, 2020 SW Fourth Ave, Portland, OR 97201
Call Andy at Phone #: 503-229-6121 & E-mail Andy at: "SMTPschaedel.andrew.l@deq.state.or.us"

8. Requested Use & Rate: IRR $596^6 \text{Ac} / 80 = 7.45 \text{ cfs}$

9. Season requested by applicant: 3/1-10/31

10. For Irrigation: Rate 1/80 Duty 3 Season 3/1-10/31

11. For Nursery or Cranberry: Rate _____ Duty _____ Season _____

12. Allowed under Basin Program? Yes No 690-512
Limitations? Yes No must show not in hydraulic connection

13. Withdrawn? Yes No Season Allowed: _____

14. Water Availability Applies: Yes No 80% or 50% _____

15. Conflict? Yes No _____

16. BOR project? Yes No If Yes... Contract # and Duty: _____
17. Land use approval: OK'd Needs Approval County Notified N/A
18. Subject to Division 33: Yes No N/A = Well does not have the potential for substantial interference

★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No
 If Yes..... **NO WATER USE ALLOWED** from **APRIL 15** thru **SEPTEMBER 30** of each year
 ❖❖❖(EXCEPT for Domestic Use & other Exempt uses under OAR 690-33-140)❖❖❖

- cc: ODFW Biologist District # _____ NMFS.....Marc Liverman
 Columbia River Intertribal Fish Commission Dept. Of Agriculture.....Steve Applegate
 US Fish & Wildlife DEQ→ East Region - Dick Nichols, Bend
 NW Power Planning Council
 →West Region - John Blanchard, Medford
 →Northwest Region - Andy Schaedel, Portland

★ Statewide Div 33 Rules ("Sensitive" statewide (Blue on Map) & "Threatened or Endangered" OUTSIDE Columbia Basin)? Yes No
 If Yes...cc: ODFW Biologist District # _____ Steve Applegate.....Dept. of Agriculture
 DEQ→ East Region - Dick Nichols, Bend
 →West Region - John Blanchard, Medford
 →Northwest Region - Andy Schaedel, Portland

★ **DIVISION 33 CONDITIONS** ★
 →Above Bonneville: "B54B"
 →Below Bonneville: "PISPC"
 ❖❖NOTE: If "Q" is over 1.0 CFS,
 See: OAR 690-33-220(3)

19. On DEQ 303d (Water Quality Limited) list? Yes No If Yes...cc: appropriate Regional Water Quality Manager
 East Region-Dick Nichols, Bend West Region-John Blanchard, Medford NW Region-Andy Schaedel, Portland

20. Within Dept. of Agriculture Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag
ADOPTED: TUALATIN__ BEAR CREEK(ROGUE)__ UMATILLA__ UPPER GRANDE RONDE__ YAMHILL__ LOWER DESCHUTES__
 NORTH COAST__ (includes: Lower Columbia/Clatskanie, Lower Columbia, Necanicum, Nehalem, Wilson/Trask/Nestucca)

DRAFT RULES: LOWER COLUMBIA/SANDY__ CLACKAMAS__ MOLALLA/PUDDING__ FRENCH/PRAIRIE__ NORTH SANTIAM__
 HOOD RIVER__ MID DESCHUTES__ N FORKS JOHN DAY__ (includes: Middle Fork John Day, North Fork John Day)
 UMPQUA__ (includes: Umpqua, North Umpqua, South Umpqua) MALHEUR__ (includes: Willow/Malheur, Bully,
 Lower Malheur, Upper Malheur, Farewell Bend, Middle Snake/Payette)

IN COMMITTEE: COQUILLE__ COOS__ MID COAST__ (includes: Siletz/Yaquina, Alsea, Siuslaw, Siltcoos) WALLA WALLA__
 SOUTHERN WILLAMETTE VALLEY__ (includes: Coast Willamette, Middle Willamette, McKenzie) UPPER JOHN DAY__
 KLAMATH HEADWATERS__ (includes: Butte, Sprague, Williamson, Upper Klamath, Upper Klamath Lake) LOST RIVER__
 INLAND ROGUE__ (includes: Lower Rogue, Middle Rogue, Upper Rogue, Applegate, Illinois)
 WALLOWA__ (includes: Wallowa, Lower Grande Ronde, Imnaha)

21. WM District: NWR: 1 2 16 18 20 NCR: 3 4 5 21 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

22. Initial Review will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

23. ☆Proposed Allowed Use & Rate: IRR 7.45 cfs

☆Proposed Allowed Period of Use: 3/1-10/31

☆Measuring condition: Small Medium Large

☆Conditions (BOR, GW, other)? Yes No 7B

Reviewer's Name: A. H. Heman Date: 12/21/00

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WATER RESOURCES DEPARTMENT

DIVISION 512

MALHEUR LAKE BASIN PROGRAM PROVISION

690-512-0040

Water Availability

(1) Except as provided in section (3) of this rule, the Department shall not accept an application for permit, or issue a permit, for any use of surface water, or of groundwater the use of which has the potential to substantially interfere with surface water, in the Malheur Lake Basin unless the applicant shows, by a preponderance of evidence, that unappropriated water is available to supply the proposed use at the times and in the amounts requested. The evidence provided shall be prepared by a qualified hydrologist or other water resources specialist and shall include:

(a) Streamflow measurements of gage records from the source or, for use of groundwater, the stream in hydraulic connection with the source; or

(b) An estimate of water availability from the source or, for use of groundwater, the stream in hydraulic connection with the source which includes correlations with streamflow measurements or gage records on other, similar streams and considers current demands for water affecting the streamflows.

