

Application for a Permit to Use Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
MAILING ADDRESS			
CITY	STATE	ZIP	E-MAIL*

Organization

NAME Tree Top Ranches, LP		PHONE 208-377-0998	FAX
MAILING ADDRESS P.O. Box 8126			CELL
CITY Boise	STATE ID	ZIP 83707	E-MAIL* wjmulder@treetopranches.com

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

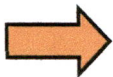
AGENT / BUSINESS NAME Andrew J. Waldera / Sawtooth Law Offices, PLLC		PHONE 208-629-7447	FAX 208-629-7559
MAILING ADDRESS 1101 W. River Street, Suite 110			CELL
CITY Boise	STATE ID	ZIP 83702	E-MAIL* andy@sawtoothlaw.com

Note: Attach multiple copies as needed

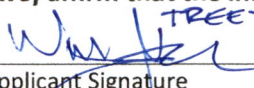
* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



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

	TREETOP RANCHES, LP BY LW INC, ITS PARTNER WILLIAM J. MULDER, V.P.	05.07.2024
Applicant Signature	Print Name and Title if applicable	Date
Applicant Signature	Print Name and Title if applicable	Date

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Rev. 07/21

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SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

Please see attached map submitted with Application for Permit No. G-16630 (2006)

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
3 (HARN1522)	Indian Reservoir (Indian Creek Basin)	0.57 miles	approx. 40 feet
4 (HARN1523)	Browns Reservoir (Big Creek Basin)		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

This application seeks to restore (albeit with updated priority date) canceled permit no. G-16201 in all respects. The wells are the same and the irrigation infrastructure (pipelines, pivots, handlines and wheel lines) are the same covering the same place of use acreage and location, including number and location of primary irrigation acres and supplemental irrigation acres. Original (2006) Application for Permit No. G-16630 is attached for reference, as is Permit No. G-16201 (2007).

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: * (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).
 * **7.95 cfs (5.17 cfs from Well 3; 2.78 cfs from Well 4)**

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 1522	<input type="checkbox"/>	16"	n/a	n/a	0-18'	71' (6/16/88)	clay, sand and gravel	116'	2,321	1239.9
4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 1523	<input type="checkbox"/>	12"	n/a	n/a	0-41'	35' (2/9/80)	clay, sand and gravel	400'	1,248	666.6
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: _____

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

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If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 - October 31	1,239.9 AFY (#3)
		666.6 AFY (#4)
Supplemental Irrigation	March 1 - October 31	

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: **497.3** Acres Supplemental: **138.2** Acres Nursery Use: Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

T-6541

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: **1,906.5**

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **(Exempt Uses:** Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*):

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): #3 (125 hp turbine) #4 (75 hp turbine)
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **4,000' buried PVC mainline (10") and 4,000' buried PVC mainline (8"); 4 pivots in Sections 20, 21, 28, 29, 32 and 33 (small portion); and 2 pivots and hand/wheel lines in Section 33.**

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

All sprinkler (combination of pivot, hand and wheel line)

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

Pipeline and sprinkler-based irrigation system most conducive to forage crop (hay) production and far more efficient (near zero conveyance loss, evaporation loss and over-application runoff) compared to flood irrigation.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: n/a
 b) Date construction will be completed: **Already complete.**
 c) Date beneficial water use will begin: **Immediately upon permit approval.**

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe: **Use of above-described buried pipeline and sprinkler-based system will minimize (if not eliminate) runoff--there will be little to no runoff from the crop land.**
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.
 Describe planned actions and additional permits required for project implementation:
There will be no excavation or bank-cleaning; pipeline and sprinkler as opposed to open ditches/flood system.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
 List: n/a

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SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

As noted above, this application seeks to restore the entirety of water used under canceled Permit No. G-16201. The well and distribution system infrastructure is largely unchanged with the exception of the addition of pivots in Section 33 as replacement for wheel lines formerly located therein.

Because this application is a duplicate of 2006 Application No. G-16630, a copy of those application materials are enclosed herewith and incorporated by reference herein, together with a copy of Permit No. G-16201 issued under Application No. G-16630.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is NOT required if:

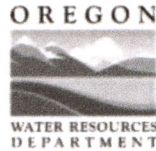
- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d. The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.oregon.gov/OWRD

NAME Tree Top Ranches, LP				PHONE 208-377-0998			
MAILING ADDRESS P.O. Box 8126							
CITY Boise		STATE ID	ZIP 83707	EMAIL wjmulder@treetopranches.com			

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
27S	36E	**		403	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm
27S	36E	**		700	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm
27S	36E	**		1000	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm
27S	36E	**		1100	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm

