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Name G-17154 Assigned
 By Gale A. Nelson
Stanley L. Kazebee
 Address 1326 NE 12th Ave
Canby, OR 97013

Application No. G17154
 Permit No. T-16585 G-17034
 Certificate No. 91367

FEES PAID		
Date	Amount	Receipt No.
<u>12-18-08</u>	<u>1200.00</u>	<u>95200</u>
<u>10-29-12</u>	<u>75.00</u>	<u>109211</u>
<u>9/30/15</u>	<u>300.00</u>	<u>117560</u>
	Cert. Fee	

C14

Priority 12-18-2008
 County HARNEY WM# 10

Date _____
 DENIED _____
 MISFILED _____
 WITHDRAWN _____
 CANCELLED _____

FEES REFUNDED		
Date	Amount	Receipt No.

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address
<u>10/29/12</u>	<u>GOLDEN RULE FARMS INC</u> <u>P.O. BOX 255</u> <u>CHRISTMAS VALLEY OR 97641</u>	

DEVELOPMENT _____ Date _____
 Completion 10-9-2014
 Extended to _____
 Final Proof received _____
 Cert. Mailed APR 25 2016

REMARKS T-11484 APOA v.91 pg.436

MAP LOCATION _____

KS 12-23-2008

SCANNED



Oregon

Tina Kotek, Governor

917154

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

September 11, 2023

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

REFERENCE: Transfer Application T-13942

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: J R. Johnson, Watermaster Dist. # 10 (via email)
Harney County
Elizabeth Howard, Lindsay Thane, Agent

Enclosure

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

In the Matter of Transfer Application)
T-13942, Harney County)
)
) FINAL ORDER APPROVING ADDITIONAL
) POINTS OF APPROPRIATION, CHANGES IN
) POINTS OF APPROPRIATION, AND
) CHANGES IN PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

GOLDEN RULE FARMS, INC.
PO BOX 225
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On March 7, 2022, GOLDEN RULE FARMS, INC. filed an application for additional points of appropriation and to change the place of use under Certificate 95616, and to change the points of appropriation and the places of use under Certificates 88299, 93236, 95617, 95618, 95619, 95663, and 95664. The Department assigned the application number T-13942.
2. Notice of the application for transfer was published on March 29, 2022, pursuant to OAR 690-380-4000. Three comments were timely filed in response to the notice. The issues raised by the comments included:
 - a) Commercial development will further injure rural homes and livestock operations;
 - b) Changes in groundwater availability will adversely affect other water rights;

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

- c) "Groundwater level declines in the basin are the result of over-allocation and are a serious concern for all groundwater users."
3. Not all the issues raised by the commenters address the criteria for review of a water right transfer as per OAR 690-380-4010 and approval of a transfer application under OAR 690-380-5000. Some of the comments described in Finding of Fact (FOF) #2 raise public interest issues. Under Oregon Law, water right transfers are not subject to a public interest review. Rather, the statutory basis for approving a water right transfer application is relatively narrow and confined to the department finding or determining:
 - a) The water right proposed for transfer is a water use subject to transfer;
 - b) The portion of the water right proposed for transfer is not cancelled due to forfeiture for non-use pursuant to ORS 540.610;
 - c) The proposed transfer would not result in enlargement of the water right proposed for transfer; and
 - d) The proposed transfer would not result in injury to other water rights.
 4. On March 23, and April 5, 2022; the Department contacted the applicant's agents by written correspondence to notify the applicant and the applicant's agents of deficiencies in the application. The measured distances provided in the application tables for proposed Well 4 (HARN 52517), were inconsistent with the measured distances provides on the application maps. Additionally, the locations in the application materials provided for proposed Well 1 (HARN 52720) and proposed Well 4 (HARN 52517); are inconsistent with well locations established by Department staff on October 22, 2019. The Department requested that revised tables and maps be submitted.
 5. On May 11, 2022, the Department contacted the applicant's agents by written correspondence requesting that revisions to the application be submitted. The Department requested that the revisions be submitted by May 23, 2022.
 6. On May 19, 2022, the Department received revisions to the application and maps, resolving the deficiencies.
 7. On February 16, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13942 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 20, 2023, for the applicant to respond.
 8. On March 24, 2023, the applicant requested to extend the date for completion of full beneficial use of the water to October 1, 2026. The applicant also requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

9. On July 6, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-13942 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 11, 2023, and in the Burn Times Herald newspaper on July 19 and 26, 2023 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

10. The first right to be transferred is as follows:

Certificate: 88299 in the name of CONNECTICUT GENERAL LIFE INSURANCE CO.
(perfected under Permit G-8593)

Use: IRRIGATION OF 27.4 ACRES

Priority Date: JUNE 4, 1979

Rate: 0.25 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 2A in the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NW NW	800 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NW	20.0
27 S	34 E	WM	9	NW NW	7.4
Total					27.4

11. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 88299, identified as Well 2 under Certificate 95617, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NW	WELL 2 - ADDITIONAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9

9. Transfer Application T-13942 proposes to move the authorized point of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	1.8 mi.
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	1.7 mi.
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21	2.4 mi.
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.0 mi.
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.1 mi.

10. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	17	SW SW	17.7
27 S	34 E	WM	18	SE SE	6.1
27 S	34 E	WM	19	NE NE	1.0
27 S	34 E	WM	20	NW NW	2.6
Total					27.4

11. The second right to be transferred is as follows:

Certificate: 93236 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17183)

Use: IRRIGATION OF 28.7 ACRES

Priority Date: SEPTEMBER 27, 2012

Rate: 0.48 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second, and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 1 (HARN 1495) AND WELL 3 (HARN 51851) A WELL in the SOUTH FORK MALHEUR RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 (HARN 51851) - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	SW SE	28.7

12. Transfer Application T-13942 proposes to move the authorized points of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximated distance from original points of appropriation in miles (mi.)	
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	WELL 1	WELL 3
						2.1 mi.	1.9 mi.
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	2.1 mi.	1.9 mi.
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21	2.4 mi.	1.9 mi.
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.3 mi.	1.9 mi.
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.3 mi.	1.9 mi.

13. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	20	NE NW	7.6
27 S	34 E	WM	20	NW NW	6.7
27 S	34 E	WM	20	SW NW	6.8
27 S	34 E	WM	20	SE NW	7.6
Total					28.7

14. The portion of the third right to be transferred is as follows:

Certificate: 95616 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-8592)
Use: IRRIGATION OF 16.0 ACRES
Priority Date: NOVEMBER 20, 1978
Rate: 0.20 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, 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.
Source: FOUR WELLS IN THE MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 – ADDITIONAL - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 – ADDITIONAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9
27 S	34 E	WM	9	NW SW	WELL 4 (AKA WELL 1A) – ORIGINAL - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 – ADDITIONAL - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NW NW	7.3
27 S	34 E	WM	9	SE SE	8.7
Total					16.0

15. Transfer Application T-13942 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20

Approximate distance from original points of appropriation in miles (mi.)				
Wells	WELL 1 (HARN 1495)	WELL 2 (HARN 1488)	WELL 3 (HARN 51851)	WELL 4 (AKA WELL 1A) (HARN 1494)
WELL 1 (HARN 52719)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 2 (HARN 52795)	2.1 mi.	1.8 mi.	1.9 mi.	1.5 mi.
WELL 3 (HARN 52796)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 4	2.4 mi.	2.4 mi.	1.9 mi.	2.0 mi.
WELL 5	2.1 mi.	1.8 mi.	1.9 mi.	1.4 mi.

16. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	17	SW SW	11.9
27 S	34 E	WM	18	SE SE	4.1
Total					16.0

17. The fourth right to be transferred is as follows:

Certificate: 95617 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-8593)

Use: IRRIGATION OF 206.0 ACRES

Priority Date: JUNE 4, 1979

Rate: 1.88 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, 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.

Source: FOUR WELLS IN MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 – ADDITIONAL - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 – ORIGINAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9
27 S	34 E	WM	9	NW SW	WELL 4 – ADDITIONAL - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 – ADDITIONAL - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	34 E	WM	4	NE SW		5.3
27 S	34 E	WM	4	NW SW		28.9
27 S	34 E	WM	4	SW SW		35.9
27 S	34 E	WM	4	SE SW		37.1
27 S	34 E	WM	4	SW SE		9.6

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	34 E	WM	6	NE NE	1	5.0
27 S	34 E	WM	6	NW NE	2	5.0
27 S	34 E	WM	6	SW NE		5.0
27 S	34 E	WM	6	SE NE		5.0
27 S	34 E	WM	9	NW NE		7.3
27 S	34 E	WM	9	NE NW		19.3
27 S	34 E	WM	9	NW NW		6.6
27 S	34 E	WM	9	NE SE		5.0
27 S	34 E	WM	9	NW SE		3.7
27 S	34 E	WM	9	SW SE		9.3
27 S	34 E	WM	9	SE SE		18.0
Total						206.0

18. Transfer Application T-13942 proposes to move the authorized points of appropriation from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20

Approximate distance from original points of appropriation in miles (mi.)				
Wells	WELL 1 (HARN 1495)	WELL 2 (HARN 1488)	WELL 3 (HARN 51851)	WELL 4 (HARN 1494)
WELL 1 (HARN 52719)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 2 (HARN 52795)	2.1 mi.	1.8 mi.	1.9 mi.	1.5 mi.
WELL 3 (HARN 52796)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 4	2.4 mi.	2.4 mi.	1.9 mi.	2.0 mi.
WELL 5	2.1 mi.	1.8 mi.	1.9 mi.	1.4 mi.

19. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	18	SW SE	0.2
27 S	34 E	WM	18	SE SE	0.2
27 S	34 E	WM	19	NE NE	33.5
27 S	34 E	WM	19	NW NE	32.1
27 S	34 E	WM	19	SE NE	32.8
27 S	34 E	WM	20	SW NE	14.1
27 S	34 E	WM	20	SE NE	7.3
27 S	34 E	WM	20	NE NW	16.2

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	20	NW NW	12.0
27 S	34 E	WM	20	SW NW	12.1
27 S	34 E	WM	20	SE NW	16.2
27 S	34 E	WM	20	NE SE	10.2
27 S	34 E	WM	20	NW SE	19.1
Total					206.0

20. The fifth right to be transferred is as follows:

Certificate: 95618 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17034)

Use: IRRIGATION OF 230.0 ACRES

Priority Date: DECEMBER 18, 2008

Rate: 2.87 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.42 CFS FROM WELL 1 (HARN 1495) AND 2.87 CFS FROM WELL 2, WELL 3 (HARN 51851), AND WELL 4 IN ANY COMBINATION NOT TO EXCEED 2.87 CFS

Limit/Duty: The amount of water used for irrigation, 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.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: WELL 1 (HARN 1495), WELL 2, WELL 3 (HARN 51851), AND WELL 4 IN MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) – ORIGINAL - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 – ADDITIONAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9
27 S	34 E	WM	9	NW SW	WELL 4 – ADDITIONAL - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 (HARN 51851) – ADDITIONAL - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	22.1
27 S	34 E	WM	9	NW NE	30.0
27 S	34 E	WM	9	SW NE	31.3
27 S	34 E	WM	9	SE NE	37.4
27 S	34 E	WM	9	NE SE	29.8
27 S	34 E	WM	9	NW SE	31.4
27 S	34 E	WM	10	NW NW	4.0
27 S	34 E	WM	10	SW NW	35.6

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	10	SE NW	8.4
Total					230.0

21. Transfer Application T-13942 proposes to move the authorized points of appropriation from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20

Approximate distance from original points of appropriation in miles (mi.)				
Wells	WELL 1 (HARN 1495)	WELL 2 (HARN 1488)	WELL 3 (HARN 51851)	WELL 4 (HARN 1494)
WELL 1 (HARN 52719)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 2 (HARN 52795)	2.1 mi.	1.8 mi.	1.9 mi.	1.5 mi.
WELL 3 (HARN 52796)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 4	2.4 mi.	2.4 mi.	1.9 mi.	2.0 mi.
WELL 5	2.1 mi.	1.8 mi.	1.9 mi.	1.4 mi.

22. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	17	SW NW	27.4
27 S	34 E	WM	17	NW SW	27.5
27 S	34 E	WM	18	SE NE	31.6
27 S	34 E	WM	18	NE SE	32.0
27 S	34 E	WM	18	NW SE	33.7
27 S	34 E	WM	18	SW SE	33.6
27 S	34 E	WM	18	SE SE	7.9
27 S	34 E	WM	20	SW NE	8.8
27 S	34 E	WM	20	SE NE	7.2
27 S	34 E	WM	20	NE SE	8.4
27 S	34 E	WM	20	NW SE	11.9
Total					230.0

23. The sixth right to be transferred is as follows:

Certificate: 95619 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17264)
Use: PRIMARY IRRIGATION TO MAKE UP A DEFICIENCY IN RATE ON 206.0 ACRES
Priority Date: DECEMBER 20, 2012
Rate: 0.7 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, 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 per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Source: WELL 1 (HARN 1495), WELL 2 (HARN 1488), WELL 3, AND WELL 4 IN SOUTH FORK MALHEUR RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) – ORIGINAL - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 (HARN 1488) – ORIGINAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9
27 S	34 E	WM	9	NW SW	WELL 4 – ADDITIONAL - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 – ADDITIONAL - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	34 E	WM	4	NE SW		5.3
27 S	34 E	WM	4	NW SW		28.9
27 S	34 E	WM	4	SW SW		35.9
27 S	34 E	WM	4	SE SW		37.1
27 S	34 E	WM	4	SW SE		9.6
27 S	34 E	WM	6	NE NE	1	5.0
27 S	34 E	WM	6	NW NE	2	5.0
27 S	34 E	WM	6	SW NE		5.0
27 S	34 E	WM	6	SE NE		5.0
27 S	34 E	WM	9	NW NE		7.3
27 S	34 E	WM	9	NE NW		19.3
27 S	34 E	WM	9	NW NW		6.6
27 S	34 E	WM	9	NE SE		5.0
27 S	34 E	WM	9	NW SE		3.7
27 S	34 E	WM	9	SW SE		9.3
27 S	34 E	WM	9	SE SE		18.0
					Total	206.0

24. Transfer Application T-13942 proposes to move the authorized points of appropriation from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20

Approximate distance from original points of appropriation in miles (mi.)				
Wells	WELL 1 (HARN 1495)	WELL 2 (HARN 1488)	WELL 3 (HARN 51851)	WELL 4 (HARN 1494)
WELL 1 (HARN 52719)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 2 (HARN 52795)	2.1 mi.	1.8 mi.	1.9 mi.	1.5 mi.
WELL 3 (HARN 52796)	2.3 mi.	2.1 mi.	1.9 mi.	1.7 mi.
WELL 4	2.4 mi.	2.4 mi.	1.9 mi.	2.0 mi.
WELL 5	2.1 mi.	1.8 mi.	1.9 mi.	1.4 mi.

25. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	18	SW SE	0.2
27 S	34 E	WM	18	SE SE	0.2
27 S	34 E	WM	19	NE NE	33.5
27 S	34 E	WM	19	NW NE	32.1
27 S	34 E	WM	19	SE NE	32.8
27 S	34 E	WM	20	SW NE	14.1
27 S	34 E	WM	20	SE NE	7.3
27 S	34 E	WM	20	NE NW	16.2
27 S	34 E	WM	20	NW NW	12.0
27 S	34 E	WM	20	SW NW	12.1
27 S	34 E	WM	20	SE NW	16.2
27 S	34 E	WM	20	NE SE	10.2
27 S	34 E	WM	20	NW SE	19.1
Total					206.0

26. The seventh right to be transferred is as follows:

Certificate: 95663 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17183)
Use: IRRIGATION OF 51.3 ACRES
Priority Date: SEPTEMBER 27, 2012
Rate: 0.85 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: APRIL 1 THROUGH OCTOBER 31

Source: A WELL IN SOUTH FORK MALHEUR RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	6	SW NE	1530 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	34 E	WM	6	NE NE	1	12.9
27 S	34 E	WM	6	NW NE	2	12.8
27 S	34 E	WM	6	SW NE		12.8
27 S	34 E	WM	6	SE NE		12.8
Total						51.3

27. Transfer Application T-13942 proposes to move the authorized points of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	2.2 mi.
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	2.1 mi.
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21	3.5 mi.
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.8 mi.
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.8 mi.

28. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	20	SW NE	3.4
27 S	34 E	WM	20	SE NE	2.8
27 S	34 E	WM	20	NE NW	10.3

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	20	NW NW	9.1
27 S	34 E	WM	20	SW NW	9.1
27 S	34 E	WM	20	SE NW	9.5
27 S	34 E	WM	20	NE SW	0.3
27 S	34 E	WM	20	NE SE	3.2
27 S	34 E	WM	20	NW SE	3.6
Total					51.3

29. The eighth right to be transferred is as follows:

Certificate: 95664 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-10397)

Use: IRRIGATION OF 17.3 ACRES

Priority Date: SEPTEMBER 29, 1983

Rate: 0.22 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, 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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: ONE WELL IN MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	6	SW NE	1530 FEET SOUTH AND 1330 FEET WEST FROM THE NE CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
27 S	34 E	WM	6	NE NE	1	4.4
27 S	34 E	WM	6	NW NE	2	4.3
27 S	34 E	WM	6	SW NE		4.3
27 S	34 E	WM	6	SE NE		4.3
Total						17.3

30. Transfer Application T-13942 proposes to move the authorized point of appropriation from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
27 S	34 E	WM	17	SW NW	WELL 2 (HARN 52795) - 0 FEET SOUTH AND 150 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	2.2 mi.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
27 S	34 E	WM	17	SW NW	WELL 5 - 545 FEET NORTH AND 260 FEET EAST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 18	2.1 mi.
27 S	34 E	WM	20	SE NE	WELL 4 - 175 FEET NORTH AND 130 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 20 AND 21	3.5 mi.
27 S	34 E	WM	20	NE NW	WELL 1 (HARN 52719) - 10 FEET SOUTH AND 930 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.8 mi.
27 S	34 E	WM	20	NW NW	WELL 3 (HARN 52796) - 130 FEET SOUTH AND 1570 FEET WEST FROM THE 1/4 CORNER BETWEEN SECTIONS 17 AND 20	2.8 mi.

31. Transfer Application T-13942 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	17	NW SW	0.2
27 S	34 E	WM	17	SW SW	6.3
27 S	34 E	WM	18	SE SE	5.4
27 S	34 E	WM	19	NE NE	1.8
27 S	34 E	WM	20	SW NE	0.2
27 S	34 E	WM	20	SE NE	0.1
27 S	34 E	WM	20	NW NW	2.9
27 S	34 E	WM	20	NE SW	0.2
27 S	34 E	WM	20	NW SW	0.2
Total					17.3

Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and OAR 690-380-2110(2)]

32. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
33. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13942.
34. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
35. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
36. The proposed changes would not result in enlargement of the rights.

37. The proposed changes would not result in injury to other water rights.

38. All other application requirements are met.

Conclusions of Law

The changes in points of appropriation, additional points of appropriation, and changes in places of use proposed in Transfer Application T-13942 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

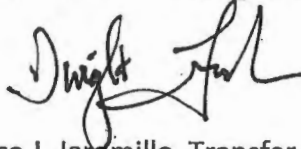
Now, therefore, it is ORDERED:

1. The changes in points of appropriation, additional points of appropriation, and changes in places of use proposed in Transfer Application T-13942 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 88299, 93236, 95616, 95617, 95618, 95619, 95663, and 95664, and any related decree.
3. Water right Certificates 88299, 93236, 95616, 95617, 95618, 95619, 95663, and 95664 are cancelled. A new certificate will be issued describing that portion of Certificate 95616 not affected by this transfer.
4. Under Certificate 88299, the quantity of water diverted at the new points of appropriation (Well 1 (HARN 52719), Well 2 (HARN 52795), Well 3 (HARN 52796), Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2A).
5. Under Certificate 93236, the quantity of water diverted at the new points of appropriation (Well 1 (HARN 52719), Well 2 (HARN 52795), Well 3 (HARN 52796), Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 (HARN 1495) and Well 3 (HARN 51851)).
6. Under Certificate 95616, the quantity of water diverted at the new additional points of appropriation (Well 1 (HARN 52719), Well 2 (HARN 52795), Well 3 (HARN 52796), Well 4, and Well 5), together with that diverted at the original points of appropriation (Well 1 (HARN 1495), Well 2 (HARN 1488), Well 3 (HARN 51851), and Well 4 (AKA Well 1A)(HARN 1494), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 (HARN 1495), Well 2 (HARN 1488), Well 3 (HARN 51851), and Well 4 (AKA Well 1A)(HARN 1494).
7. Under Certificates 95617, 95618, and 95619, the quantity of water diverted at the new points of appropriation (Well 1 (HARN 52719), Well 2 (HARN 52795), Well 3 (HARN 52796), Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 (HARN 1495), Well 2 (HARN 1488), Well 3 (HARN 51851), and Well 4 (HARN 1494).

8. Under Certificates 95663 and 95664, the quantity of water diverted at the new points of appropriation (Well 1 (HARN 52719), Well 2 (HARN 52795), Well 3 (HARN 52796), Well 4, and Well 5), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well (HARN 52819)).
9. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
10. The former places of use of the transferred rights shall no longer receive water under the rights.
11. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
12. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
13. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

SEP 11 2023



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: SEP 12 2023

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to the use of water perfected under the terms of Permit G-8592. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the wells(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: FOUR WELLS IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 127.2 ACRES

MAXIMUM RATE: 1.59 CUBIC FEET PER SECOND

DATE OF PRIORITY: NOVEMBER 20, 1978

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 – ADDITIONAL - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 – ADDITIONAL - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9
27 S	34 E	WM	9	NW SW	WELL 4 (AKA WELL 1A) – ORIGINAL - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 – ADDITIONAL - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

The amount of water used for irrigation, 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.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	8	SE NE	23.4
27 S	34 E	WM	9	SW NW	34.1
27 S	34 E	WM	9	SE NW	30.7
27 S	34 E	WM	9	NE SW	29.0
27 S	34 E	WM	9	NW SW	10.0
Total					127.2

Water use measurement conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device approved by the Director at each point of appropriation (new and existing).
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the water master shall request access upon reasonable notice.

The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an airline and pressure gauge or an access port for the measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

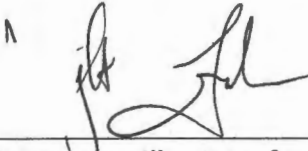
This certificate describes that portion of water right Certificate 95616, State Record of Water Right Certificate 95616, NOT modified by the provisions of an order of the Water Resources Director entered SEP 11 2023, approving Transfer Application T-13942.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

SEP 11 2023

WITNESS the signature of the Water Resources Director, affixed _____.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department



Oregon

Kate Brown, Governor

6-17154

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

October 27, 2017

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

REFERENCE: Transfer Application T-12411

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@oregon.gov.

Sincerely,

Marissa Andrews
Water Right Services Support

cc: J R. Johnson, Watermaster Dist. #10 (via email)
John A. Short, Agent
Landowners (other or receiving)

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER
T-12411, Harney County) APPROVING ADDITIONAL POINTS
) OF APPROPRIATION AND A
) CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

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

Findings of Fact

1. On June 20, 2016, GOLDEN RULE FARMS INC. filed an application for additional points of appropriation and a change in place of use under Certificates 82369, 91366, 91367, and 91448. The Department assigned the application number T-12411.
2. Notice of the application for transfer was published on June 28, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 21, 2017, the agent for the applicant submitted an amended application and maps.
4. On June 27, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12411 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 26, 2017, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2023 and for the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

5. On September 7, 2017, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12411 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on September 12, 2017, and in the Burns Times-Herald newspaper on September 13 and 20, 2017, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
6. The first right to be transferred is as follows:

Certificate: 82369 in the name of CONNECTICUT GENERAL LIFE INSURANCE COMPANY. (perfected under Permit G-8592)
Use: IRRIGATION OF 143.2 ACRES
Priority Date: NOVEMBER 20, 1978
Rate: 1.79 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation 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.
Source: WELL 1A, within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NW SW	WELL 4 (AKA WELL 1A) - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	8	SE NE	27.5
27 S	34 E	WM	9	SW NW	37.6
27 S	34 E	WM	9	SE NW	40.0
27 S	34 E	WM	9	NE SW	28.6
27 S	34 E	WM	9	NW SW	9.5
Total					143.2

7. Transfer Application T-12411 proposes additional points of appropriation with the approximate distances from the existing point of appropriation listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distances
27 S	34 E	WM	9	NE NE	WELL 1 - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9	0.60 mile
27 S	34 E	WM	9	NE NW	WELL 2 - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9	0.48 mile
27 S	34 E	WM	9	SE SE	WELL 3 - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9	0.70 mile

8. Transfer Application T-12411 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	8	SE NE	23.4
27 S	34 E	WM	9	NW NW	7.3
27 S	34 E	WM	9	SW NW	34.1
27 S	34 E	WM	9	SE NW	30.7
27 S	34 E	WM	9	NE SW	29.0
27 S	34 E	WM	9	NW SW	10.0
27 S	34 E	WM	9	SE SE	8.7
Total					143.2

9. The amount of water available for the 7.3 acres in the NW¼ NW¼, Section 8, T27S, R34E, WM, will be used to make up for a deficiency in rate from Certificate 88299.

10. The second right to be transferred is as follows:

- Certificate:** 91366 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-8593)
Use: IRRIGATION OF 206.0 ACRES
Priority Date: JUNE 4, 1979
Rate: 1.88 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation 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.
Sources: WELL 1 AND WELL 2, within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (ADDITIONAL) - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NW NW	WELL 2 (ORIGINAL) - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	4	SW NW	2.0
27 S	34 E	WM	4	NE SW	5.3
27 S	34 E	WM	4	NW SW	33.1
27 S	34 E	WM	4	SW SW	40.0
27 S	34 E	WM	4	SE SW	37.3
27 S	34 E	WM	4	SW SE	10.9
27 S	34 E	WM	9	NW NE	39.7
27 S	34 E	WM	9	NE NW	20.0
27 S	34 E	WM	9	NW NW	17.7
Total					206.0

11. Transfer Application T-12411 proposes additional points of appropriation with the approximate distances from the existing points of appropriation listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Well 1	Distance from Well 2
27 S	34 E	WM	9	SE SE	WELL 3 - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9	0.67 mile	1.00 mile
27 S	34 E	WM	9	NW SW	WELL 4 - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9	0.60 mile	0.48 mile

12. Transfer Application T-12411 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	4	NE SW	5.3
27 S	34 E	WM	4	NW SW	28.9
27 S	34 E	WM	4	SW SW	35.9
27 S	34 E	WM	4	SE SW	37.1
27 S	34 E	WM	4	SW SE	9.6
27 S	34 E	WM	6	SW NE	20.0
27 S	34 E	WM	9	NW NE	7.3
27 S	34 E	WM	9	NE NW	19.3
27 S	34 E	WM	9	NW NW	6.6
27 S	34 E	WM	9	NE SE	5.0
27 S	34 E	WM	9	NW SE	3.7
27 S	34 E	WM	9	SW SE	9.3
27 S	34 E	WM	9	SE SE	18.0
Total					206.0

13. The third right to be transferred is as follows:

Certificate: 91367 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17034)
Use: IRRIGATION OF 230.0 ACRES
Priority Date: DECEMBER 18, 2008
Rate: 2.87 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.42 CFS FROM WELL 1 (HARN 1495) AND 2.87 CFS FROM WELL 3 (HARN 51851), IN ANY COMBINATION NOT TO EXCEED 2.87 CFS
Limit/Duty: 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.
Period of Use: MARCH 1 THROUGH OCTOBER 31
Sources: TWO WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5
27 S	34 E	WM	9	SW NE	40.0
27 S	34 E	WM	9	SE NE	40.0
27 S	34 E	WM	9	NE SE	25.6
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	4.1
27 S	34 E	WM	10	SW NW	38.4
27 S	34 E	WM	10	SE NW	18.4
Total					230.0

14. Transfer Application T-12411 proposes additional points of appropriation with the approximate distances from the existing points of appropriation listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Well 1	Distance from Well 3
27 S	34 E	WM	9	NE NW	WELL 2 - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9	0.50 mile	0.67 mile
27 S	34 E	WM	9	NW SW	WELL 4 - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9	0.60 mile	0.70 mile

15. Transfer Application T-12411 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	22.1
27 S	34 E	WM	9	NW NE	30.0
27 S	34 E	WM	9	SW NE	31.3
27 S	34 E	WM	9	SE NE	37.4
27 S	34 E	WM	9	NE SE	29.8
27 S	34 E	WM	9	NW SE	31.4
27 S	34 E	WM	10	NW NW	4.0
27 S	34 E	WM	10	SW NW	35.6
27 S	34 E	WM	10	SE NW	8.4
Total					230.0

16. The fourth right to be transferred is as follows:

- Certificate:** 91448 in the name of GOLDEN RULE FARMS INC. (perfected under Permit G-17264)
- Use:** PRIMARY IRRIGATION TO MAKE UP A DEFICIENCY IN RATE ON 206.0 ACRES
- Priority Date:** DECEMBER 20, 2012
- Rate:** 0.70 CUBIC FOOT PER SECOND
- Limit/Duty:** 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 per acre for each acre irrigated during the irrigation season of each year.
- Period of Use:** MARCH 1 THROUGH OCTOBER 31
- Sources:** WELL 1 (HARN 1495) AND WELL 2 (HARN 1488) within the SOUTH FORK MALHEUR RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	NE NW	WELL 2 - 590 FEET SOUTH AND 1345 FEET EAST FROM THE NW CORNER OF SECTION 9

Authorized Place of Use:

PRIMARY IRRIGATION TO MAKE UP A DEFICIENCY IN RATE						
Twp	Rng	Mer	Sec	Q-Q	Gl. Lot	Acres
27 S	34 E	WM	4	SW NW	4	2.0
27 S	34 E	WM	4	NE SW		5.3
27 S	34 E	WM	4	NW SW		33.1
27 S	34 E	WM	4	SW SW		40.0
27 S	34 E	WM	4	SE SW		37.3
27 S	34 E	WM	4	SW SE		10.9
27 S	34 E	WM	9	NW NE		39.7
27 S	34 E	WM	9	NE NW		20.0
27 S	34 E	WM	9	NW NW		17.7
Total						206.0

17. Transfer Application T-12411 proposes additional points of appropriation with the approximate distances from the existing points of appropriation listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Well 1	Distance from Well 2
27 S	34 E	WM	9	SE SE	WELL 3 - 505 FEET NORTH AND 730 FEET WEST FROM THE SE CORNER OF SECTION 9	0.67 mile	1.00 mile
27 S	34 E	WM	9	NW SW	WELL 4 - 2140 FEET NORTH AND 1125 FEET EAST FROM THE SW CORNER OF SECTION 9	0.60 mile	0.48 mile

18. Transfer Application T-12411 also proposes to change the place of use of the right to:

PRIMARY IRRIGATION TO MAKE UP A DEFICIENCY IN RATE						
Twp	Rng	Mer	Sec	Q-Q	Acres	
27 S	34 E	WM	4	NE SW	5.3	
27 S	34 E	WM	4	NW SW	28.9	
27 S	34 E	WM	4	SW SW	35.9	
27 S	34 E	WM	4	SE SW	37.1	
27 S	34 E	WM	4	SW SE	9.6	
27 S	34 E	WM	6	SW NE	20.0	
27 S	34 E	WM	9	NW NE	7.3	
27 S	34 E	WM	9	NE NW	19.3	
27 S	34 E	WM	9	NW NW	6.6	
27 S	34 E	WM	9	NE SE	5.0	
27 S	34 E	WM	9	NW SE	3.7	
27 S	34 E	WM	9	SW SE	9.3	
27 S	34 E	WM	9	SE SE	18.0	
Total						206.0

Transfer Review Criteria (OAR 690-380-4010)

19. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

20. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12411.
21. The proposed changes would not result in enlargement of the rights.
22. The proposed changes would not result in injury to other water rights.
23. All other application requirements are met.