(2) The criteria used in determining if the use of groundwater has the potential to substantially interfere with surface water shall be those established in OAR Chapter 690, Division 9.

(3) This rule shall not apply to issuance of:

(a) Instream water rights;

(b) Permits for storage of water between March 1 and May 31 if the application is not required to be referred to the Commission under OAR 690-011-0080(2)(a)(C); or

(c) Permits for use of water legally stored.

Stat. Auth.: ORS 536.300 & ORS 536.340

Stats. Implemented:

Hist.: WRD 3-1985, f. & cert. ef. 3-28-85; WRD 23-1990, f. & cert. ef. 12-14-90; Administrative Renumbering 1-1993, Renumbered from 690-080-0120

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Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15118

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T25S/R30E-36d

T26S/R30E-16

CONDITIONS ATTACHED? Yes No

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

Water Resources Department

MEMO

May 1, ~~2000~~ 2000

TO Application G-15118

FROM GW: Michael Zwart
(Reviewer's Name)

SUBJECT Scenic Waterway Interference Evaluation

Yes
 No
The source of appropriation is within or above a Scenic Waterway.

Yes
 No
Use the Scenic Waterway condition (Condition 7J).

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

TO: Water Rights Section

May 1, 2000

FROM: Groundwater/Hydrology Section Michael Zwart
Reviewer's Name

SUBJECT: Application G-15118

GROUNDWATER/SURFACE WATER CONSIDERATIONS

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ___ will, or _____ have the potential for substantial interference with the nearest
 - b. ___ will not _____ surface water source, namely _____; or
 - c. will if properly conditioned, adequately protect the surface water from interference:
 - i. The permit should contain condition #(s) 7 B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or
 - d. ___ will, with well reconstruction, adequately protect the surface from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ___ will, or _____ likely be available in the amounts requested without injury to prior rights
 - b. ___ will not _____ and/or within the capacity of the resource; or
 - c. will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
 - i. The permit should contain condition #(s) 7 B;
 - ii. ___ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ___ The permit should be conditioned as indicated in item 4 below; or

4.
 - a. ___ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ___ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ___ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ___ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ___ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

(Well Construction Considerations on Reverse Side)

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Groundwater files Date: May 1, 2000

From: Michael J. Zwart

Subject: Application Review: G-15117 & G-15118, Carpenter Ranch, LLC;
Jim Hall

Application G-15117 proposes to use about 5.40 cfs from three wells (#18, #19, and #20) for primary irrigation of 432.2 acres. Wells #18 and #19 are constructed, but only #19 has a well log on file (HARN 1161). Well #20 is proposed. All wells reportedly are/will be similarly constructed and produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone.

Application G-15118 proposes to use about 7.45 cfs from three proposed wells (#15, #16, and #17) for primary irrigation of 596.6 acres. All wells reportedly will be similarly constructed and will produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone, based on nearby well logs.

All wells are over one mile from the nearest surface water sources, and therefore there is no potential for substantial interference with surface water.

I recommend permit condition 7B.

Plat Card Report for 25S 30E 36

12/4/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
G 10977	G 10106					40.000 IR	40.000 IR														
5/26/1983																					
G 15118																					
4/5/2000																					

Subject file

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
<input type="checkbox"/> <input type="checkbox"/>
Status

 < Supplemental indicator

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot		DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
G 9764	G 8979													34.000 IR	34.000 IR	34.000 IR	34.000 IR	34.000 IR	34.000 IR	34.000 IR		
6/4/1980																						
G 10976	G 10105	62014																				
5/26/1983																						
G 14852	G 13639			31.100 IR	31.300 IR	31.300 IR	31.100 IR															
10/9/1998																						
G 15118								31.400 IR	31.400 IR	31.400 IR												
4/5/2000																						

Subject file

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
□ □
Status

 < Supplemental indicator

Plat Card Report for 25S 31E 31

12/4/2000

Page 1 of 1

Application	Permit	Certificate	Status	NE				NW				SW				SE				Govt Lot		DLC			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
G 14853	G 13702																			31.000	31.000	31.000	31.000		
	10/9/1998																			IR	IR	IR	IR		
G 15118								31.400	31.400	31.400	31.400	31.400	31.400	31.400	31.400										
	4/5/2000							IR	IR	IR	IR	IR	IR	IR	IR										

Subject

Notes: Primary is to be assumed. (s) indicates supplemental Rights assumed non-canceled.