** Please see attached map

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1,906.5 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Use of ground water for forage crop (hay) farm via pivot and wheel line-based sprinkler system. Not a new use; rather restoration of historic irrigation use under same system on same land pursuant to former Permit No. G-16201.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

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Last Revised: 10/2023

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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
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NAME Tree Top Ranches, LP			PHONE 208-377-0998		
MAILING ADDRESS P.O. Box 8126					
CITY Boise		STATE ID	ZIP 83707	EMAIL wjmulder@treetopranches.com	

A. Land and Location

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27S	36E	**		700	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm
27S	36E	**		1000	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm
27S	36E	**		1100	EFRU-1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigated farm

** Please see attached map

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1,906.5
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water:
 Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Use of ground water for forage crop (hay) farm via pivot and wheel line-based sprinkler system. Not a new use; rather restoration of historic irrigation use under same system on same land pursuant to former Permit No. G-16201.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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Last Revised: 10/2023

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): KCZO 3.90 (EPW)-1
- Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<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

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

Name: Brandon McMullen Title: Planning Director
 Signature: [Signature] Date: 5/2/2024
 Governmental Entity: Haney County Phone: (541) 583-6655

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

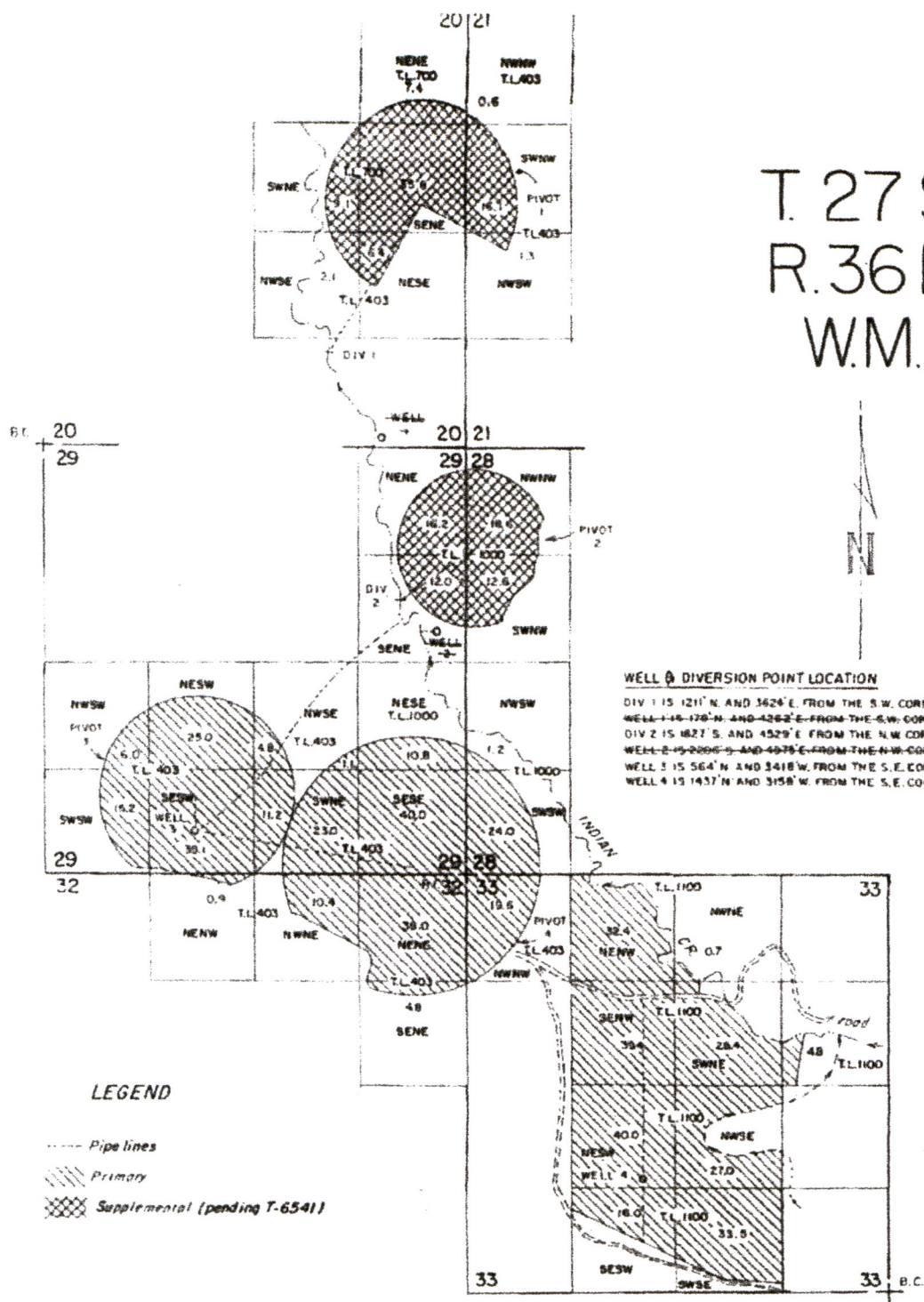
Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