Conclusions of Law

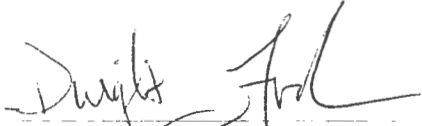
The additional points of appropriation and change in place of use proposed in Transfer Application T-12411 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-12411 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 82369, 91366, 91367, and 91448 and any related decree.
3. Water right Certificates 82369, 91366, 91367, and 91448 are cancelled.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters in good working order.
 - c. The water user shall allow the Watermaster access to the meters; provided however, where the meters are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. The former place of use of the transferred rights shall no longer receive water under the rights.

8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 25 day of October, 2017.



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

Mailing date: OCT 27 2017

**REIMBURSEMENT AUTHORITY PERMIT
APPLICATION G-17154 PERMIT G-17034**

Certificate 91367 issued 4-25-16

**Completion Checklist for Claims of Beneficial Use for
POST JULY 1, 2004 Claims**

Application # <i>9-17154 / Permit</i> / <i>9-17034</i>	WRD Reviewer <i>Kerry Kavanagh</i>
Transfer #	Claim Logged
Date Received <i>9-30-15</i>	Oversized Map #
CWRE Name <i>Gary DeJarnatt</i>	

*John Short Representative Permit 9-17034 issued
10-14-13 incorp. Permit amend
check 10-14-2013
2 wells
2.87 cfs for 1 Rod 230.2ac
Mar 1 Oct 31
1/80, 3.0*

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3)) *gn*
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4)) *9-31-15 Revised map shows meter*
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

corbu - 2 wells

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014) *HARNEY*
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements *initial in March*
 - Annual static water level measurements *annual in March*
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting *well 1*
 - Fish screening and/or by-pass
 - Pump test (ground water) *3-15-16 Derrick Boschmann approved pump test results for HARN 1495 (POA1) and approved multi well exemption request for HARN 57851 (POA2)*
 - Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
N/A = Not Applicable

Certificate Issuance Processing Checklist

- Map and COBU reviewed
- Conflict check Any Conflicts? NO
- Check for ownership

Check Area of Interest YES NO
Identified Party _____

Staff Recommendations:

- _____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- _____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- _____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
_____ Yes

If "Yes":
_____ Proposed
_____ Final Certificate # _____

Mailing list:

Proposed:

Final:

slightly different footprint - but all lands in same tax lot owned by Golden Rule Farms

Peer reviewed by
Ann Reece.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

superseded by G-17034

confirms the right to the use of water perfected under the terms of Permit G-16585. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17154 ✓

SOURCE OF WATER: TWO WELLS (HARN 1495 AND HARN 51851) MALHEUR LAKE BASIN ✓

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES ✓

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.42 CFS FROM WELL 1 (HARN 1495) AND 2.87 CFS FROM WELL 3 (HARN 51851), IN ANY COMBINATION NOT TO EXCEED 2.87 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 ✓

DATE OF PRIORITY: DECEMBER 18, 2008 ✓

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 (HARN 51851) - 505 FEET NORTH AND 730 FEET WEST FROM SE CORNER, SECTION 9

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. ✓

↑
space needed

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5 ✓
27 S	34 E	WM	9	SW NE	40.0 ✓
27 S	34 E	WM	9	SE NE	40.0 ✓

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE SE	25.6
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	4.1
27 S	34 E	WM	10	SW NW	38.4
27 S	34 E	WM	10	SE NW	18.4

*okay per Grange Club
→ same tax lot
slightly diff footprint
but lands owned by Golden Rule Farms
on same tax lot*

Didn't need a permit amendment to move acreage?

230

Measurement, recording and reporting conditions:

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

The Director requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on this right. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

The reference levels against which any future measurements will be compared are 20.00 feet below land surface for Well 1 (HARN 1495) and 30.90 feet below land surface for Well 3 (HARN 51851).

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

- (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 leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or

senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The OWRD Well Identification Number (Well ID tag) L-119823 shall be permanently attached to Well 1 (HARN 1495) and Well ID tag L-119839 shall be permanently attached to Well 3 (HARN 51851). Well ID tags L-119823 and L-119839, respectively, shall be referenced in any correspondence regarding the wells, including any reports of water use, water level, or pump test data.

The combined quantity of water diverted at the new point of appropriation, Well 3 (HARN 51851), together with that diverted at the original point of appropriation, Well 1 (HARN 1495), shall not exceed the quantity of water lawfully available at the original point of appropriation, Well 1 (HARN 1495).

Water shall be acquired from the same aquifer as the original point of appropriation, Well 1 (HARN 1495).

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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

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

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

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

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

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

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

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

not on permit okay

Issued _____

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

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: G-17154
Permit: G-17034
Certificate: PROPOSED

Certificate/Transfer Holder:

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

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

Copies of Final Certificate to be sent to:

1. Watermaster District 10 (include copy of map)
2. Data Center
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. John Short, Representative

work copy

T27S, R34E,
SECTIONS 9 & 10, WM
HARNEY COUNTY, OREGON

RECEIVED BY OWRD






SEP 30 2015

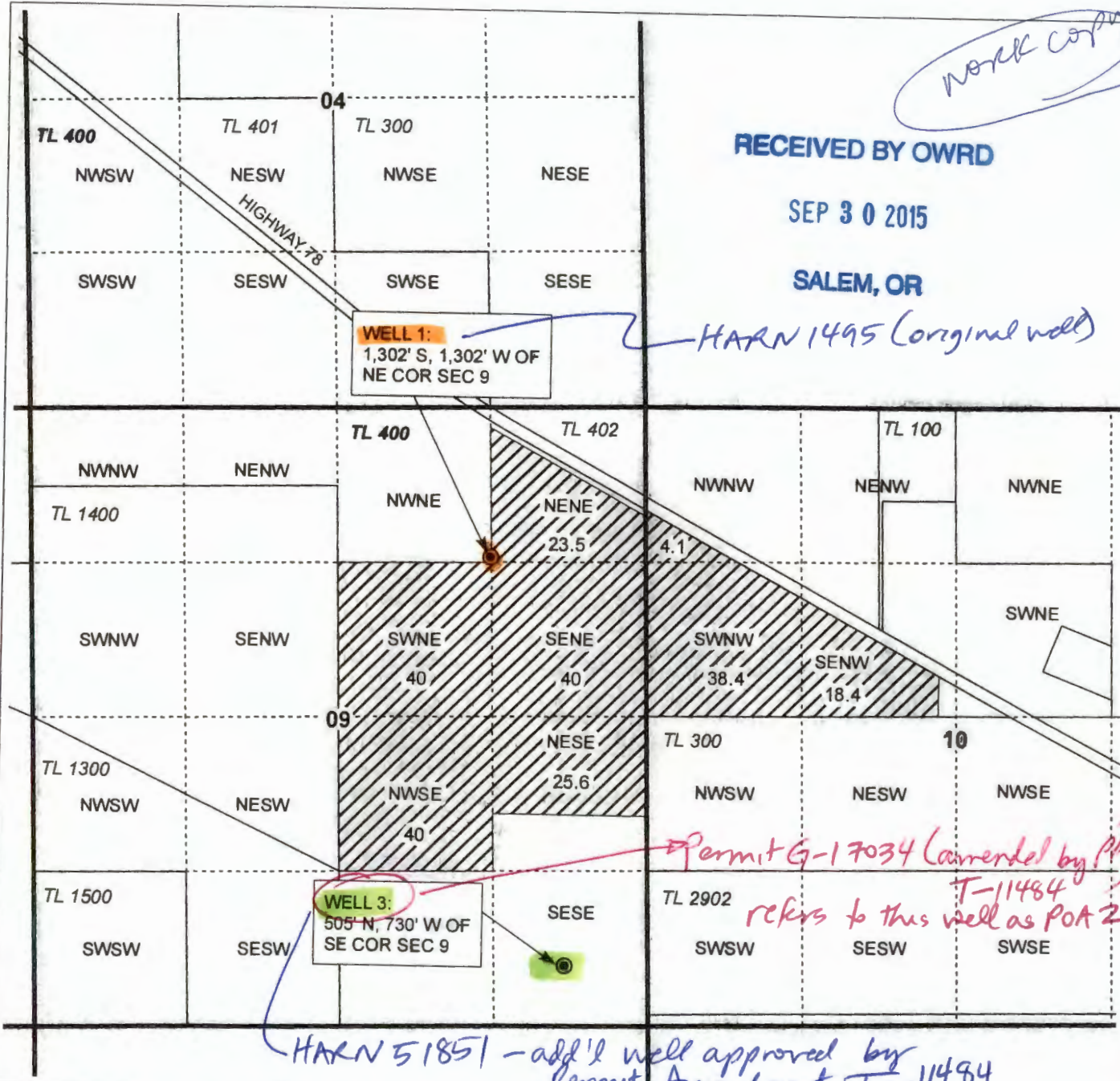
SALEM, OR

HARN 1495 (original well)



0 1,320
Feet
1" = 1,320'

-  POU Irrigation
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well

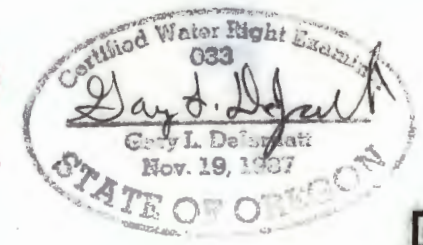


WELL 1:
1,302' S, 1,302' W OF
NE COR SEC 9

WELL 3:
505' N, 730' W OF
SE COR SEC 9

Permit G-17034 (amended by PA T-11484 refers to this well as POA 2.)

HARN 51851 - add'l well approved by Permit Amendment T-11484



RENEWAL DATE 12/31/2015

CLAIM OF BENEFICIAL USE
Golden Rule Farms, Inc.

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
CCB# 197121 www.oregonwater.us
541-389-2837 JOHNSHORT@USA.COM

APPLICATION G-17154 PERMIT G-17034

PROJECT #15042 AUGUST 26, 2015

→ Permit Amendment T-11484
→ add'l POA

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11484 and approved by Special Order Vol. 91, Page 436, entered Oct. 14, 2013 and to describe an assignment to a new permittee approved October 30, 2012. This permit supersedes Permit G-16585.

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

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: TWO WELLS (HARN 1495 AND HARN 51851) IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	POA 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	POA 2 (HARN 51851) - 300 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 9

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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5
27 S	34 E	WM	9	SW NE	40.0
27 S	34 E	WM	9	SE NE	40.0
27 S	34 E	WM	9	NE SE	40.0
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	7.5
27 S	34 E	WM	10	SW NW	39.0
Total					230.0

Permit Amendment T-11484 Conditions

The combined quantity of water diverted at the new point of appropriation, POA-2, together with that diverted at the old point of appropriation, POA-1, shall not exceed the quantity of water lawfully available at the original point of appropriation, POA-1.

Water shall be acquired from the same aquifer as the original point of appropriation, POA-1.

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.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

Well 1 (HARN 1495) - drilled 5-25-1979
Permit G-16585 issued 10-4-2009

Initial SWL 3-9-10 - 20.00 ft
b/s

Well 2 (HARN 51851) - drilled 5-24-2012
Permit G-17034 issued 10-14-2013

use as reference level
since well drilled in 1979

SWL 3-24-2014 - 30.90 ft b/s

PAGE 3

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

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

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

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

STANDARD CONDITIONS

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.

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

The well(s) shall be 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.