Type of Use >

Acres
<input type="checkbox"/> <input type="checkbox"/>
Status

 < Supplemental indicator



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

December 15, 2000

CARPENTER RANCH LLC;
JIM HALL
1930 LEWIS ST SE
SALEM, OREGON 97302

(503)375-9939

Reference: File G-15118

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from THREE WELLS IN MALHEUR LAKE BASIN for IRRIGATION OF 596.6 ACRES is allowable under OAR 690-512-040(1), the Malheur Lake Basin Program.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 7.45 CUBIC FEET PER SECOND, being no more than 1100 GPM from WELL 15; 950 GPM from WELL 16; and 1300 GPM from WELL 17, in combination not to exceed 7.45 CFS (3343.78 GPM) for IRRIGATION OF 596.6 ACRES is available. If properly conditioned, will not injure existing rights or the groundwater resource.



Summary of Initial Determinations

The use of 7.45 CUBIC FEET PER SECOND from THREE WELLS IN MALHEUR LAKE BASIN for IRRIGATION OF 596.6 ACRES is allowable from March 1 through October 31 of each year.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, December 29, 2000**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. 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.
2. 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.

3. The priority date for this application is April 5, 2000.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (800) 624-3199 or (503) 378-8455 extension 201. Feel free to call me at (800) 624-3199 or (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496.

Sincerely,



Anita M. Huffman
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 10, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

G-15118
wab 12-
pou 12-
gw c

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15118

Applicant: CARPENTER RANCH LLC; HALL,JIM

County: HARNEY

Watermaster: District 10

Priority Date: April 5, 2000

Source: THREE WELLS IN MALHEUR LAKE BASIN

Use: IRRIGATION OF 596.6 ACRES

Quantity: 7.45 CUBIC FEET PER SECOND

Basin Name & Number: Malheur Lake, #12

Stream Index Reference: Volume 2 SILVIES R MISC

Point of Diversion Location: SESE, SECTION 36, T25S, R30E, W.M.; 30 FEET NORTH & 20 FEET WEST FROM SE CORNER, SECTION 36 SWNW, SECTION 1, T26S, R30E, W.M.; 25 FEET NORTH & 1300 FEET EAST FROM W1/4 CORNER, SECTION 1 SWNW, SECTION 1, T26S, R30E, W.M.; 16 FEET NORTH & 100 FEET EAST FROM W1/4 CORNER, SECTION 1

Place of Use: NESW 31.4 ACRES NWSW 31.4 ACRES SWSW 31.4 ACRES SESW 31.4 ACRES NESE 31.4 ACRES NWSE 31.4 ACRES SWSE 31.4 ACRES SESE 31.4 ACRES, SECTION 36, TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M. NENW 31.4 ACRES NWNW 31.4 ACRES SWNW 31.4 ACRES SENW 31.4 ACRES NESW 31.4 ACRES NWSW 31.4 ACRES SWSW 31.4 ACRES SESW 31.4 ACRES, SECTION 31, TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M. NENW 31.4 ACRES NWNW 31.4 ACRES SWNW 31.4

ACRES, SECTION 1, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, December 29, 2000

PUBLIC NOTICE DATE: Tuesday, January 2, 2001

30 DAY COMMENT DEADLINE DATE: Thursday, February 1, 2001

Mailing List for IR Copies

Application #G-15118

IR Date: December 15, 2000

Original mailed to:

Applicant: CARPENTER RANCH LLC; HALL, JIM, 1930 LEWIS ST SE, SALEM, OREGON 97302

Copies sent to:

1. WRD - File # G-15118
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Watermaster # District 10
4. WRD - Regional Manager :Jerry Rodgers, ER

Copies Mailed
By: <u>Dg</u>
(SUPPORT STAFF)
on: <u>12/14/00</u>
(DATE)

Copies sent to Other Interested Persons (*CWRE, Agent, Well Driller, Commenter, etc.*)

5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

ID# AMH

COPYSHIRT

exam
Fee = 250.00
1st CFS = 150.00
Remainig 7x75 = 5.25.00

Total 925.00

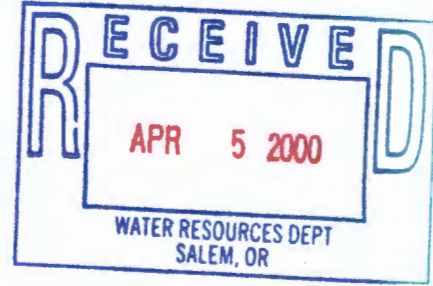
This Application
was O.K.



Oregon Water Resources Department
158 12th St NE
Salem, OR 97301-4172
1-800-624-3199

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.



1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First Last

Co-applicant: _____
First Last

Mailing address: _____
City State Zip

Phone: _____
Home Work Other

*Fax: _____ *E-Mail address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Carpenter Ranch LLC

Name and title of person applying: Jim Hall, V.P. For Manager

Mailing address of organization: 1930 Lewis St. SE.
Salem OR 97302
City State Zip

Phone: (503) 375-9939 Message Machine
Day Evening

*Fax: (503) 375-8247 *E-Mail address: Lewisstree@aol.com

*Optional information

App. No. <u>G-15118</u>	For Department Use	Permit No. _____	Date <u>4-5-2000</u>
-------------------------	--------------------	------------------	----------------------

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
- I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.*

*If more than 25 landowners are involved, a list is not required. See instructions.