T. 27 S.,
R. 36 E.,
W.M.



WELL & DIVERSION POINT LOCATION
 DIV 1 IS 121' N AND 342' E FROM THE S.W. CORNER OF SEC. 20.
 WELL 1 IS 121' N AND 342' E FROM THE S.W. CORNER OF SEC. 20.
 DIV 2 IS 182' S AND 452' E FROM THE N.W. CORNER OF SEC. 28.
 WELL 2 IS 182' S AND 452' E FROM THE N.W. CORNER OF SEC. 28.
 WELL 3 IS 564' N AND 3418' W FROM THE S.E. CORNER OF SEC. 29.
 WELL 4 IS 1437' N AND 3158' W FROM THE S.E. CORNER OF SEC. 33

LEGEND

- Pipe lines
- ▨ Primary
- ▩ Supplemental (pending T-6541)

WELL 1 & 2 are to be deleted.
 WELL 3- Pivots 1 - 4
 WELL 4- wheel lines in Sec. 33

THE PURPOSE OF THIS MAP IS TO
 DEFINE THE LOCATION OF THE
 WATER RIGHT IN SUCH MANNER
 TO PREVENT LITIGATION RELATIVE
 TO THE LOCATION OF THE RIGHT
 DESCRIBED

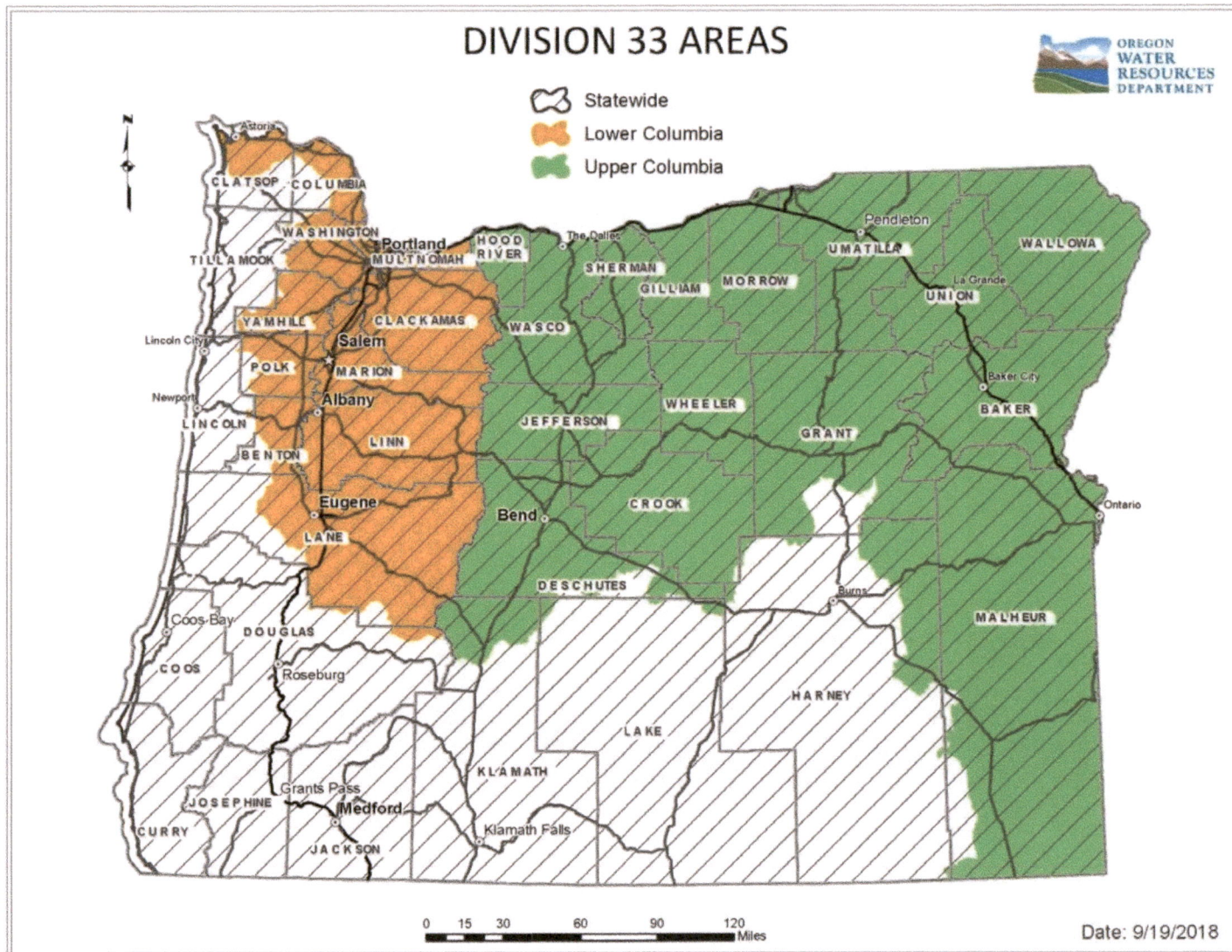
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<p>RENEW 1-1-2007</p>	TREE TOP RANCHES, LLP WATER RIGHT APPLICATION MAP		
	Scale: 4" = 1 MILE	Date: JAN 2006	Job: 1248-06
	Drn:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Burns, Oregon 97729	Sh. No.
	Drn: CHRIS		of 1
Ckd:			