If the ~~riparian area~~ is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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

same wells

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

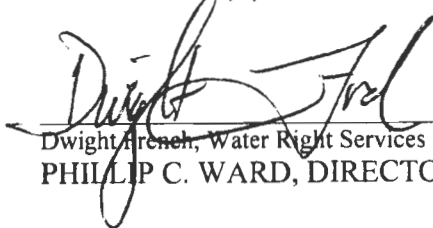
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

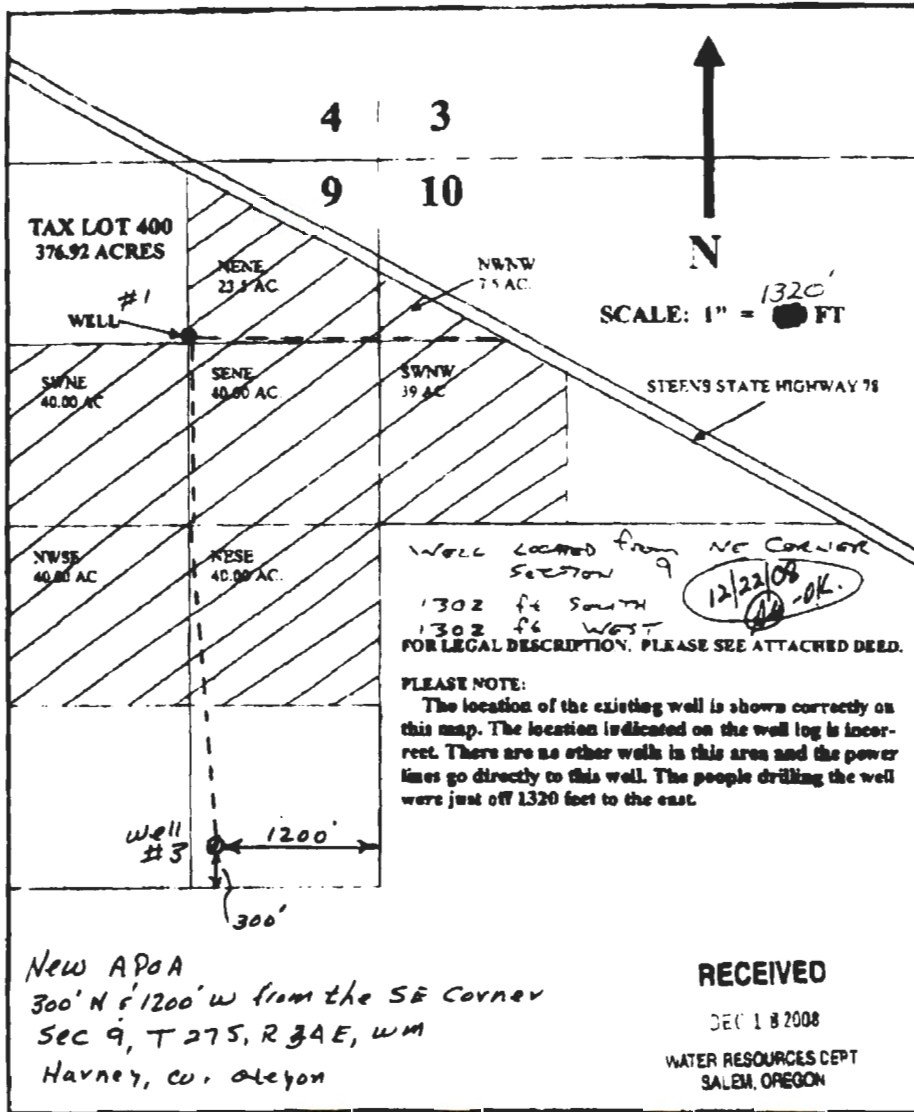
Issued October 4, 2013



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

3
T 27 S, R 24 E W.M

HARNEY COUNTY, OREGON



RECEIVED BY OWRD

OCT 25 2012

SALEM, OR

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

In the Matter of Permit Amendment)
T-11484, Harney County) **FINAL ORDER**
) **APPROVING AN ADDITIONAL POINT**
) **OF APPROPRIATION**

Authority

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

Background

1. On October 25, 2012, GOLDEN RULE FARMS, INC. filed an application for an additional point of appropriation under Permit G-16585. The Department assigned the application number T-11484.
2. On October 30, 2012, the Department approved an assignment of the permit to Golden Rule Farms, Inc.
3. Notice of the application for the permit amendment was published in the Department's weekly notice on October 30, 2012, and in the Burns Times Herald newspaper on October 2 and 9, 2013, pursuant to ORS 540.520(5). No comments were filed in response to the notices.
4. Permit Amendment Application T-11484 proposes an additional point of appropriation approximately 3700 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	SE SE	POA 2 (HARN 51851) - 300 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 9

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 137-004-080 and OAR 690-01-005 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.

Add POA

Permit Amendment Review Criteria

5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-11484 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-11484 is approved.
2. Permit G-17034, in the name of Golden Rule Farm, Inc., is issued to replace Permit G-16585, and incorporates the amendments approved by this order and assignment. Permit G-16585, in the name of Golden Rule Farm, Inc., is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
4. Prior to water use from the proposed point of appropriation, 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.

The permittee 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.

The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

5. Water shall be acquired from the same aquifer as the original point of appropriation.

6. All other terms and conditions of Permit G-17034 remain the same.

Dated at Salem, Oregon this 14 day of October, 2013.

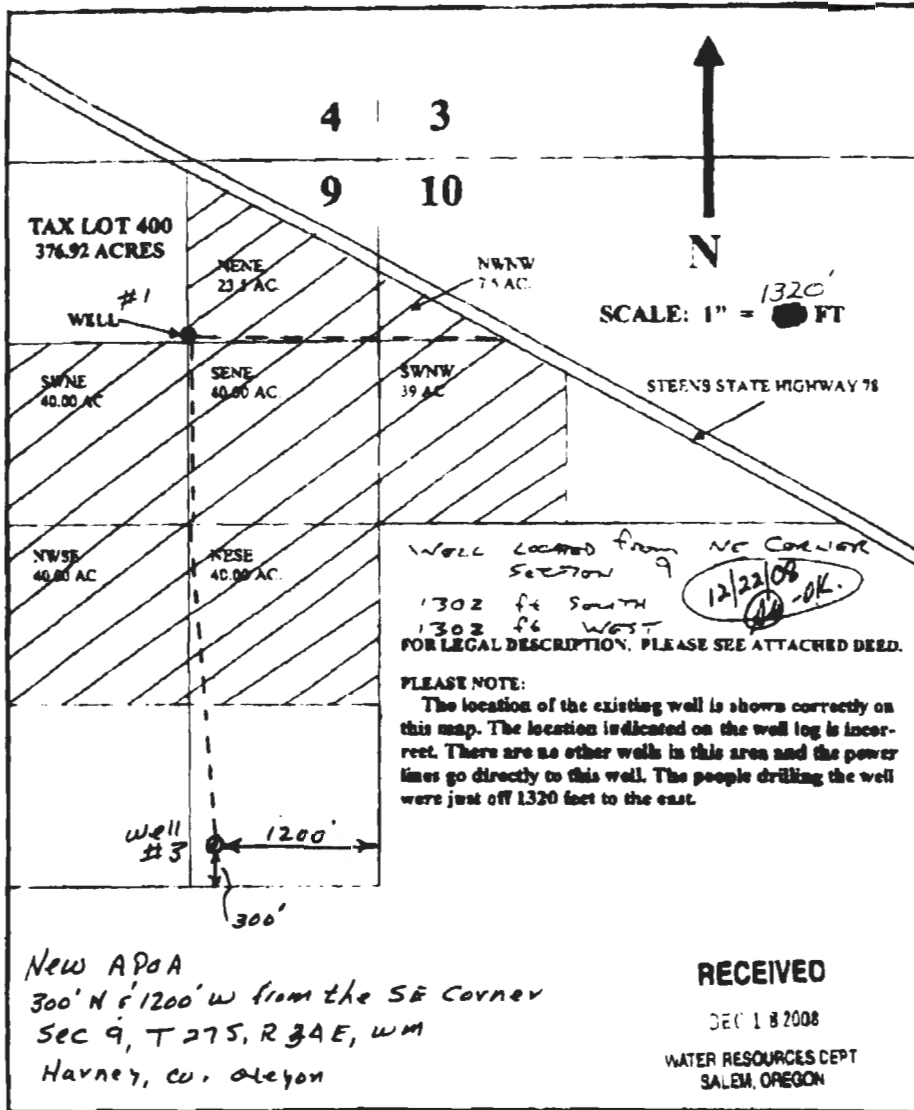


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: OCT 28 2013

T 27 S, R 24 E W.M

HARNEY COUNTY, OREGON



RECEIVED BY OWRD

OCT 25 2012

SALEM, OR

Water Right Information Query Results																																																																																											
Contact Information	Documents <small>View all scanned documents</small>																																																																																										
<p>▼ Current contact information</p> <p>AGENT: WATER RIGHT SERVICES LLC JOHN SHORT PO BOX 1830 BEND, OR 97709</p> <p>OWNER: GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641</p>	<p>▶ Application: G 17154</p> <p>▼ Permit: G 17034 document , paper map</p> <p>▶ Signature: 10/14/2013</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center;">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Completion Date [C Date]</td> <td>10/14/2018</td> <td></td> <td></td> </tr> </tbody> </table> <p>▼ Order(s)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Order Origin</th> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Special</td> <td>91-436</td> <td>10/14/2013</td> <td>T-11484 APPROVING PERMIT AMENDMENT FOR APOA</td> </tr> </tbody> </table> <p>▼ Transfer(s)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Transfer</th> <th>Transfer type</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>T11484 ()</td> <td>Permit Amendment</td> <td>Approved</td> </tr> </tbody> </table> <p>▶ View right with Web Mapping ▶ View Places of Use from Water Rights in the Same Area ▶ View Reported Water Use</p>	Permit Workflow				Action	Date	Result	Completed By	Completion Date [C Date]	10/14/2018			Order Origin	Volume-Page	Signature	Description	Special	91-436	10/14/2013	T-11484 APPROVING PERMIT AMENDMENT FOR APOA	Transfer	Transfer type	Status	T11484 ()	Permit Amendment	Approved																																																																
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View Water Rights in same Family
 Report Errors with Water Right Data
 Return to WRIS Query

Well # (HARN 1495)

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Township	Range	S	QQ	Q
HARN 1495	HARN	160	4110	27.00 S/	34.00 E-	9	NE	NE
Well Tag Log	Well Tag Field	Csg Diam Field	12					
Well Location 1302 FT. S. & 1302 FT. W. FR. NE. COR. S9								
Well Address								
Owner Well Names WELL 1								

Permit G-16585 issued 10-9-09

drilled 1979

Well History:				Water Rights with reporting conditions that list this well:					
Logid	Type Work	Compl Depth	Compl Date	Owner on Log	Permit	Certificate	pod	Reference level	Trigger level activated?
HARN 1495	NEWWELL	150	05/30/1979	D V DOMAN	G 16585	1	1		
					G 17034	1	1		
					G 17183	1	1		
					G 17264	1	1		

Owner:

Name

Other Name GOLDEN RULE FARMS INC.

Contact

Address PO BOX 255

City / St / Zip CHRISTMAS VALLEY OR 97641

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
05/25/1979			22.00	4088.00	R	U	DRILLER			HARN 1495. New well. 160 ft ID.
03/09/2010		1	20.00	4090.00	T	S	TIMOTHY K RILEY	12 MONTHS	1.1/4" ACCESS PORT PIPE	
03/28/2011		1	20.00	4090.00	T	S	TIMOTHY K RILEY	24 MONTHS	1.1/4" ACCESS PORT	
03/13/2012		1	19.00	4091.00	T	S	TIMOTHY K RILEY		1.1/4" ACCESS PORT	HASNT BEEN USED
03/24/2014		8	21.65	4088.35	S	S	SCOTT D MONTGOMERY	6 MONTHS OR	2" PIPE OUT OF E. SIDE OF CASING	OILY WATER IN WELL
03/27/2015		8	23.00	4087.00	T	S	SCOTT D MONTGOMERY	6 MONTHS OR	2" PIPE OUT OF E. SIDE OF CASING	

drilled 5-25-1979

Reference Level = 20.00 ft bls → 3-9-10

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown

Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

Well 3 (HARN 51851)

Oregon Water Resources Department Permit Condition Water Level Report

OWRD Logid	Main aq	Max depth	LSD Elev	Township	Range	S	QQ	Q	
HARN.....51851	HARN.....	230	4120	27.00 S/	34.00 E-	9	SE	SE	
Well Tag Log	Well Tag Field	Csg Diam Field							
105480		14							
Well Location 505 FT N & 730 FT W FR SE COR, S9									
Well Address									
Owner Well Names WELL 3 (L-105480)									
<p>Permit 9-17034 issued 10-14-13</p>			<p>Well History:</p>			<p>Water Rights with reporting conditions that list this well:</p>			
Logid	Type Work	Compl Depth	Compl Date	Owner on Log	Permit	Certificate	pod	Reference level	Trigger level activated?
HARN	NEW WELL	230	5/24/2012	GOLDEN RULE	G.....17034		2		
					G.....17183		2		
<p>Owner:</p>									
Name									
Other Name GOLDEN RULE FARMS INC									
Contact									
Address PO BOX 255									
City / St / Zip CHRISTMAS VALLEY OR 97641									

Date	Time	MP Hght	WL BLS	WL Elev	Method Code	Status Code	Measured By	Pump Idle Time	MP Description	WIComments
03/24/2014		2	30.90	4089.10	S	S	SCOTT D. MONTGOMERY	6 MONTHS OR	2" PIPE OUT OF CASING	OILY WATER IN WELL
03/27/2015		2	21.78	4098.22	S	S	SCOTT D. MONTGOMERY	6 MONTHS OR	2" PIPE OUT OF CASING	

drilled 5-24-2012

→ Reference Level = 30.90 ft bls → 3-24-14

Method Codes: A = Airline, T = Etape, V = Calibrated Etape, G = Uncalibrated Gage, H = Calibrated Gage, N - Not Measured, O = Observed, RA = Recorder Analog, RS = Recorder Shaft Encoder, RT = Recorder Transducer, R = Reported, S = Steel Tape, U = Unknown
 Status Codes: D = Dry, A = Falling, F = Flowing, P = Pumping, R = Rising, S = Static, U = Unknown

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.27S. R.34E. W.M.

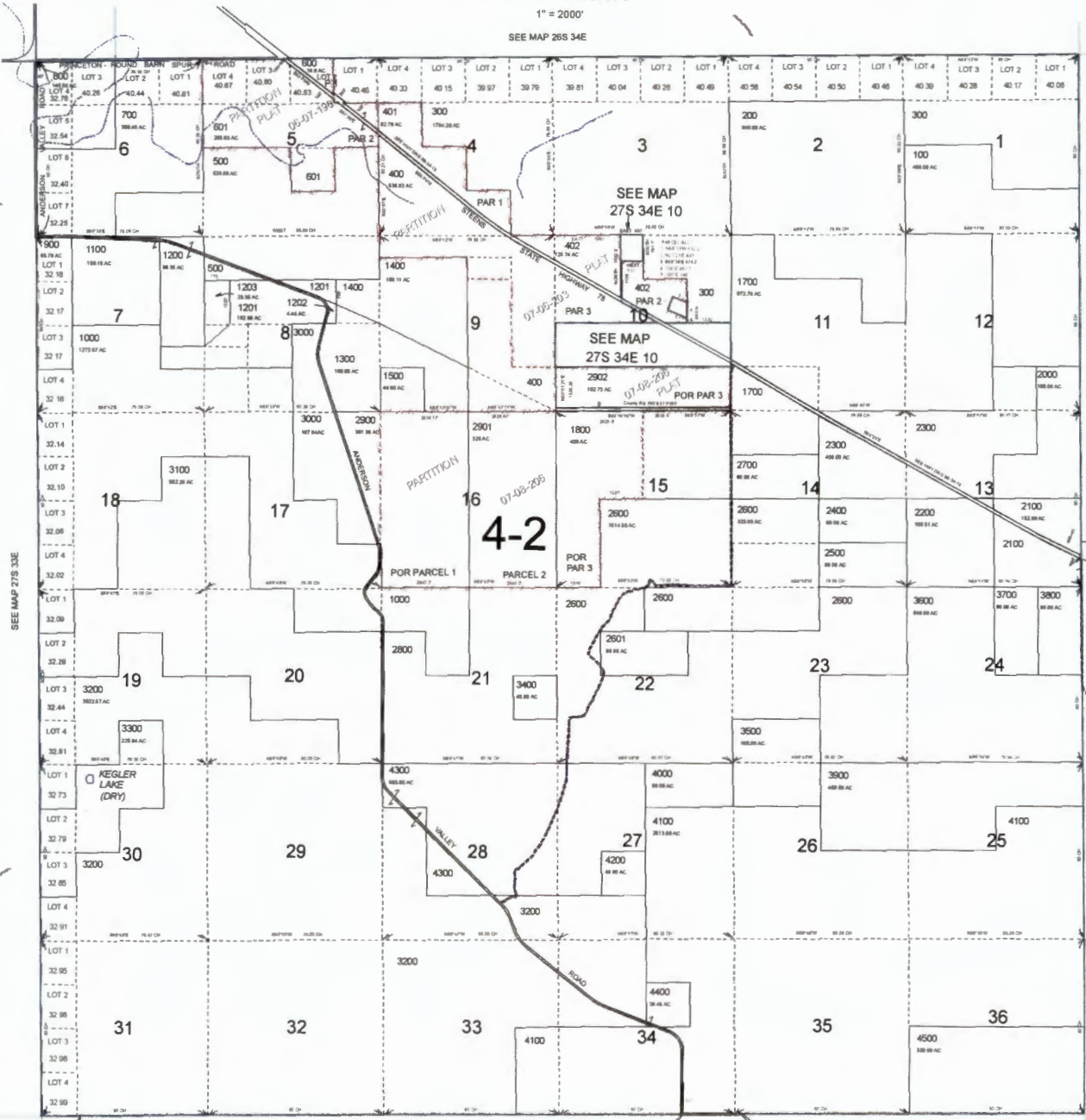
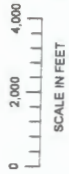
HARNEY COUNTY