3. GROUND WATER DEVELOPMENT

A. Number of well(s): 3 B. Name of nearest surface water body: Malheur Lake

C. Distance from well(s) to nearest stream or lake: 1) 5 miles

2) _____ 3) _____ 4) _____

D. If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

E. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to question F in this section of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Donald Reed

Address: _____

Completion date: MARCH 2000

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
15	Pumice Gravel H00	IRRIGATION	1100 ^{2.45}		1250
16	Pumice Gravels	IRRIGATION	950 ^{2.17}		1100
17	Pumice Gravels	IRRIGATION	1300 ^{2.89}		1500

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 7.45 cfs
 (The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 596.6 acres
 (This number should be consistent with you application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type) (3) 60 HP Submersible
- Other means (describe) _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)
 Width _____ Depth _____
 Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length)
 Diameter 15" 12" 8" Length 5340' 4450' 2600'
- Other (describe) _____

2. Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	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
15	14"	Steel	100' ±	Var	25-30	30'	50'	2" Port	160' ±
16	14"	Steel	100' ±	Var	20-30	34'	55'	2" Port	100' ±
17	14"	Steel	100' ±	Var	20-30	34'	55'	2" Port	100' ±

F. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? 5 Low Pressure Pivots

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Moisture Sensors, Visual observation of Crops Needs.
The Pivots are the most efficient and Practical for our
operation

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin December 1999

Proposed date construction will be completed March 2000

Proposed date beneficial water use will begin May 2000

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

Questions 3 - 2 Wells are not completed yet.

8. MAP REQUIREMENTS

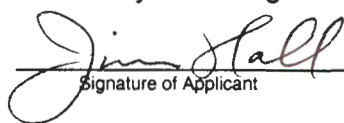
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

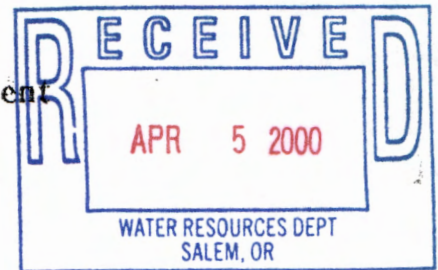
 Signature of Applicant	<i>VP for Mgr</i>	<i>2/7/2000</i> Date
_____ Signature of Co-applicant		_____ Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



Oregon Water Resources Department



FORM I
FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 594.6 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: no. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. ALFALFA & Grain Full season Partial season (from: March to October)
- 2. _____ Full season Partial season (from: _____ to _____)
- 3. _____ Full season Partial season (from: _____ to _____)
- 4. _____ Full season Partial season (from: _____ to _____)

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

1790 acre-feet
(1 acre-foot equals 12 inches of water spread over one acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours

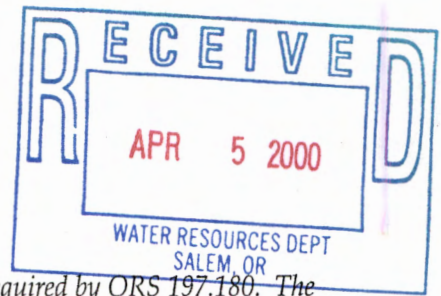
Other, explain: when the crop requires water

Application No. G-15118

Permit No. _____



Oregon Water Resources Department Land Use Information Form



This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: CARPENTER RANCH LLC
Address: 1930 Lewis ST S.E.
City: SALCM State: OR Zip: 97302 Day Phone: 503-375-9939

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>TL 4200</u>	<u>T-25-S R-30-E</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
<u>TL 6400-6500</u>	<u>T-25-S R-31-E</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
<u>TL 200</u>	<u>T-26-S R-30-E</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used

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

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): IRRIGATION OF Grain & ALFALFA

Briefly describe: Water pumped from 3 wells and piped to 5 Pivots

Application No. G15118
Permit No.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

7.5 CFS GPM Acres Feet Requested Documents 180

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

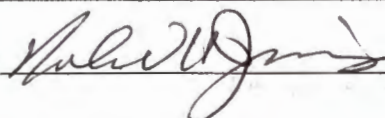
- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 3-020. Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments; rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: RICHARD JENNINGS Date: 1/6/00
 Title: PLANNING DIRECTOR Phone: 541-573-6655
 Signature: 

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (G. 11.1.11.1)

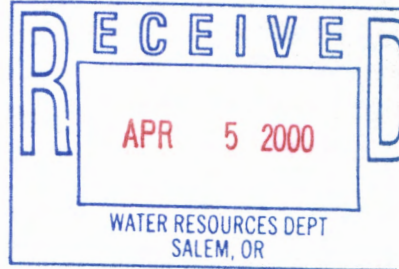
982234

WARRANTYDEED

KNOW ALL MEN BY THESE PRESENTS THAT, CLEMO L. RAY, JR., TRUSTEE Grantor, for and in consideration of the sum of THIRTY SEVEN THOUSAND FIVE HUNDRED AND 00/100 Dollars to me paid by the grantee herein, do hereby grant, bargain, sell and convey unto CARPENTER RANCH, L. L. C., Grantee, the following tract of land, more particularly described as follows:

Government Lots Three and Four, East Half of the Southwest quarter, in Section Thirty-One, Township Twenty-Five South, Range Thirty-One East, Willamette Meridian, County of Harney and State of Oregon.