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00006-11-1-20

Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

20030685

COPY

STATE OF OREGON
 County of Harney
 I certify that the within instrument was received
 for record on the 10th day of May, 2013, at 1:00 p.m. and
 recorded at the office of the County Clerk of said County.
 Maria Fairloga, County Clerk
 By: D. [Signature] Deputy

WARRANTY DEED

SEND TAX STATEMENTS TO:
 TREE TOP RANCHES,
 LIMITED PARTNERSHIP
 P.O. Box 8126
 Boise, ID 83707

AFTER RECORDING RETURN TO:
 First American Title Company
 81 South Oregon Street
 Ontario, OR 97914

The true and actual consideration for this conveyance is not stated in the terms of dollars because said consideration consists of or includes other property or other value given or promised which other property or value is either a part of or the whole consideration.

CHARLES R. NORMAN, Grantor, conveys and warrants to TREE TOP RANCHES, LIMITED PARTNERSHIP, an Idaho limited partnership, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

LAUWAKI & LAUWAKI
 OFFICE L.P.
 399 S. OREGON STREET
 ONTARIO, OREGON 97914
 (541) 869-5572

Title B

Land in Harney County, Oregon, as follows:

In Twp 26 S., R. 36 E., W. M.:

- Sec. 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, SW $\frac{1}{4}$.
- Sec. 31: E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
- Sec. 32: W $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

WARRANTY DEED -1-

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INSTRUMENT # 2003 ~~0065~~

In Twp. 27 S., R. 36 E., W.M.:

- Sec. 5: Govt Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
- Sec. 6: Govt Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.
- Sec. 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$.
- Sec. 8: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.
- Sec. 16: W $\frac{1}{2}$ SW $\frac{1}{4}$.
- Sec. 17: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$.
- Sec. 18: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{3}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- Sec. 20: All.
- Sec. 21: W $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{4}$ SW $\frac{1}{4}$.
- Sec. 28: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- Sec. 29: E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- Sec. 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- Sec. 31: SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way as disclosed by Oregon State Transportation Commission Resolution No. 263, recorded December 2, 1975, in Book 99, Page 602, Harney County Deed Records.
- Sec. 32: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$.
- Sec. 33: N $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$.

In Twp. 28 S., R. 36 E., W.M.:

- Sec. 4: West Half of Govt Lot 4.

TOGETHER WITH any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith, and all water and water rights used upon or appurtenant to the above property, however evidenced.

SUBJECT TO:

1. Any fact which could be ascertained by a physical inspection or correct survey of the above property; any fact which could be ascertained by making inquiry of persons owning or in possession of adjoining property; and reservations and exceptions in patents or in Acts authorizing the issuance thereof.

2. The rights of the public in and to that portion of the above property lying

WARRANTY DEED -2-

ANDREAS J. KOURANIS
OFFICE OF LAW
399 S. OREGON STREET
ONTARIO, OREGON 97141
(541) 869-5372

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within streets, roads and highways.

3. The above property has been specially assessed as farm use land, and if that land had become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

4. Mineral reservation as reserved in deed from the United States of America as to a full interest therein recorded June 5, 1984, in Book 121, Page 78, Harney County Public Records. (Affects Sec. 32 in Twp. 26 S., R. 36 E., W.M. and Sec. 5, 8, 17, 20, 21, 29, 30, 31, 32 and 33 in Twp. 28 S., R. 36 E., W.M. and Sec. 4 in Twp. 28 S., R. 36 E., W.M.).