1" = 2000'

SEE MAP 26S 34E

27S 34E & INDEX

CANCELLED NO.
1301 (2008)
1600 (2010)
1900
2801



SEE MAP 27S 33E

SEE MAP 28S 33E

SEE MAP 28S 34E

PRINTED ON
Jul 08, 2010

27S 34E & INDEX

Harney County

Back Forward Search Page Logoff

Help
Detail Help

Account #	10840	Tax Status	ASSESSABLE
Map #	27S34E000000400	Account Status	ACTIVE
Code - Tax #	0420-10840	Subtype	NORMAL
Owner	GOLDEN RULE FARMS, INC.		
Agent			
Mailing Address	P O BOX 255 CHRISTMAS VALLEY, OR 97641-0255		

Reports

- [Summary Report](#)
- [Ledger Report](#)
- [Tax Summary Report](#)
- [Names](#)
- [Legal Report](#)

Improvements

Link	Site	Bldg #	Stat Class	Code Area	Year Built	Eff Year Built	Description	Livable Size
I	2	1	311	0420	2012	2012	MAINLINE 8"	2000
I	2	2	311	0420	2012	2012	MAINLINE 8"	1600
I	1	3	110	0420	2012	2012	Residential Other Improvements	0

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Application G-17154, Permit G-17034 - 2 wells - Well 1 (HARN 1495) and Well 2 (HARN 51851):

POD name report

Current WRIS Owners: user_id ref_a_first name_last name_company name_other last_update

JOHN	SHORT	GOLDEN RULE FARMS INC.		7/23/2014
		WATER RIGHT SERVICES LLC		10/24/2014

Water Use Report Owner: GOLDEN RULE FARMS INC. 1/23/2015

Current Owner (from Groundwater Owners File for Pump Tests & Permit Condition Water Levels): GOLDEN RULE FARMS INC. 3/8/2015

LINKED LINES

Transfers: 11454 31 432

Orders (vol/page): 31 432

1a POD List
1b POD Name
2a Data Input Form
2b POD Correlation Form
Owner Input Form
Permit and Cons
Show Water Use Report
Water Right on WEB

Application	Permit	Water Right (State Name)	wr type	Valid	Pod loc_id	pod loc_nbr	pod loc_type	su	report_id	Logid	Correlated By	Date Corr	WRIS pod_name	Water-Use Reporting facility_name	Groundwater Database Owner's well Name	T/R/S	QQ Q	Legal		
0	17154	17034	WE	Yes	178204	293816	1	OW	84219	HARN 1495	Permit	10/14/2013	HARN 1495	WELL 1 (HARN 1495)	WELL 1	27.00	E	9	NE	1302 FT S & 1302 FT W FR NE COR, S9
0	17154	17034	WE	Yes	178204	293816	2	OW	84219	HARN 1495	Permit	10/14/2013	HARN 1495	WELL 1 (HARN 1495)	WELL 1	27.00	E	9	NE	1302 FT S & 1302 FT W FR NE COR, S9
0	17154	17034	WE	Yes	178204	293816	1	OW	84219	HARN 1495	Permit	10/14/2013	HARN 1495	WELL 1 (HARN 1495)	WELL 1	27.00	E	9	NE	1302 FT S & 1302 FT W FR NE COR, S9
0	17154	17034	WE	Yes	178204	293816	2	OW	84219	HARN 1495	Permit	10/14/2013	HARN 1495	WELL 1 (HARN 1495)	WELL 1	27.00	E	9	NE	1302 FT S & 1302 FT W FR NE COR, S9
0	17154	17034	WE	Yes	178204	293816	2	OW	84219	HARN 1495	Permit	10/14/2013	HARN 1495	WELL 3 / POA 2 (HARN 51851)	WELL 3	27.00	E	9	SE	300 FT N & 1200 FT W FR SE COR, S9

Well 1 (HARN 1495):

Data Input Forms for WRIS POD Attributes

Report Date: 8/21/2009

Application: G 17154 Permit: G 17034 Certificate: Claim gw_cort_nbr: Decrees: Transfers: 11454 Orders (vol/page): 31 432

Water Right: 178204 wr type: WE wr status: NC Valid?: Yes snp origin: FR

Priority Date: 12/18/2008 Permit date: 10/14/2013 Cert date: name_first: name_last: name_company: name_other: GOLDEN RULE FARMS INC.

pod location id: 293816 pod nbr: 1 pod_source_type: WE user id: 8055 wtr use report id: 84219 meter required: Y record wtr use: Y report wtr use: report swl: pump test status:

T TC R RC S QQ Q Ben nbr WRIS location: 27.00 S 34.00 E 9 NE NE 12 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9

GW Logid: Well Tag-Log W Tag-Well WRIS pod name Water Use Rptg facility name GW Owners Well Name: HARN 1495 WELL 1 (HARN 1495) WELL 1

Quick Links

1a POD List
1b POD Name
2a Data Input Form
2b POD Correlation Form
Owner Input Form
Permit and Cons
Show Water Use Report
Water Right on WEB

Date Created: 3/14/2014 8:55:22 AM
Created By: turnersm
Date Modified: 12/29/2014 5:08:44 AM
Modified By: Retolcup wris_logid locs
g_Yes: Yes
SourceCWRDFilter: Temp KCW

Well Logs Owners Permitted Use Permit Condtns Wtr Use Wtr Lvl Entry Wtr Lvl Entry Filtered Wtr Lvl Compliance Pmp Tst Compliance KlamPoasGwSw Wtr Lvl Compliance Klam Kcw Staff

GW Log ID	Well Tag - Log	Well Tag - Well	Not Drilled As Of	Date Correlated	Correlated By	GW Owners Well Name	In gw matr	In wells.shp	Haiz Err	GW Jty	Source	wr_comment - title
HARN 1495				10/14/2013	Permit	WELL 1	Yes	Yes	100	APPL MAP & DOQ		

Get Well Log Logid Comments

Max sag di (nearest inch): 12

GW Well History: Copy Data from Well Log Database - 1st record only

Log Cnty / Num	Start Ctd	Type Work	Fst Wtr	C Dpth	Compl Date	G by	Owner on log	Comment	Well Tag in GRID
HARN 1495	10/14/2013	NEW WELL	33	120	05/20/1979	KC	D V DOMAN		119823

GRID (Well Log Database) History (well logs with same well tag):

Log Cnty / Num	Start Ctd	Fst Wtr	C Dpth	Compl Date	Owner on log		
HARN 1495	10/14/2013	NEW WELL	33	120	05/20/1979	KC	D V DOMAN

Well 1 (HARN 1495):

Data Input Forms for WRIS POD Attributes

Report Date: 8/21/2009

Application: G 17154 Permit: G 17034 Certificate: Claim gw_cort_nbr: Decrees: Transfers: 11454 Orders (vol/page): 31 432

Water Right: 178204 wr type: WE wr status: NC Valid?: Yes snp origin: FR

Priority Date: 12/18/2008 Permit date: 10/14/2013 Cert date: name_first: name_last: name_company: name_other: GOLDEN RULE FARMS INC.

pod location id: 293816 pod nbr: 1 pod_source_type: WE user id: 8055 wtr use report id: 84219 meter required: Y record wtr use: Y report wtr use: report swl: pump test status:

T TC R RC S QQ Q Ben nbr WRIS location: 27.00 S 34.00 E 9 NE NE 12 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9

GW Logid: Well Tag-Log W Tag-Well WRIS pod name Water Use Rptg facility name GW Owners Well Name: HARN 1495 WELL 1 (HARN 1495) WELL 1

Quick Links

1a POD List
1b POD Name
2a Data Input Form
2b POD Correlation Form
Owner Input Form
Permit and Cons
Show Water Use Report
Water Right on WEB

Date Created: 3/14/2014 8:55:22 AM
Created By: turnersm
Date Modified: 12/29/2014 5:08:44 AM
Modified By: Retolcup wris_logid locs
g_Yes: Yes
SourceCWRDFilter: Temp KCW

Well Logs Owners Permitted Use Permit Condtns Wtr Use Wtr Lvl Entry Wtr Lvl Entry Filtered Wtr Lvl Compliance Pmp Tst Compliance KlamPoasGwSw Wtr Lvl Compliance Klam Kcw Staff

Condition type / Action status	Impact plan Submitted / Approved	Month / Yr use began	Owner's site name	Well not drilled as of	Compliance Comments	Other measured wells not on right	Logid	Comments	swl required	swl frequency	swl month	swl duration	decline trigger	decl trig shutoff	ref lvl on pmt/cert	rl date on pmt/cert	Other conditions	Condition Comments	Condition source	Source comments
SWL	SWL		WELL 1						Y	ANN	MAR	NO LMRT	3/15/25/25	M			N		Permit	

Impact plan Submitted / Approved

Month / Yr use began

Owner's site name: WELL 1

Well not drilled as of

Compliance Comments

Other measured wells not on right

Logid

Comments

swl required: Y

swl frequency: ANN

swl month: MAR

swl duration: NO LMRT

decline trigger: 3/15/25/25

decl trig shutoff: M

ref lvl on pmt/cert

rl date on pmt/cert

Other conditions: N

Condition Comments

Condition source: Permit

Source comments

Show water-level report Show hydrograph Show SWL letter for printing Show Plan letter for printing

Logid	Source Org	SourceCWRD	Date	Time	WL BLS	Method	Status	Measured By	Pump Idle Time	WComments
HARN 1495	DRILLER	WELL LOG	05/25/1979		22	R	U	DRILLER		HARN 1495. Near well, 100 ft TD.
HARN 1495	DRILLER	PERMIT COND	03/09/2010		20	T	S	TIMOTHY K RILEY	~ 12 MONTHS	
HARN 1495	DRILLER	PERMIT COND	03/28/2011		20	T	S	TIMOTHY K RILEY	24 MONTHS	
HARN 1495	DRILLER	PERMIT COND	03/13/2012		19	T	S	TIMOTHY K RILEY		HASNT BEEN USED
HARN 1495	P/E	PERMIT COND	03/24/2014		21.65	S	S	SCOTT D MONTGOMERY	6 MONTHS OR	OILY WATER IN WELL
HARN 1495	P/E	PERMIT COND	03/27/2015		23	T	S	SCOTT D MONTGOMERY	6 MONTHS OR	

Application G-17154, Permit G-17034 – 2 wells – Well 1 (HARN 1495) and Well 2 (HARN 51851):

POD Name Report

Current WRIS Owners:
 user_id name_first name_last name_company name_other last_update
 JOHN SHORT GOLDEN RULE FARMS INC 7/23/2014
 WATER RIGHT SERVICES LLC 10/24/2014

Water Use Report Owner:
 3055 GOLDEN RULE FARMS INC 1/23/2015

Current Owner (from Groundwater Owners File for Pump Tests & Permit Condition Water Levels):
 3055 GOLDEN RULE FARMS INC 3/9/2015

LINKS

1a **POD List** Transfers Orders (vol/page)
 1b **POD Name** 11454 91 436
 2a **Data Input Form**
 2b **POD Correlation Form**
 Owner Input Form
 Show Water Use Report
 Water Right on WEB

Application	Permit	Water Right (Node Name)	wr type	sta	Valid	snp_id	Pod loc_id	pod type	pod area	wu	report_id	Logid	Correlated By	Date Cor	WRIS pod_name	Water-Use Reporting facility_name	Groundwater Database Owner's well Name	T-R-S	QQ	Q	legal	
G	17154	Right G 17034	WE	NC	No	18418	25687	1	GW	WE	HARN	1495	HARN 1495	WELL 1 (HARN 1495)	HARN 1495	WELL 1 (HARN 1495)	27.00	E	34.00	E	9	NE 1302 FT S & 1302 FT W FR NE COR. S9
G	17154	Right G 17034	WE	NC	No	18418	25687	1	GW	WE	HARN	1495	HARN 1495	WELL 1 (HARN 1495)	HARN 1495	WELL 1 (HARN 1495)	27.00	E	34.00	E	9	NE 1302 FT S & 1302 FT W FR NE COR. S9
G	17154	Right G 17034	WE	NC	No	17699	20597	1	GW	WE	HARN	51851	HARN 51851	WELL 3 / POA 2 (HARN 51851)	HARN 51851	WELL 3 / POA 2 (HARN 51851)	27.00	E	34.00	E	9	SE 300 FT N & 1200 FT W FR SE COR. S9
G	17154	Right G 17034	WE	NC	Yes	17699	20597	1	GW	WE	HARN	51851	HARN 51851	WELL 3 / POA 2 (HARN 51851)	HARN 51851	WELL 3 / POA 2 (HARN 51851)	27.00	E	34.00	E	9	SE 300 FT N & 1200 FT W FR SE COR. S9
G	17154	Right G 17034	WE	NC	Yes	17699	20597	2	GW	WE	HARN	51851	HARN 51851	WELL 3 / POA 2 (HARN 51851)	HARN 51851	WELL 3 / POA 2 (HARN 51851)	27.00	E	34.00	E	9	SE 300 FT N & 1200 FT W FR SE COR. S9

Well 2 (HARN 51851):

Data Input Forms for WRIS POD Attributes Report Date: 8/21/2009

Application Permit Certificate Claim gw_cert_nbr Decrees Transfers Orders (vol/page)
 G 17154 G 17034 178204 GW NC Yes PR 11454 91 436

Water Right snp_id wr type wr status Valid? snp origin
 178204 GW NC Yes PR

Priority Date Permit date Cert date name_first name_last name_company name_other
 10/15/2009 10/14/2013 10/14/2013 JOHN SHORT GOLDEN RULE FARMS INC

pod location id pod nbr pod_source_type user id wrf use report id meter required record wrf use report wrf use report swl pump last status
 293817 2 WE 8055 3055 Y Y Y

T TC R RC S QQ Q Bin nbr WRIS location
 27.00 S 34.00 E 9 SE SE 12 300 FEET NORTH AND 1200 FEET WEST FROM SE CORNER, SECTION 9