Application No. G15118
Permit No.



Code 4-2 Map 25-31 Tax Lot 6500 Reference No. 23136

TO HAVE AND TO HOLD the granted premises unto the said Grantee, its heirs and assigns forever.

And the Grantor does covenant that he is lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

1. Rights of the public in roads and highways.
2. The tax roll discloses that the within described premises are assessed as Farm Use Land & if it becomes disqualified additional tax, interest and penalties may be levied.
3. Easements, reservations and restrictions of record.

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

WITNESS my Hand and Seal this 8th day of November, in the year One Thousand Nine Hundred and Ninety Eight. *DocuMent* - CPA

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.

[Signature]
CLEMO L. RAY, JR., TRUSTEE

STATE OF TEXAS
COUNTY OF McLennan

BE IT REMEMBERED, that on this 8th day of November, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CLEMO L. RAY, JR., TRUSTEE, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

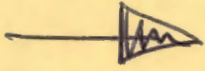
[Signature]
Notary Public for the State of TEXAS
My Commission Expires:



Until a change is requested all tax statements should be sent to the following address:
CARPENTER RANCH L.L.C.

NEW APPLICATION ROUTE SLIP

RECEIPTING Done



DATA CENTER JF 4-7-00

GROUNDWATER YES NO

(Powerbuilder) cal

FILES _____

duk

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **36690**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

G-15118

RECEIVED FROM: Carpenter Ranch
BY: LLC

APPLICATION	G-15117
PERMIT	
TRANSFER	T-8477

CASH: CHECK: # 24-7038 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1900.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

**RECEIVED
OVER THE COUNTER**

REDUCTION OF EXPENSE

CASH ACCT.	\$
PCA AND OBJECT CLASS	VOUCHER #

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS	\$
0410 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

ACCT # 666111

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ 715.00	0202	\$
0203 GROUND WATER	\$ 985.00	0204	\$
0205 TRANSFER	\$ 200.00	0206	\$
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **36690**

DATED: 4-5-00 BY: Carminda Brown

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

CARPENTER RANCH LLC

Water Resource Department

application #G-15117

4/28/2003

175.00

5

RECEIVED

APR 29 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Checking

permit application #G-15117

175.00

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Groundwater files

Date: May 1, 2000

From: Michael J. Zwart

Subject: Application Review: G-15117 & G-15118, Carpenter Ranch, LLC;
Jim Hall

Application G-15117 proposes to use about 5.40 cfs from three wells (#18, #19, and #20) for primary irrigation of 432.2 acres. Wells #18 and #19 are constructed, but only #19 has a well log on file (HARN 1161). Well #20 is proposed. All wells reportedly are/will be similarly constructed and produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone.

Application G-15118 proposes to use about 7.45 cfs from three proposed wells (#15, #16, and #17) for primary irrigation of 596.6 acres. All wells reportedly will be similarly constructed and will produce water from an unconfined aquifer developed in sand, gravel, and possibly sandstone, based on nearby well logs.

All wells are over one mile from the nearest surface water sources, and therefore there is no potential for substantial interference with surface water.

I recommend permit condition 7B.



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

August 8, 2019

*Golden Rule Farms
Tim Puckett
P.O. Box 255
Christmas Valley, OR 97641*

NOTICE OF VIOLATION

Dear Mr. Puckett:

This is to notify you that you are in violation of Oregon Revised Statute (ORS) 537.535(1), unlawful use or appropriation of groundwater. You may not use groundwater to irrigate lands which are not covered by a permit or other water use authorization.

The fact that constitutes the violation is that on August 7, 2019, watermaster staff observed the irrigation of property without the benefit of a water right. The property being irrigated is located in Township 27 South, Range 34 East, Section 20, tax lot 3100, in Harney County. According to the Harney County Assessor's Office, this property is owned by you.

You have two days from the date of this notice to correct the violation by discontinuing irrigation of the property. You may not willfully use water that has been lawfully denied by the Department. You must remain in compliance with the terms of this order to avoid further notices of violation and civil penalties.