5. Easement for right of way in favor of Harney County Electric Cooperative, Inc. recorded June 5, 1984, in Book 121, Page 78, Harney County Public Records. (Affects Sections 8, 17, 20, 28 and 33 in Twp. 27 S., R. 36 E., W.M. and Section 4 in Twp. 28 S., R. 36 E., W.M.).

6. Easement for right of way in favor of the State of Oregon by and through its Division of State Lands recorded February 4, 1992, as Instrument No. 920149, Harney County Public Records. (Affects Sections 20, 29, 30 and 31 in Twp. 27 S., R. 36 E., W.M.).

7. Easement for right of way in favor of the State of Oregon by and through its Division of State Lands recorded February 4, 1992, as Instrument No. 920150, Harney County Public Records. (Affects Sec. 17 in Twp. 27 S., R. 36 E., W.M.).

"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."

The true and actual consideration for this conveyance is stated above and is incorporated herein by this reference.

DATED this 4-9-2003 day of March, 2003.

GRANTOR:

Charles R. Norman
Charles R. Norman

WARRANTY DEED -3-

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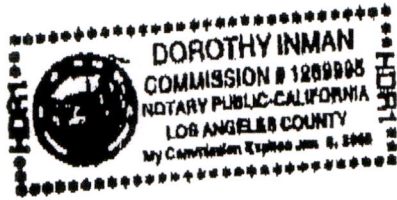
REGISTERED INSTRUMENT
OFFICE OF LAW
399 S. OREGON STREET
ONTARIO, OREGON 97154
(541) 869-5172

INSTRUMENT # 20030665

STATE OF CALIFORNIA)
County of Los Angeles) ss.

Personally appeared the above named Charles R. Norman and acknowledged the foregoing instrument to be his voluntary act and deed before me this 9th day of ~~March~~ APRIL, 2003.

Dorothy Inman
Notary Public for _____
My Commission Expires: 1-8-2005



I-ANUAKI & I-ANUAKI
OFFICE OF LAW
399 S. OREGON STREET
ONTARIO, OREGON 9714
(541)884-5372

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

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. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

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1. APPLICANT INFORMATION

A. Individuals

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: TREE TOP RANCHES, LLP

Name and title of person applying: DAYLE ROBERTSON, MANAGER

Mailing address of organization: P.O. BOX 3021

City State Zip
PRINCETON OR 97721

Phone: 541-493-2078 541-493-2076
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. <u>G-116630</u>	Permit No. _____	Date _____

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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.

Written authorization or an easement is not necessary, because the only affected lands do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

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You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

TREE TOP RANCHES, LLP - PRINCETON, OR 97721

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 2 - WELL 3 & 4

Name of nearest surface water body: WELL 3 - 3 MILES FROM BROWNS RESERVOIR
WELL 4 - 1.5 MILES FROM BROWNS RESERVOIR

Distance from well(s) to nearest stream or lake: 1) WELL 3 - 0.75 MILES

2) WELL 4 - 0.5 MILES 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) WELL 3 - 40 FEET

2) WELL 4 - 10 FEET 3) _____ 4) _____

B. 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: - SEE ATTACHED WELL LOGS -

Address: _____

Completion date: _____

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SALEM, OREGON

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
3	16"	0.250" STEEL	20'	N.A.	20'	71'	71'	1 1/2" PIPE	116'
4	12"	0.250" STEEL	100'	N.A.	100'	35'	35'	1 1/2" PIPE	400'

Note. Well numbers in this listing must correspond to well location(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. 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**

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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.

1239.9 AC-FT WELL 3
666.6 AC-FT WELL 4

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)
3	AQUIFER	IRRI.	2321	4040 X 10 ⁶	2321
4	AQUIFER	IRRI.	1248	217.2 X 10 ⁶	1248

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used?
(The fees for your application will be based on this amount.)

WELL 3 - 5.17 CFS
WELL 4 - 2.78 CFS

D. Period of Use

Indicate the time of year you propose to use the water:
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

MAR 1 - OCT 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:
(This number should be consistent with your application map.)

635.5

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type):
WELL 3 - 125 HP TURBIN
WELL 4 - 75 HP TURBIN
- Other means (describe):
DIV 1 - 20 HP CENT.
DIV 2 - 15 HP CENT.

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): PVC

Diameter 10" - 4000'
8" - 4000' Length _____

- Other (describe) _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use? 4 CENTER PIVOT

AND WHEEL LINES, 75 HP MOTOR @ WELL 4, 125 HP MOTOR @ WELL 3 - TURBIN PUMP @ BOTH WELLS, DIV. 1 - 20 HP CENT. PUMP, DIV. 2 - 15 HP CENT. PUMP

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.

THIS DISTRIBUTION SYSTEM IS THE BEST FOR THE SOIL CONDITION AND THE CROP TYPE

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: COMPLETED

Proposed date construction will be completed: COMPLETED

Proposed date beneficial water use will begin: BEGAN UNDER PERMIT G-12562

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.