GW Logid Well Tag-Log W Tag-Well WRIS pod name Water Use Rptg facility name GW Owners Well Name
 HARN 51851 105480 HARN 51851 WELL 3 / POA 2 (HARN 51851) WELL 3 (L-105480)

Quick Links
 1a **POD List** Date Created: 3/14/2014 8:55:22 AM
 1b **POD Name** Created By: tumersm
 2a **Data Input Form** Date Modified: 12/28/2014 5:08:44 AM
 2b **POD Correlation Form** Modified By: Relocusp wris_logid lca -
 Owner Input Form G_Yes Yes
 SourceOWRDFilter Temp KCW
 Show Water Use Report
 Water Right on WEB

Well Logs Owners Permitted Use Permit Condtns Wtr Use Wtr Lvl Entry Wtr Lvl Entry Filtered Wtr Lvl Compliance Pmp Tst Compliance KlamPoasGwSw Wtr Lvl Compliance Klam Kcw Staff

GW Log ID Well Tag - Log Well Tag - Well Not Drilled As Of Date Correlated Correlated By GW Owners Well Name
 HARN 51851 105480 10/14/2013 Permit HARN 51851

Get Well Log Logid Comments
 Max sag di (nearest inch): 14

GW Well History: Copy Data from Well Log Database - 1st record only
 Log Only / Num Start Crd Type Work Frst Wtr C Dpth Compl Date C by Owner on log Comment Well Tag in GRID
 Log HARN 51851 1010695 Well Log DB 40.00 230.00 5/24/2012 ABRAHAM PUCKETT GOLDEN 119839
 Log HARN 51851 1010695 NE WELL 40 230 5/24/2012 HARN GOLDEN RULE FARMS

GRID (Well Log Database) History (well logs with same well tag):
 Log Only / Num Start Crd Frst Wtr C Dpth Compl Date Owner on log

Maximum Depth of Well: 230

Wells with a Well Log Aquifers (New) --Contact KCW about mistakes or additions
 Statewide Aquifer Quaternary T&T C1c
 Local Aquifer Harns/Frn
 St Aq MaxDepth Quaternary T&T C1c
 Aq Confirmed By MIKE ZWART

Wells with a Well Log Aquifers (Old Names)
 Primary aquifer
 Specific Aquifer Unit
 Aquifer @ Maximum Depth
 Aq Confirmed By

No Well Log in Well Log Database or Proposed Aquifer

Indian

Well 2 (HARN 51851):

Data Input Forms for WRIS POD Attributes Report Date: 8/21/2009

Application Permit Certificate Claim gw_cert_nbr Decrees Transfers Orders (vol/page)
 G 17154 G 17034 178204 GW NC Yes PR 11454 91 436

Water Right snp_id wr type wr status Valid? snp origin
 178204 GW NC Yes PR

Priority Date Permit date Cert date name_first name_last name_company name_other
 10/15/2009 10/14/2013 10/14/2013 JOHN SHORT GOLDEN RULE FARMS INC

pod location id pod nbr pod_source_type user id wrf use report id meter required record wrf use report wrf use report swl pump last status
 293817 2 WE 8055 3055 Y Y Y

T TC R RC S QQ Q Bin nbr WRIS location
 27.00 S 34.00 E 9 SE SE 12 300 FEET NORTH AND 1200 FEET WEST FROM SE CORNER, SECTION 9

GW Logid Well Tag-Log W Tag-Well WRIS pod name Water Use Rptg facility name GW Owners Well Name
 HARN 51851 105480 HARN 51851 WELL 3 / POA 2 (HARN 51851) WELL 3 (L-105480)

Quick Links
 1a **POD List**
 1b **POD Name**
 2a **Data Input Form**
 2b **POD Correlation Form**
 Owner Input Form
 Show Water Use Report
 Water Right on WEB

Condition type / Action status S/L S/L
 Impact plan Submitted / Approved
 Month / Yr use began
 Owner's site name: WELL 2 L-105480
 Well not drilled as of
 Compliance Comments
 n_data ref_wtr lvl_bld
 del_data del_wtr lvl_bld
 Ref lvl det by decline
 Trigger activated

Other measured wells not on right.
 Logid Comments
 Date of Last Notice user id Measuring comments
 01/30/2010 8055

self required Y impact
 self frequency ANN supply
 self month MAR limit dur
 self duration NO LIMIT limit dur
 decline trigger 3/15/25/25 meter req
 decl trg shutoff M record wate
 ref lvl on pmt/cert report wate
 n date on pmt/cert
 Other conditions N
 Condition Comments
 Condition source Permit
 Source comments

Show water-level report Show hydrograph Show SWL letter for printing Show Plan letter for printing

Logid	Source Org	SourceOWRD	Date	Time	WL BLS	Method	Status	Measured By	Pump Idle Time	WComments
HARN 51851	CHRE	PERMIT COND	03/24/2014	38.9	S	S	S	SCOTT D MONTGOMERY	6 MONTHS OR	OILY WATER IN WELL
HARN 51851	CHRE	PERMIT COND	03/27/2015	21.78	B	B	S	SCOTT D MONTGOMERY	6 MONTHS OR	

Well 2 (HARN 51851):

Data Input Forms for WRIS POD Attributes

Report Date: 8/21/2009

Quick Links

Application	Permit	Certificate	Claim	gw_cert_nbr	Decrees	Transfers	Orders (vol/page)		
G 17154	G 17034					11484	91 438		
Water Right	Permit	Priority Date	Permit date	Cert date	snp id	wr type	wr status	Valid?	snp origin
G 17204	G 17204	12/18/2009	10/14/2013		178204	GW	NC	Yes	PR
pod location id	pod nbr	pod_source_type	user id	wr use report id	meter required	record wr use	report wr use	report swf	pump test status
293817	2	WE	8055	58055	Y	Y			
T	TC	R	RC	S	QQ	Q	Bsn nbr	WRIS location	
27.00	S	34.00	E	9	SE	SE		300 FEET NORTH AND 1200 FEET WEST FROM SE CORNER, SECTION 9	
GW Logid	Well Tag-Log	W Tag-Well	WRIS pod name	Water Use Rptg facility name	GW Owners Well Name				
HARN 51851	105480		HARN 51851	WELL 3 / POA 2 (HARN 51851/L	WELL 3 (L-105480)				

- 1a [POD List](#)
- 1b [POD Name](#)
- 2a [Data Input Form](#)
- 2b [POD Correlation Form](#)
- [Owner Input Form](#)
- [Payment Conditions](#)
- [Data Input](#)
- [Show Water Use Report](#)
- [Water Right on WEB](#)

Date Created	3/14/2014 9:58:22 AM
Created By	turnerjm
Date Modified	12/29/2014 5:08:44 AM
Modified By	Relockup wris_logid locs
g_Yes	Yes
SourceOWRDFilter	Temp KCW

- [Well Logs](#)
- [Owners](#)
- [Permitted Use](#)
- [Permit Condns](#)
- [Wtr Use](#)
- [Wtr Lvl Entry](#)
- [Wtr Lvl Entry Filtered](#)
- [Wtr Lvl Compliance](#)
- [Pmp Tst Compliance](#)
- [KlamPoasGwSw](#)
- [Wtr Lvl Compliance Klam](#)
- [Kcw Stuff](#)

Pump Tests for POA:	pod loc id	GW Logid	Primary Aquifer	on Water Right:	snp id	user id	Show Pump Test Form Letters	Show or Enter Pump Data					
	293817	HARN 51851	2. Quat-Li Tert Volc		178204	8055							
Letter	Flag	Logid of tested well	Received date	Test date	Test status	Exemption type	Test status by	Status date	Test comments	File Location	Userid legacy	Podid legacy	Pod status legacy

Current Owner (from Groundwater Owners File):				Water Use Report Owner:				pump test pod_id	
Name 1 / Other	GOLDEN RULE FARMS INC.			GOLDEN RULE FARMS INC.			prev pt pod_id		
Company	GOLDEN RULE FARMS INC.			GOLDEN RULE FARMS INC.					
Street 1	PO BOX 255			PO BOX 255					
Street 2									
City / st / zip	CHRISTMAS VALLEY	OR	97041	CHRISTMAS VALLEY	OR	97041	USA		
Ph Home	Ph Cell			Ph Cell					
Ph FAX	541-578-2273	Ph Company	541-578-2273	541-578-2273	Ph Company	541-578-2273			
Email	goldennulefarms@gmail.com								
Owner Comment				Last update date: 1/23/2015 11:55:55.423 AM			LAKE		
	3/9/2015 Last pump test owner update:			Last update user: WRDturnerjm					

Current WRIS Owners:								
user_id	name_first	name_last	name_company	name_other	street1	city	zip	last_update
	JOHN	SHORT	GOLDEN RULE FARMS INC.		PO BOX 255	CHRISTMAS VALLEY	OR 97041	7/23/2014 8:56:28.257
			WATER RIGHT SERVICES LLC		PO BOX 1830	BEND	OR 97708	10/24/2014

Water Use Report Based on Water Right



- excel
- text

Permit: G 17034 *

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

Records per page: 10

Acre-feet (AF) of Water Used

<u>Water Year*</u>	<u>Report ID</u>	<u>Facility</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Total Water Used</u>	<u>Irrigated Acres</u>
2013	64018	WELL 1 (HARN 1495)	0.00	0.00	0.00	0.00	0.00	0.00	80.00	85.00	50.00	58.00	70.00	30.00	373.00	

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Water use is reported by point of diversion (POD), rather than by water right.
- If a POD is shared with multiple water rights, it is not feasible to separate out the amount used under the water right being queried from water used by other rights using this same POD.
- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
- Water Use amounts have all been converted to "acre-feet" (AF), regardless of the original measurement unit reported. One AF is the volume of water that will cover an acre of ground one foot deep = 325,850 gallons.
- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

Facility Water Use Report



**WELL 1 (HARN 1495)
Report ID 64018**

WELL 1 (HARN 1495);
 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9
 (27S-34E-9-NE NE)
Permit: G 16585 CN
Permit: G 17034 *
Permit: G 17183 *
Permit: G 17264 *
GOLDEN RULE FARMS INC.

Records per page: 10

Acre-feet (AF) of Water Used

<u>Water Year*</u>	<u>Method of Measurement</u>	<u>Acre-feet (AF) of Water Used</u>												<u>Total Water Used</u>	<u>Irrigated Acres</u>
		<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>		
2013		0.00	0.00	0.00	0.00	0.00	0.00	80.00	85.00	50.00	58.00	70.00	30.00	373.00	

*The water year is named for the calendar year in which it ends. Example: the 2014 water year begins Oct. 1, 2013 and ends Sep. 30, 2014.

- Monthly amounts indicate:
 - For diverted rights, the total amount diverted during the month;
 - For storage rights, the amount generally stored in the reservoir/pond during the month, as represented by the volume of water impounded on approximately the same day each month.
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- Zeroes indicate that a report was received, stating that no water was used during those months; if a year is not listed, no report of water use was received for that year.

Water Rights Platcard Report

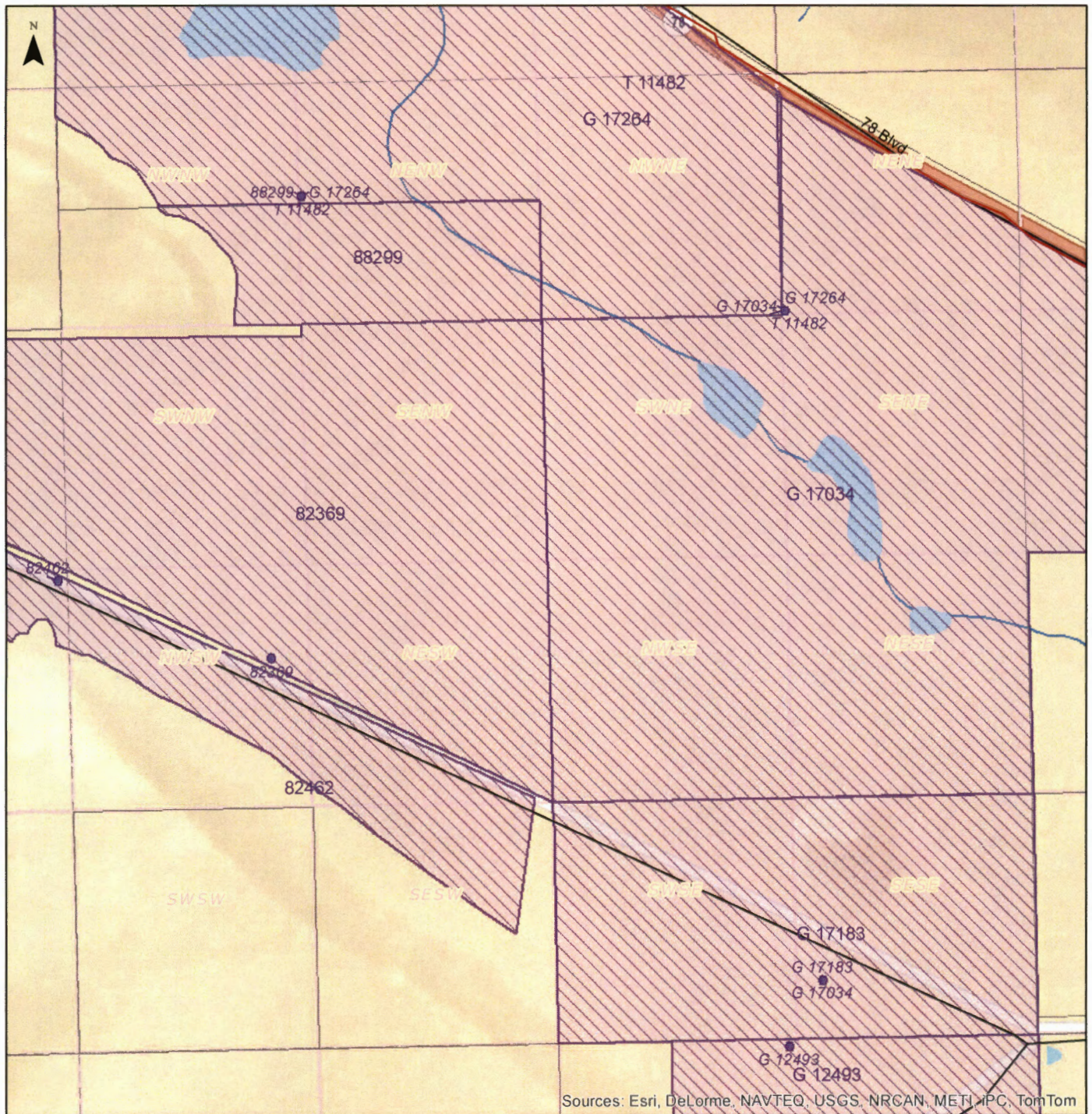
NCR

Meridian: Willamette Township: 27 South Range: 34 East Section: 9 Records per 100 Page: Search

Platcards Maps! Learn about * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(100):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Permit: G 8594 CN Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO. App: G9019 Permit: G8594		11/20/1978	IRRIGATION	CN				40															40
Select Cert: 82369 OR * Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO. App: G9017 Permit: G8592 Cert: 82369		11/20/1978	IRRIGATION											37.6	40	28.6	9.5						
Select Cert: 82370 OR CN Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO. App: G9018 Permit: G8593 Cert: 82370	T11482	6/4/1979	IRRIGATION	CN					39.7			40	23.7										
Select Cert: 82462 OR * Additional Info: JOHN STARBUCK App: G10357 Permit: G9575 Cert: 82462		6/3/1981	IRRIGATION												8.9	13.4		8.7					
Select Permit: G 16585 CN Additional Info: GOLDEN RULE FARMS INC. App: G17154 Permit: G16585	T11484	12/18/2008	IRRIGATION	CN				23.5		40	40										40	40	
Select Inchoate: T 11482 CF (REG) * Additional Info: GOLDEN RULE FARMS App: G9018 Permit: G8593		6/4/1979	IRRIGATION						(39.7)		(20)	(16.3)											
Select Cert: 88299 RR * Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO. App: G9018 Permit: G8593 Cert: 88299		6/4/1979	IRRIGATION									20	7.4										
Select Permit: G 17034 * Additional Info: GOLDEN RULE FARMS INC. App: G17154 Permit: G17034		12/18/2008	IRRIGATION					23.5		40	40										40	40	
Select Permit: G 17183 * Additional Info: GOLDEN RULE FARMS INC. App: G17587 Permit: G17183		9/27/2012	IRRIGATION																			40	40
Select Permit: G 17264 * Additional Info: GOLDEN RULE FARMS INC. App: G17608 Permit: G17264		12/20/2012	IRRIGATION						39.7			20	16.3										

Acres Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) [12.25] Acreage has been suspended * Acreage is not specified



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom

0 1,000 Feet

For more information:
<http://www.wrd.state.or.us> and
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only.
 It is not intended for legal, engineering or
 surveying purposes. Municipal rights are
 not included on this map.