If the violation is not corrected within the time provided above, you will be subject to further agency action that may include assessment of civil penalties (ORS 536.900). Each day of continued violation may be considered a separate and distinct violation for the purposes of calculating civil penalties (ORS 536.900(2); OAR 690-260-0060(3)). If you receive a notice of assessment of civil penalties, you will have an opportunity to request a hearing (ORS 536.905; ORS 183.745). You may also be liable for the expenses of the Water Resources Department in taking enforcement actions related to correcting the violation (ORS 536.930). Such expenses are in addition to any civil penalties that may be assessed.

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 137-004-0080 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.



Golden Rule Farms
Tim Puckett
August 8, 2019
Page 2

This Notice of Violation is in effect from the date of service of this Notice through July 31, 2022. A similar violation for which this Notice of Violation was issued may be considered a repeat violation for the purpose of calculating civil penalties (OAR 690-260-0060 and 0070). You may contact District 10 Watermaster JR Johnson at (541) 573-2764 or East Region Manager Jason Spriet at (541) 523-8224 ext. 224 for more information regarding this Notice.

Sincerely,



Ivan Gall
Field Services Division Administrator

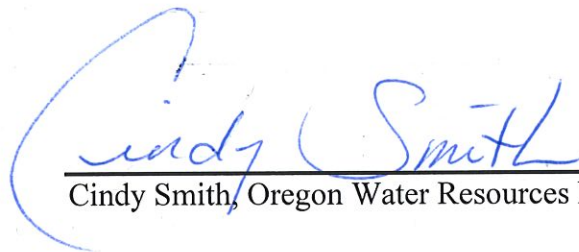
cc: JR Johnson, District 10 Watermaster
Jason Spriet, Region Manager
Kris Byrd, Enforcement Section Manager

CERTIFIED - RETURN RECEIPT REQUESTED
FIRST CLASS

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2019, I served a true certified copy of this Notice by depositing the same in the U.S. Post Office, with first class postage prepaid thereon, and by Certified Mail to the following:

*Golden Rule Farms
Tim Puckett
P.O. Box 255
Christmas Valley, OR 97641*



Cindy Smith, Oregon Water Resources Department

August 8~~7~~, 2019

NOTICE OF VIOLATION

*Golden Rule Farms
Tim Puckett
P.O. Box 255
Christmas Valley, OR 97641*

Dear Mr. Puckett:

This is to notify you that you are in violation of Oregon Revised Statute (ORS) 537.535(1), unlawful use or appropriation of groundwater. You may not use groundwater to irrigate lands which are not covered by a permit or other water use authorization.

The facts that constitute the violation are on July 30, 2019, watermaster staff investigated a complaint of unauthorized use of groundwater from center pivots located in Township 27 South, Range 34 East, in Section 20, Harney County, Oregon. During the investigation, it was found that groundwater was being pumped for irrigation on land without a water right.

A follow up investigation was conducted on August 7, 2019 at 11:45 a.m., and watermaster staff again observed the same ground being irrigated from three center pivots. **You have two days from the date of this notice to correct the violation by discontinuing irrigation on these pivots.**

Commented [IKG1]: Why 2 days?

If the violation is not corrected within the time provided above, you will be subject to further agency action that may include assessment of civil penalties (ORS 536.900). Each day of continued violation may be considered a separate and distinct violation for the purposes of calculating civil penalties (ORS 536.900(2); OAR 690-260-0060(3)). If you receive a notice of civil penalties, you will have an opportunity to request a hearing (ORS 536.905; ORS 183.745). You may also be liable for the expenses of the Water Resources Department in taking enforcement actions related to correcting the violation (ORS 536.930). Such expenses are in addition to any civil penalties that may be assessed.

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Sincerely,

Jason Spriet
East Region Manager

cc: JR Johnson, District 10 Watermaster
Jason Spriet, Region Manager
Kris Byrd, Enforcement Section Manager
Ivan Gall, Field Services Division Administrator

CERTIFIED - RETURN RECEIPT REQUESTED
FIRST CLASS

CERTIFICATE OF SERVICE

I hereby certify that on _____, I served a true certified copy of this Notice -by depositing the same in the U.S. Post Office, with first class postage prepaid thereon, and by Certified Mail to the following:

Your Name, Water Resources Department

August 8~~7~~, 2019

NOTICE OF VIOLATION

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Tim Puckett
P.O. Box 255
Christmas Valley, OR 97641

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The facts that constitutes the violation ~~are-is that~~ on ~~July 30~~ August 7, 2019, watermaster staff ~~observed the irrigation of property without the benefit of a water right. investigated a complaint of unauthorized use of groundwater from center pivots.~~ The property being irrigated is located in Township 27 South, Range 34 East, in Section 20, tax lot ~~?~~ in Harney County, Oregon. ~~During the investigation, it was found that groundwater was being pumped for irrigation on land without a water right.~~ According to the Harney County Assessor's Office, this property is owned by you.

Commented [KLB1]: Just use the August 7 date, since the NOV is based on this date. The July date can be used in the findings of fact if we move forward with an enforcement.

Commented [KLB2]: Need tax lot number(s)?

Commented [KLB3]: Is this accurate, or is Pucket leasing the property (ie. responsible party)?