THIS APPLICATION IS FOR IRRIGATION COVERED UNDER PERMIT G-12562 THAT WAS CANCELLED. AN ADDITION 39.7 ACRES HAS BEEN ADDED IN SECTION 33.

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8. MAP REQUIREMENTS

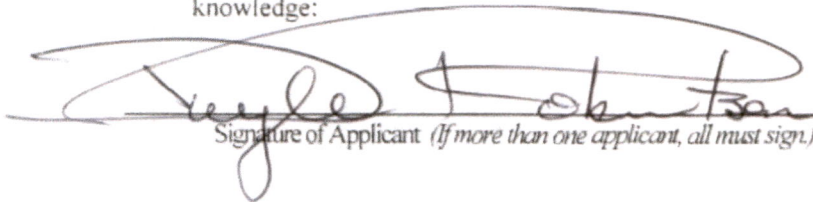
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

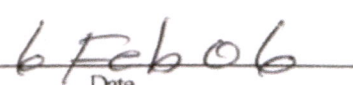
9. SIGNATURE

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 (If more than one applicant, all must sign.)


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. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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Ground Water '6

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SALEM, OREGON



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: 497.3 Acres

Secondary: 138.2 Acres

List the permit or certificate number of the primary water right: No. T-6541-PENDING

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. ALFALFA, GRASS Full season Partial season (from: 3/1 to 11/1)
- 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:

1906.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 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: CONTINUOUS, EXCEPT DURING HARVEST

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Last revision: October 31, 1996

FEB 17 2006

WATER RESOURCES DEPT
SALEM, OREGON

G-16630

WELL 3

REGULATED

STATE OF OREGON WATER WELL REPORT (as required by ORS 637.765)

SEP - 7 1988 27S/36E/29 CC Start Card #1617

(1) OWNER: Well Number: Name Norman Ranches Address HC 77 Box 21 City Princeton State Or Zip 97721

(2) TYPE OF WORK: [X] New Well [] Deepen [] Recondition [] Abandon

(3) DRILL METHOD: [] Rotary Air [] Rotary Mud [X] Cable [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No Depth of Completed Well 116 ft. Explosives used [] [X] Type Amount

Table with columns: HOLE meter From To, SEAL Material From To, Amount sacks or pounds. Row 1: 20 0 18 Cement 0 18 15 sacks

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

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 16" 1 20' .250 [X] [] [X] []

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [] Perforations Method [] Screens Type Material

Table with columns: Slot Diameter, Tele/pipe size, Casing. Multiple empty rows.

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailer [] Air [] Flowing Artesian Yield gal/min Drawdown Drill stem at Time

Temperature of water 60 Depth Artesian Flow Found Was a water analysis done? No Yes By whom Did any strata contain water not suitable for intended use? No Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Harney Latitude Longitude Township 27S N or S, Range 36E E or W, WM. Section 29 SW, 1/4 SW 1/4 Tax Lot 900 Lot Block Subdivision Street Address of Well (or nearest address)

(10) STATIC WATER LEVEL: 71 ft. below land surface. Date 6/16/88 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 77' 116' 3400 gpm 71'

(12) WELL LOG: Ground elevation 4100 MSL

Table with columns: Material, From, To, SWL. Rows: Clay loam topsoil, Clay, brown, Clay, sand coarse, Clay, gravel, Rock, black hard, clay, Rock Black, broken

Received MAY 10 2024 OWRD RECEIVED FEB 17 2005 WATER RESOURCES DEPT SALEM, OREGON

Date started 5/21/88 Completed 6/15/88

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

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, 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 well construction standards. This report is true to the best of my knowledge and belief. WWC Number 426 Signed Date 6/29/88



Oregon Water Resources Department ^{diverted} Land Use Information Form

Received
MAY 10 2024

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. ^{QWRD} 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: TREE TOP RANCHES, LLP

Address: P.O. BOX 3021

City: PRINCETON State: OR Zip: 97721 Day Phone: 541-493-2076

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>403</u>	<u>T27S, R36E</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used
<u>700</u>	<u>// //</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used
<u>1000</u>	<u>// //</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
<u>1100</u>	<u>// //</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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

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): GROUND WATER - IRRIGATED CROPS

Briefly describe: 4 CENTER PIVOTS, WHEEL LINES FROM 2 WELLS.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____ (source)

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E. Quantity

Indicate the estimated quantity of water the use will require:

1906.5 CFS GPM Acre-Feet

FEB 17 2006

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SALEM, OREGON

For Local Government Use Only

OWRD

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); 3.010. 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: Steven E. Grasty Date: 1/23/2006
 Title: Henny County Judge Phone: 541 575 6356
 Signature: Steven Grasty

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.