Points of Diversion **Places of Use**

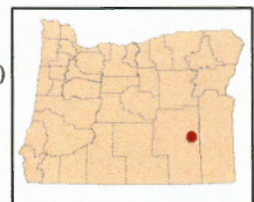
- 75030
- 24883
- 24883

- 75030 Storage water
- 24883 Surface water
- 24883 Ground water

◇ Water Rights - Outline to be determined. (Applies to all colors)

Water right labels indicate certificate number or permit letter(s) and number. Municipality uses excluded.

Index Map



2 3 4 5

Water Rights Platcard Report

Meridian: Willamette Township: 27 South Range: 34 East Section: 10 **Records per Page: 100** Platcards Maps! [Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ	
Select Permit: G 8594 CN <u>Additional Info:</u> CONNECTICUT GENERAL LIFE INSURANCE CO. App: G9019 Permit: G8594		11/20/1978	IRRIGATION	CN						40		40	40	40	40										
Select Permit: G 16585 CN <u>Additional Info:</u> GOLDEN RULE FARMS INC. App: G17154 Permit: G16585	T11484	12/18/2008	IRRIGATION	CN									7.5	39											
Select Permit: G 17034 * <u>Additional Info:</u> GOLDEN RULE FARMS INC. App: G17154 Permit: G17034		12/18/2008	IRRIGATION										7.5	39											

Acreege Legend: 12.25 Regular acreage ~~12.25~~ Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreege has been suspended * Acreege is not specified

KAVANAGH Kerry L

From: John Short <johnshort@usa.com>
Sent: Saturday, April 02, 2016 1:06 PM
To: KAVANAGH Kerry L
Subject: Re: RA Project R12344-17 for Golden Rule Farms involving Application G-17154 -- please review draft proposed certificate - NEED revised map prior to certificate issuance

Hey Kerry,

Please hit PRINT!!!

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

Sent: Tuesday, March 22, 2016 at 3:17 PM
From: "KAVANAGH Kerry L" <kerry.l.kavanagh@state.or.us>
To: "johnshort@usa.com" <johnshort@usa.com>
Subject: RA Project R12344-17 for Golden Rule Farms involving Application G-17154 -- please review draft proposed certificate - NEED revised map prior to certificate issuance

Hello John,

Please find attached to this email the draft proposed certificate for Application G-17154. Please ask Mr. Puckett to review and compare the draft proposed certificate to Permit G-17034 for accuracy and completeness.

For your convenience, here is a link to information regarding Application G-17154 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=178204

Click on "document" to the right of "Permit G-17034" to view the permit.

Please note that I cannot issue the final certificate without a revised mylar claim map showing the meter locations.

Please provide me your comments or edits, should you have any. If you agree with the draft proposed certificate and let me know this, then I can proceed to issue a certificate without waiting the standard 60-day notice period – as long as I have received the revised map.

Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Tuesday, March 22, 2016 3:17 PM
To: johnshort@usa.com
Subject: RA Project R12344-17 for Golden Rule Farms involving Application G-17154 -- please review draft proposed certificate - NEED revised map prior to certificate issuance
Attachments: G-17154-or-prop_DRAFT-2016-3-22.pdf

Hello John,

Please find attached to this email the draft proposed certificate for Application G-17154. Please ask Mr. Puckett to review and compare the draft proposed certificate to Permit G-17034 for accuracy and completeness.

For your convenience, here is a link to information regarding Application G-17154 in the Department's Water Rights Information System (WRIS) database:

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=178204

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Thank you.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Thursday, March 17, 2016 9:03 AM
To: johnshort@usa.com
Subject: RA Project R12344-17 Golden Rule Farms involving Application G-17154 - need revised Claim of Beneficial Use map to show meter locations
Attachments: G-17154-pump test approved-2016-3-15.pdf

Hi John,

The pump test/multiple well exemption request was approved for the wells under Application G-17154 – see attached pdf of letter.

I am preparing the proposed draft certificate and noticed that I still need a revised Claim map that shows meter locations. I plan to ask my colleague to peer review the draft early next week, but just wanted to give you a heads up now.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

NICHOLS Adrienne F

From: KAVANAGH Kerry L
Sent: Friday, February 26, 2016 12:21 PM
To: NICHOLS Adrienne F
Cc: GALL Ivan K; KAVANAGH Kerry L; johnshort@usa.com
Subject: Golden Rule Farms Inc. -- pump test on Well 1 -- multiple well exemption request for Permit G-17264, Permit G-17034, and Permit G-17183

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Adrienne,

A representative from Golden Rule Farms, Inc. will be sending results of a pump test directly to the groundwater section in the near future. Here is a request from John Short requesting a multiple well exemption for Well #1. There are three reimbursement authority (RA) projects that I'm working on -- here is the correlation between RA project numbers and file numbers:

R12340-17 Application G-17608, Permit G-17264
R12344-17 Application G-17154, Permit G-17034
R12345-17 Application G-17587, Permit G-17183

Please keep me updated on when you receive the pump test results -- I can then route the files to you.

By the way, John Short also requested that the following be consider for multiple well exemption:

R12341-17 Application T-11482

However, because this is a transfer application, a pump test/multiple well exemption request is not required.

Thanks,
Kerry

-----Original Message-----

From: John Short [mailto:johnshort@usa.com]
Sent: Friday, February 26, 2016 11:35 AM
To: Kerry Kavanagh
Subject: multiple well exemption

Hello Kerry,

We are submitting a well test for Well #1. As agent for Golden Rule Farms, I hereby request a multiple well exemption for the following on the same property in the same aquifer:

RA-12340-17
RA-12341-17
RA-12344-17
RA-12345-17



Oregon

Kate Brown, Governor

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

March 15, 2016

GW

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

The Department has accepted the pump test results for the following permitted well(s):

Application	Water Right	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G 17154	Permit: G 17034 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17154	Permit: G 17034 *	HARN 51851	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 3 (L-105480)
G 17587	Permit: G 17183 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17587	Permit: G 17183 *	HARN 51851	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 3 (L-105480)
G 17608	Permit: G 17264 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17608	Permit: G 17264 *	HARN 1488	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 2

Please contact me if you have any questions.

Sincerely,

Darrick E. Boschmann
Groundwater Section

cc: GW Pump Test File

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Friday, February 26, 2016 12:21 PM
To: NICHOLS Adrienne F
Cc: GALL Ivan K; KAVANAGH Kerry L; johnshort@usa.com
Subject: Golden Rule Farms Inc. -- pump test on Well 1 -- multiple well exemption request for Permit G-17264, Permit G-17034, and Permit G-17183

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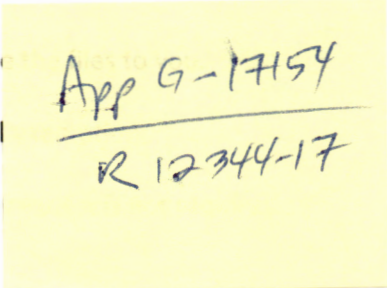
R12345-17 Application G-17587, Permit G-17183

Please keep me updated on when you receive the pump test results -- I can then route

By the way, John Short also requested that the following be consider for multiple well

R12341-17 Application T-11482

However, because this is a transfer application, a pump test/multiple well exemption



App G-17154
R 12344-17

Thanks,
Kerry

-----Original Message-----

From: John Short [mailto:johnshort@usa.com]
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To: Kerry Kavanagh
Subject: multiple well exemption

Hello Kerry,

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RA-12340-17
RA-12341-17
RA-12344-17
RA-12345-17

Thanks,
John

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Friday, February 26, 2016 12:21 PM
To: NICHOLS Adrienne F
Cc: GALL Ivan K; KAVANAGH Kerry L; johnshort@usa.com
Subject: Golden Rule Farms Inc. -- pump test on Well 1 -- multiple well exemption request for Permit G-17264, Permit G-17034, and Permit G-17183

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However, because this is a transfer application, a pump test/multiple well exemption request is not required.

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Kerry

-----Original Message-----

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Sent: Friday, February 26, 2016 11:35 AM
To: Kerry Kavanagh
Subject: multiple well exemption

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RA-12340-17

RA-12341-17

RA-12344-17

RA-12345-17

Thanks,
John

KAVANAGH Kerry L

From: John Short <johnshort@usa.com>
Sent: Friday, February 26, 2016 11:35 AM
To: Kerry Kavanagh
Subject: multiple well exemption

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RA-12340-17
RA-12341-17
RA-12344-17
RA-12345-17

Thanks,
John

John A. Short

Water Right Services, LLC
PO Box 1830
Bend, OR 97709

541-389-2837

johnshort@usa.com

www.oregonwater.us

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Friday, January 15, 2016 9:19 AM
To: johnshort@usa.com
Subject: RA Project for Golden Rule Farms, Inc. R12344-17 involving Application G-17154 - need 2 items prior to certificate issuance

Hello John,

I was wondering if you have made any progress on any/all of the TWO items described below – as you may recall, I need answers to all these items before certificate issuance:

1) Pump tests–

The Department requires that a pump test be submitted and approved for each well. In some cases, a water user may submit a pump test for one well and request a multiple well exemption for other wells if within five miles of the tested well and all wells produce water from the same aquifer. Please see OAR 690-217 attached for more information on pump test requirements.

I did recognize that Well 1 (HARN 1495) is the same well as authorized by Permit G-17183 (App G-17587) and Permit G-17264 (App G-17608).

2) Need revised map that shows the location of the meters.

Please keep me informed regarding the timing of the TWO items – my goal is to issue the final certificate within 120 days of the executed contract, which will be February 23, 2016.

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Monday, November 02, 2015 4:36 PM
To: johnshort@usa.com
Subject: RA Agreement for Golden Rule Farms, Inc. R12344-17 involving application G-17154, Permit G-17034
Attachments: RA contract executed_G-17154.pdf; RA contract receipt_G-17154.pdf

Hello John,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

As a reminder, I am including the TWO items that I will need prior to preparation of the certificate – let me know if you have any questions:

1) Pump tests–

The Department requires that a pump test be submitted and approved for each well. In some cases, a water user may submit a pump test for one well and request a multiple well exemption for other wells if within five miles of the tested well and all wells produce water from the same aquifer. Please see OAR 690-217 attached for more information on pump test requirements.

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2) Need revised map that shows the location of the meters.

Please keep me informed regarding the timing of the TWO items – my goal is to issue the final certificate within 120 days of the executed contract, which will be February 23, 2016.

Thanks in advance for your assistance!

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: **R12344-17**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Golden Rule Farms, Inc.** hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh	Name: Timothy Puckett	Name: John Short
Reimbursement Authority		Title: Representative
Oregon Water Resources Department	Company: Golden Rule Farms, Inc.	Company: Water Right Services LLC
725 Summer Street NE	Address: PO Box 255	Address: PO Box 1830
Salem, OR 97301-1271	Christmas Valley, OR 97641	Bend, OR 97709
Phone: 503-986-0927	Phone:	Phone: 541-389-2837
Email: Kerry.L.Kavanagh@state.or.us	Email: johnshort@usa.com	Email: johnshort@usa.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (**Application Number: G-17154**)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Golden Rule Farms, Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Golden Rule Farms, Inc. shall pay OWRD in advance for actual costs incurred by OWRD. Golden Rule Farms, Inc. agrees to pay the full amount of **\$ 1150** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performed work is less than the amount received, OWRD will refund the unspent balance. If the actual cost of work is greater than the amount received, the Applicant can either elect to terminate this Agreement or pay the increase in cost. The costs stated in this Agreement include the cost of the proposed service, printing and filing fees.

RECEIVED BY OWRD

OCT 26 2015

SALEM, OR

... agrees that any information provided to or acquired by ... to the Oregon Public Records Law and shall be ...

... d harmless, and indemnify the State of Oregon, OWRD, ... and against all claims, suits, actions, losses, damages, ... sulting from or arising out of, or relating to the activities ... mployees, contractors, or agents under this Agreement or ... plicant acknowledges that the Oregon Water Resources ... favorable review under the subject regulatory process.

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: **R12344-17**

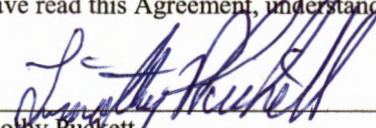
This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Golden Rule Farms, Inc.** hereafter Applicant, hereafter known together as the parties.


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Project Contact: Kerry Kavanagh	Name: Timothy Puckett	Name: John Short
Reimbursement Authority		Title: Representative
Oregon Water Resources Department	Company: Golden Rule Farms, Inc.	Company: Water Right Services LLC
725 Summer Street NE	Address: PO Box 255	Address: PO Box 1830
Salem, OR 97301-1271	Christmas Valley, OR 97641	Bend, OR 97709
Phone: 503-986-0927	Phone:	Phone: 541-389-2837
Email: Kerry.L.Kavanagh@state.or.us	Email: johnshort@usa.com	Email: johnshort@usa.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Application Number: **G-17154**)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Golden Rule Farms, Inc. and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Golden Rule Farms, Inc. shall pay OWRD in advance for actual costs incurred by OWRD. Golden Rule Farms, Inc. agrees to pay the full amount of **\$ 1150** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Golden Rule Farms, Inc. agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 
 Name: Timothy Puckett
 Company: Golden Rule Farms, Inc.
 Date: 10-20-15

For OWRD: 
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: 10-26-15

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom



Legend

Points of Diversion

- 75030
- 24883
- 24883

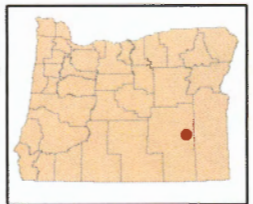
Places of Use

- 75030 Storage water
- 24883 Surface water
- 24883 Ground water

Water Rights - Outline to be determined. (Applies to all colors)

Water right labels indicate certificate number or permit letter(s) and number. Municipality uses excluded.