~~A follow up investigation was conducted on August 7, 2019 at 11:45 a.m., and watermaster staff again observed the same ground being irrigated from three center pivots.~~ **You have two days from the date of this notice to correct the violation by discontinuing irrigation on these pivots of the property. You may not willfully use water that has been lawfully denied by the Department. Therefore, you must remain in compliance with the terms of this order to avoid further notices of violation and civil penalties.**

Commented [IKG4]: Why 2 days?

If the violation is not corrected within the time provided above, you will be subject to further agency action that may include assessment of civil penalties (ORS 536.900). Each day of continued violation may be considered a separate and distinct violation for the purposes of calculating civil penalties (ORS 536.900(2); OAR 690-260-0060(3)). If you receive a notice of assessment of civil penalties, you will have an opportunity to request a hearing (ORS 536.905; ORS 183.745). You may also be liable for the expenses of the

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Water Resources Department in taking enforcement actions related to correcting the violation (ORS 536.930). Such expenses are in addition to any civil penalties that may be assessed.

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Sincerely,

~~Jason Spriet~~Ivan Gall
~~East Region Manager~~Field Services Division Administrator

cc: JR Johnson, District 10 Watermaster
Jason Spriet, Region Manager
Kris Byrd, Enforcement Section Manager
Ivan Gall, Field Services Division Administrator

CERTIFIED - RETURN RECEIPT REQUESTED
FIRST CLASS

CERTIFICATE OF SERVICE

I hereby certify that on _____, I served a true certified copy of this Notice -by depositing the same in the U.S. Post Office, with first class postage prepaid thereon, and by Certified Mail to the following:

Your Name, Water Resources Department

August 7, 2019

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*Golden Rule Farms
Tim Puckett
P.O. Box 255
Christmas Valley, OR 97641*

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Sincerely,

Jason Spriet
East Region Manager

cc: JR Johnson, District 10 Watermaster
Jason Spriet, Region Manager
Kris Byrd, Enforcement Section Manager
Ivan Gall, Field Services Division Administrator

CERTIFIED - RETURN RECEIPT REQUESTED
FIRST CLASS

CERTIFICATE OF SERVICE

I hereby certify that on _____, I served a true certified copy of this Notice by depositing the same in the U.S. Post Office, with first class postage prepaid thereon, and by Certified Mail to the following:

Your Name, Water Resources Department



WELL INSPECTION FORM

ATTACH START CARD

Start Card Number on Well _____
Well ID Number on Well No Tag - old well
County Log ID _____

Inspection Date 10/22/19
Inspected By WDW
Witness w/ EREK T.
Previous Inspection Yes No Date _____
Special Standards Yes No

Well: Owner Tim Puckett
Street Address of Well Anderson Valley Rd.
Driller's Legal Description T _____ N/S R _____ E/W Section _____ 1/4 _____ 1/4
Inspection Legal Description T _____ N/S R _____ E/W Section _____ 1/4 _____ 1/4

GPS Yes No Accuracy _____ ft
Latitude 43.20414 Longitude -118.54426
Driller's Name _____ License Nbr _____ Date Started _____ Completed _____

Comments:

Inspection
Drill Machine on Site Yes No Driller Present Yes No
Checked Rough Log Yes No Checked Supply Truck Yes No
Monitoring wells:
Well Completion Above Ground Below Ground
Protection Posts Yes No Well Locked Yes No
Consultant on Site Yes No Water in Vault Yes No
Seal: Material ? Samples Taken Yes No
Probed 4.5' ft Augered _____ ft Drilled _____ ft

Comments: Seal is unknown - Didnt encounter w/ Probe

Casing: Diameter 16" w/ .188 gauge Casing above Land Surface 1.66 Borehole Diameter _____
Sanitary Well Cap Yes No Dedicated Measuring Tube Yes No
Type of Cap Steel Plate w/ Large hole Access Port Yes No

Septic: Drain Field Location Obtained from Landowner Yes No Septic Map obtained from County Yes No
Tank Located Yes No Distance to Well _____ ft
Drain Field Located Yes No Distance to Well _____ ft NOTED

Measuring: Measuring Point (MP) is: 1.66 ft above below the land surface datum (LSD)
Water Level Measurement **Sounded Well Depth** **Sounded Open Annulus**
Tape Reading _____ ft Tape Reading _____ ft Annulus Depth _____ ft
MP (+/-) _____ ft MP (+/-) _____ ft Ft Below LSD _____ ft
Depth to Water _____ ft Depth of Well _____ ft

Cascading Water Yes No Deficiencies Yes No
Photo's taken Yes No Measurement Status _____

Comments: No tag, No Lid,
Steel Cable in Well - Possible
hooking still in well
Took 4 photos, last one of Well w/ Truck in distance
Lots of Cable tool pieces laying around.