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WATER RESOURCES DEPT
SALEM, OREGON

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. (See attached letter.)

6-16663D

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TREE TOP RANCHES LLP
PO BOX 3021
PRINCETON, OR 97721

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

APPLICATION FILE NUMBER: G-16630

SOURCE OF WATER: WELL 3 (HARN 1522) IN INDIAN CREEK BASIN AND WELL 4 (HARN 1523) IN BIG CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 497.3 ACRES AND SUPPLEMENTAL IRRIGATION USE ON 138.2 ACRES

MAXIMUM RATE: 7.94 CUBIC FEET PER SECOND, BEING NO MORE THAN 5.17 CFS FROM WELL 3 (HARN 1522) AND 2.78 CFS FROM WELL 4 (HARN 1523)

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 22, 2006

WELL LOCATIONS:

WELL 3 (HARN 1522): SE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 29, T27S, R36E, W.M.; 564 FEET NORTH & 3418 FEET WEST FROM SE CORNER, SECTION 29

WELL 4 (HARN 1523): NE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 33, T27S, R36E, W.M.; 1437 FEET NORTH & 3158 FEET WEST FROM SE CORNER, SECTION 33

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE ¼ NE ¼		7.4 ACRES
SW ¼ NE ¼		9.1 ACRES
SE ¼ NE ¼		35.8 ACRES
NE ¼ SE ¼		6.4 ACRES
NW ¼ SE ¼		2.1 ACRES

SECTION 20

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW ¼ NW ¼		0.6 ACRE
SW ¼ NW ¼		16.1 ACRES
NW ¼ SW ¼		1.3 ACRES

SECTION 21

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW ¼ NW ¼		18.6 ACRES
SW ¼ NW ¼		12.6 ACRES
NW ¼ SW ¼	1.2 ACRES	
SW ¼ SW ¼	24.0 ACRES	

SECTION 28

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE ¼ NE ¼		16.2 ACRES
SE ¼ NE ¼		12.0 ACRES
NE ¼ SW ¼	25.0 ACRES	
NW ¼ SW ¼	6.0 ACRES	
SW ¼ SW ¼	15.2 ACRES	
SE ¼ SW ¼	39.1 ACRES	
NE ¼ SE ¼	10.8 ACRES	
NW ¼ SE ¼	5.9 ACRES	
SW ¼ SE ¼	34.2 ACRES	
SE ¼ SE ¼	40.0 ACRES	

SECTION 29

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE ¼ NE ¼	38.0 ACRES	
NW ¼ NE ¼	10.4 ACRES	
SE ¼ NE ¼	4.8 ACRES	
NE ¼ NW ¼	0.9 ACRE	

SECTION 32

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	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW ¼ NE ¼	0.7 ACRE	
SW ¼ NE ¼	28.4 ACRES	
SE ¼ NE ¼	4.8 ACRES	
NE ¼ NW ¼	32.4 ACRES	
NW ¼ NW ¼	19.6 ACRES	
SE ¼ NW ¼	39.4 ACRES	
NE ¼ SW ¼	40.0 ACRES	
SE ¼ SW ¼	16.0 ACRES	
NW ¼ SE ¼	27.0 ACRES	
SW ¼ SE ¼	33.5 ACRES	
	SECTION 33	

TOWNSHIP 27 SOUTH, RANGE 36 EAST, W.M.

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. 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.

To monitor the effect of water use from the wells authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Before Use of Water Takes Place
Initial and Annual Measurements

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

After Use of Water has Begun
Seven Consecutive Annual Measurements

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

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

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

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

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

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

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STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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 wells shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

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

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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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