Date	Activity	Staff	Time	Miles	Observation	Details
12/5/2018	Site Visit	Bob Maynard	X	X	drill rig observed	Drill Rig set up at 43.21813, -118.55955, drilling has yet to begin
12/11/2018	Email	Bob Maynard	X	X	RE: Puckett & suspected drilling by Tom Search	Requests that JR or Dally conduct a site investigation when the weather is more accomodating to determine if drilling is taking has taken place
Jan/Feb 2019	Site Visit	JR	X	X	No Drilling	No drill rigs observed
4/15/2019	GW application review	Phil Marcy	X	X	Supercedes Review 2/28/2014	Summary of GW Availability & Injury Review
6/9&11/2019	Satellite imagery acquired	Darrick	2	X	Suspected illegal water use	Malheur Lake Basin
6/27/2019	Interoffice Memo	Darrick	X	X	Suspected illegal water use	Maps provided to identify the areas of suspected illegal water use--including Mr. Puckett's property
7/30/2019	Site Visit	JRJ	2.5 hrs	90	Irrigation	3 pivots
8/2/2019	Email	Jason Spriet	X	X	To Ivan & Justin	RE: Darrick's memo: JR has been to Mr. Puckett's property and observed irrigation 27 S, 34E, Sec 20
8/4/2019	Email	Ivan	X	X	To Justin, Jason Spriet, & JRJ	Look into water rights and tranfers--paperwork should be brought current
8/5/2019	Phone Call	JR	X	X	To Tim Puckett	Mr. Puckett claims \$7 million in hemp under the pivots and refuses to stop irrigating.
8/5/2019	Email	Jason Spriet	X	X	To Ivan	Jason will begin preparation of NOV
8/7/2019	Site Visit	JRJ	2.5 hrs	90	Irrigation: 3 or 4 pivots	
8/7/2019	Prepare NOV	Gall/Spriet	1.5 hrs	none	none	
8/7/2019	Email	Jason Spriet	X	X	To Ivan & Kris	NOV has been prepared

8/8/2019	E-Mail	none	X	none	From John Short	Mr. Short offers full cancellation of Certificate 47895 as mitigation for issuing the Permit for Application G-17592.
8/8/2019	Email	Ivan	X	none	To John Short	The Dept does not accept the mitigation proposal. Illegal irrigation is occurring on the property associated with application G-17592 and NOV has been issued.
8/8/2019	Mailed NOV	Gall/Spriet	1.5	none	none	All activities from 8/10/19 forward should have staff, staff- time, & mileage details if appropriate.
8/10/2019	NOV	none	none	none	NOV deadline exp.	
8/13/2019 @ 3:30pm	Site Visit	JRJ	2.5	hrs	90	No Irrigation Crews hand-weeding crops
8/16/2019 @ 1:00pm	Site Visit & Aerial Photo	JRJ & Dally	4.5	hrs	90	Irrigation on at least 4 pivots Aerial photos taken showing 5.5 pivots
8/21/2019	Landowner Meeting	Justin, Kelly S., Jason & Ivan	1.5	hrs	none	Meeting w/ Tim Puckett, his wife, Mark Owens, consultant John Short & OWRD staff John Short was to provide table of water rights that could be used for mitigation. See email 9/18/19 (Ivan)
8/27/2019	Site Visit	JRJ	2.5	hrs	90	Irrigation
9/11/2019	Interoffice Memo	Jordan Beamer			X	Landsat ET Imagery POU overlay for proposed mitigation; App G-17592
9/12/2019	Site Visit	JRJ	2.5	hrs	90	Irrigation
9/16/2019	Site Visit	JRJ	2.5	hrs	90	Irrigation All pivots irrigating--appears to be a hemp crop.
9/18/2019	Email	Ivan			X	to John Short The proposed use is not within the capacity of the resource.
9/24/2019	Site Visit	JRJ	2.5	hrs	90	Irrigation observed Could only see end guns running
9/24/2019	Email	Erik			X	to John Short & GRF Requests time to access the property for well inspection

10/4/2019 @12:50pm	Site Visit	JRJ	2.5 hrs	90	No Irrigation	has been raining recently, JR will check again next week
10/7/2019	Site Visit	JRJ	2.5 hrs	90	No Irrigation	
10/8/2019	E-mail	Erik			Erik Thomasser requested a time to inspect the wells on Golden Rule Farms	Requests to schedule inspections for 10/22-10/24.
10/14/2019	Site Visit	JRJ	2.5 hrs	90	No Irrigation	
	Enforcement	Jason Spriet			Recommend civil penalties	
10/18/2019	Referral			X		ORS 536.900
10/22/2019	Well Inspection	WDN & Erik			3 Production Wells & 2 unused Wells	Production Wells: HARN 52719 (SC 212646), HARN 52796 (SC 214237) HARN 52796 (SC 214236) Unused Wells: HARN 52517 (SC 1030762) HARN 52720 (SC 212645) Total usage out of the production wells: 1283.31 AF as of October 22, 2019 Photos taken; all production wells off (6 pivots of dead hemp crop)
10/30/2019	Email	Erik		X	RE: Well Inspection	

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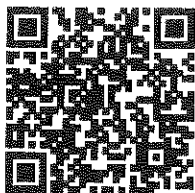
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