Issued July 5, 2007

E. Timothy Ward for

Phillip C. Ward, Director
Water Resources Department

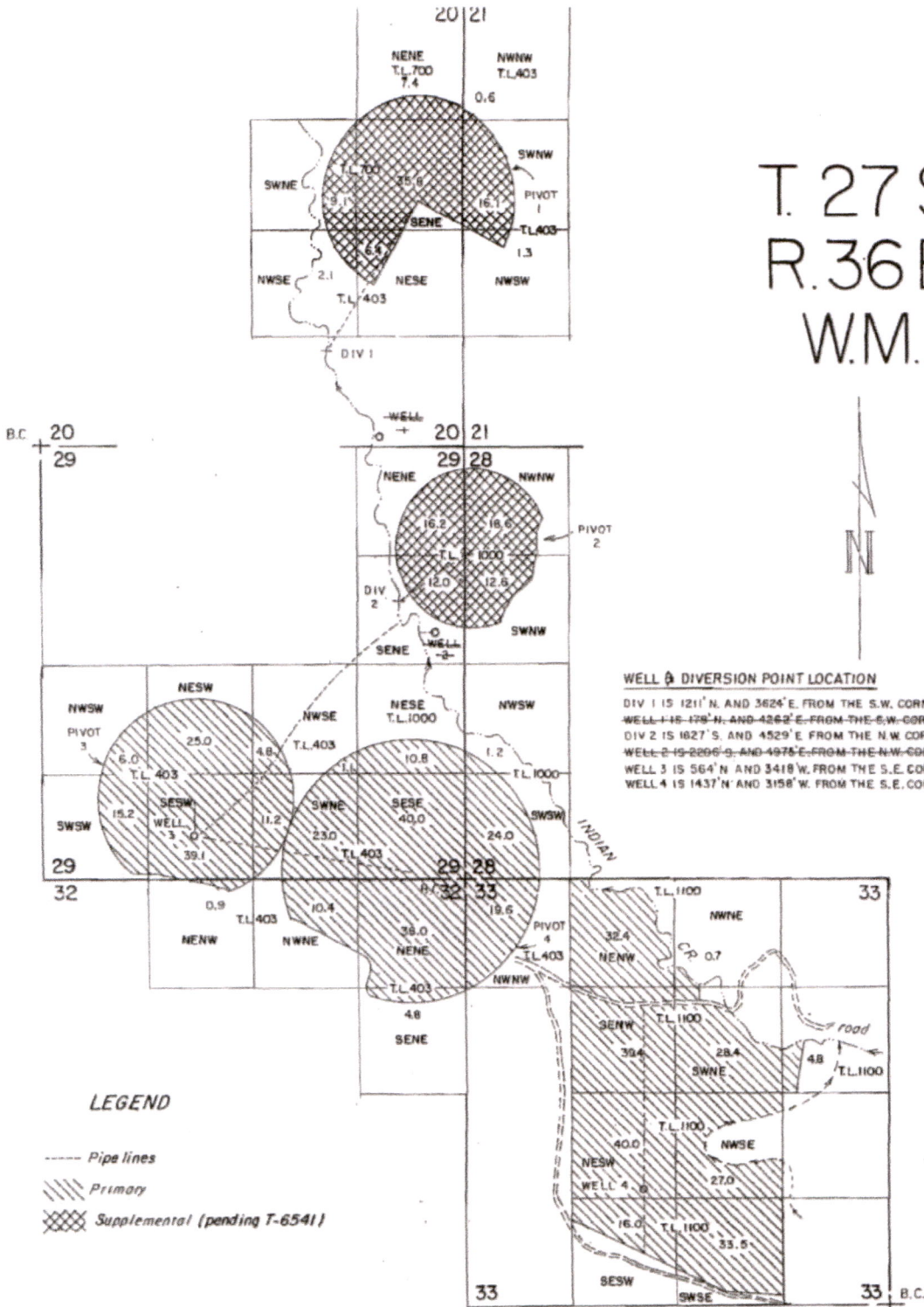
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Application G-16630
Basin 10

Water Resources Department
Volume 1 SFK MALHEUR R MISC

PERMIT G-16201
10

T. 27 S.,
R. 36 E.,
W.M.



WELL & DIVERSION POINT LOCATION

DIV 1 IS 1211' N. AND 3624' E. FROM THE S.W. CORNER OF SEC. 20.
WELL 1 IS 179' N. AND 4262' E. FROM THE S.W. CORNER OF SEC. 20.
DIV 2 IS 1027' S. AND 4529' E. FROM THE N.W. CORNER OF SEC. 29.
WELL 2 IS 2296' S. AND 4976' E. FROM THE N.W. CORNER OF SEC. 29.
WELL 3 IS 564' N. AND 3418' W. FROM THE S.E. CORNER OF SEC. 29.
WELL 4 IS 1437' N. AND 3158' W. FROM THE S.E. CORNER OF SEC. 33.

LEGEND

- Pipe lines
- Primary
- Supplemental (pending T-6541)

WELL 1 & 2 are to be deleted.
WELL 3- Pivots 1-4
WELL 4- wheel lines in Sec. 33

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT IT IS INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP.

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	TREE TOP RANCHES, LLP		WATER RIGHT APPLICATION MAP	
	Scale: 4" = 1 MILE	Date: JAN 2006	Job: 1248-06	
Dgn:	M.A.P.'s	M. A. PALMER & SONS, INC.		Shl. No.
Dwn: CHRIS		ENGINEERING & SURVEYING		
Ckd:	254 N. Alder - Box 61 Burns, Oregon 97720		of 1	

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