Index Map



For more information:
<http://www.wrd.state.or.us> and
<http://apps.wrd.state.or.us/apps/wr/wrinfo/>

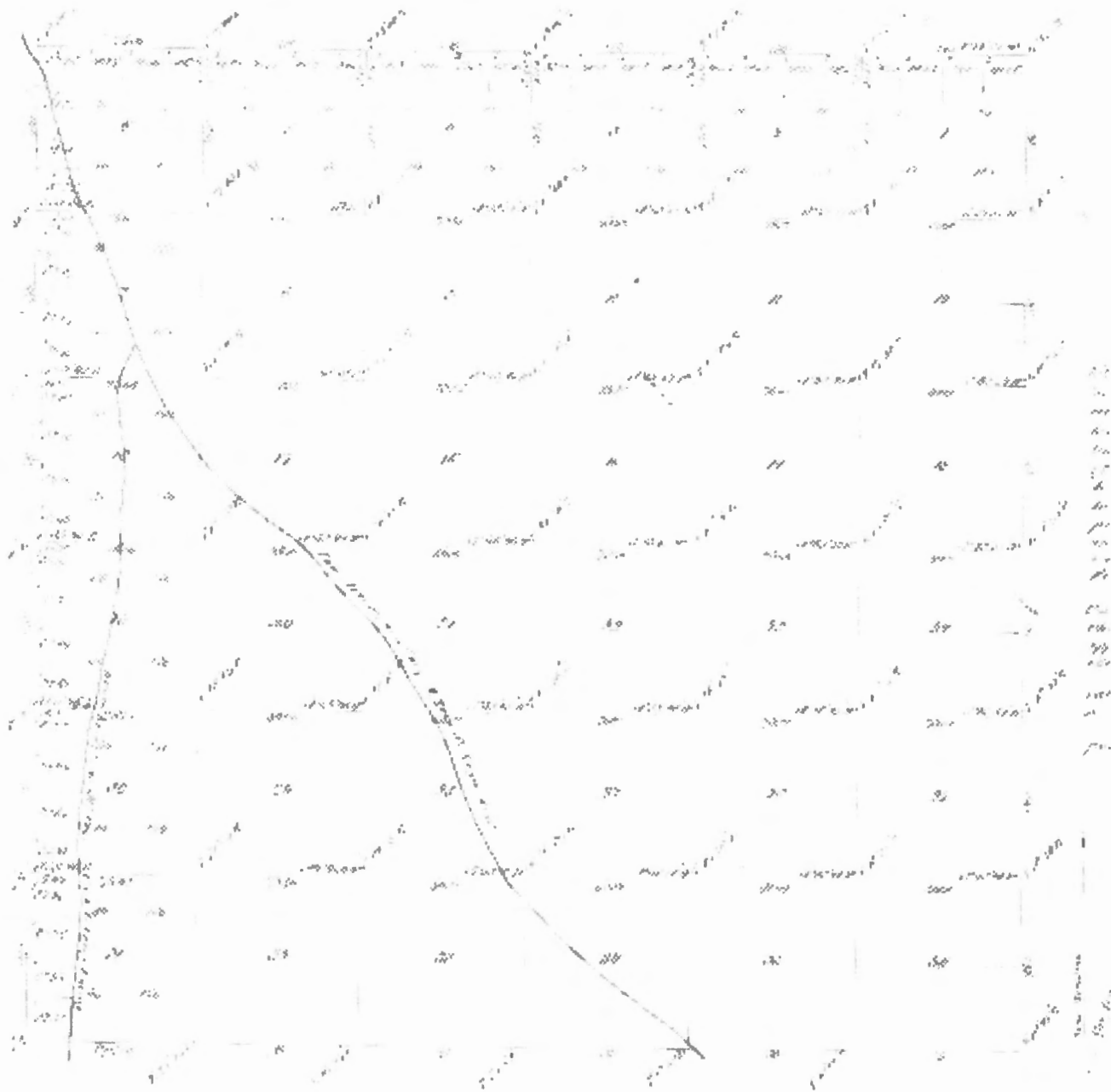
This map is for informal purposes only. It is not intended for legal, engineering or surveying purposes. Municipal rights are not included on this map.

Portion cadastral survey T27S, R34E, W.M. - 1877-08-24:



Cadastral survey T27S, R34E, W.M. - 1877-08-24:

Township No. 27 North Range No. 34 East Willamette Meridian Oregon.





Oregon Water Resources Department Water Rights Mapping Tool

[User Guide](#)

[OWRD Only](#)

725 Summer St NE, Sale



Search

Search: Water Right by File

Application: G 17154

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD

Source: Equals

Irr. District:

(Draw box on map.)

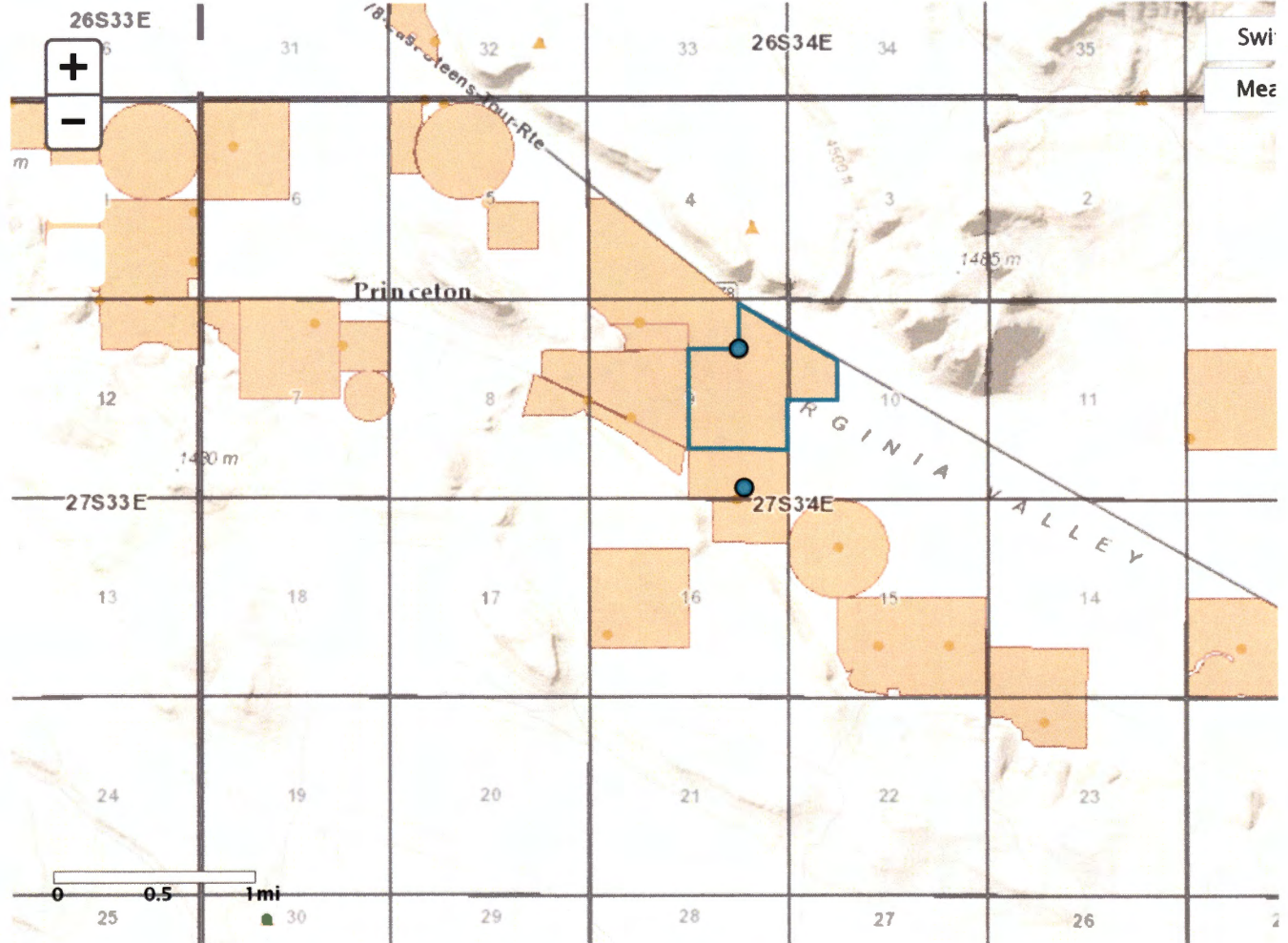
Identify Non-Water Right Features

Tax Lots

Tools

Layers

Bookmarks



POD

POU

Irrigation Districts AOI

WR By Time



Oregon Water Resources Department Water Rights Mapping Tool

[User Guide](#)

[OWRD Only](#)

725 Summer St NE, Sale



Search

Search: TRS

Public Land Survey System

Meridian: WM

Township: 13 N S

Range: 5 W E

Section: 8 (optional)

(Draw box on map.)

Description: WM13S5W8

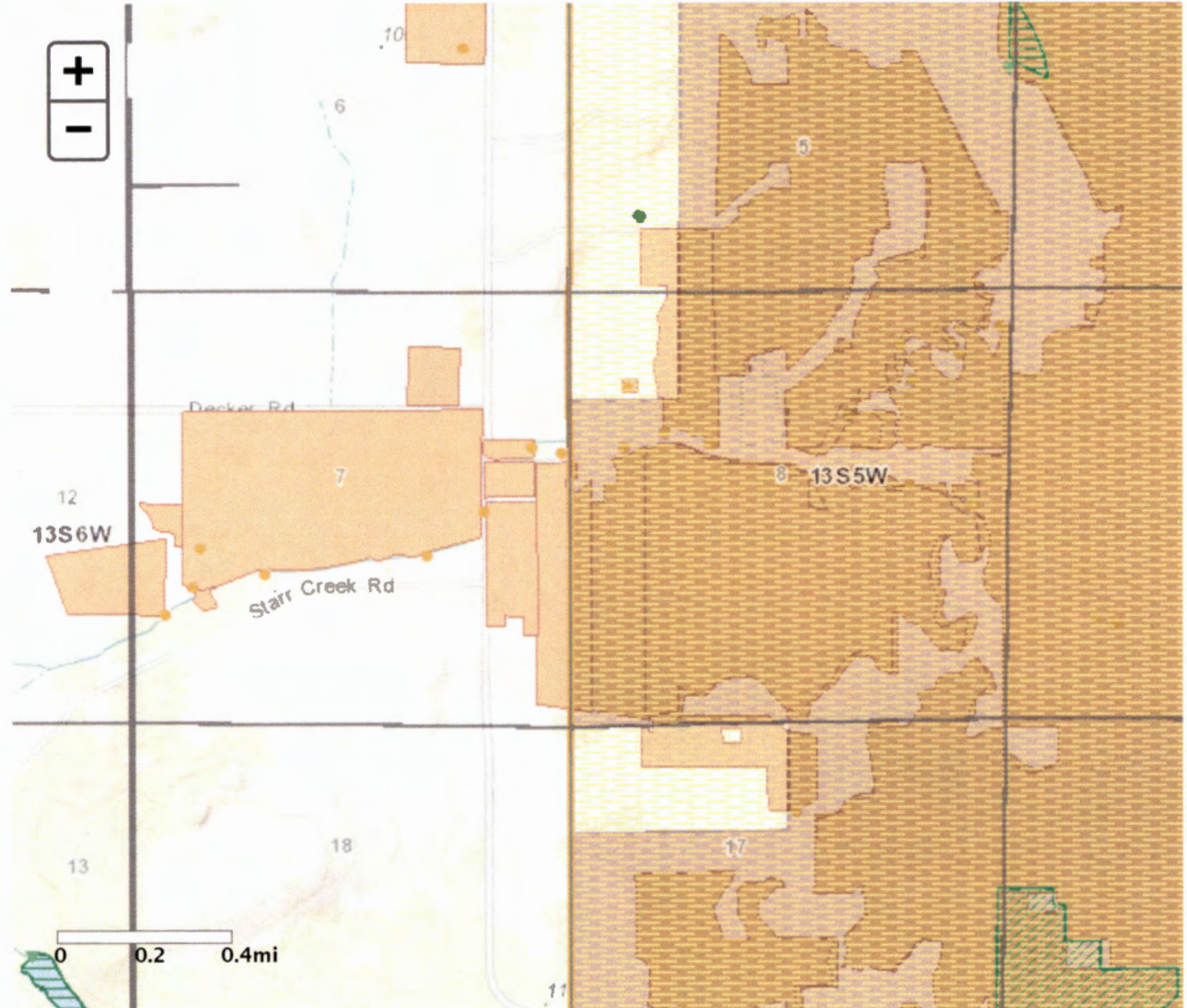
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Bookmarks



POD

POU

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WR By Time

Application # G-17154 Permit # G-17034 Transfer #

Golden Rule Farms, Inc. RA# R12344-17

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Certificates**

	Est. Time (hr)	Individual	Hourly Rate	Est. Cost	Date	Act. Time (hr)
1. Review Claim of Beneficial Use report and map	1.25	Kerry	\$95	\$118	3-16 1.0	95
2. Conflict Check	0.00	Kerry	\$95	\$0		
3. Prep of def. letter - pump test & meters on map	0.50	Kerry	\$95	\$47	11-2 2-26 0.25 0.25	47
4. Preparation of proposed certificate	1.75	Kerry	\$95	\$165	3-16 3-17 1.5 0.25	165
5a. Peer review	0.00		\$95	\$0		
5b. Peer review	0.10	Dwight	\$120	\$12	4-25 0.1	12
5c. Peer review	0.50	Ann	\$87	\$43	3-21 .5	43
6. Project Management	3.00	Kerry	\$95	\$284	11-2 1-5 2-26 3-17 4-2 4-10 4-22 5-16 0.5 0.5 0.25 0.25 0.25 0.5 0.5	333
7a. Water right data record update	0.20	Connie	\$60	\$12	4-25 0.2	12
7b. Water right data record update	1.25	Data Tech	\$58	\$73	4-5 1.1	64
8. Pump test-2 wells	4.00	GW Staff	\$98	\$392	2-15 4.0	392
Total	12.55			\$1,145		<u>1163</u>

1150

all over

NO REFUND

2 wells-Well 1 (HARN 1495) & Well 2 (HARN 51851)

-- Well 1 (HARN 1495) - see Apps G-17587 & G-17608

-- Well 2 (HARN 51851) - see App G-17587

Permit G-17034 - 2.87 CFS for IR of 230.0 acres

Permit G-16585 issued 109-09 - C date = 10-1-14

NEED pump test/mult well exemption -- no record of pump tests results submitted to WRD

NEED meters on map

Certificate 91367 issued 4-25-16.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to the use of water perfected under the terms of Permit G-17034. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: TWO WELLS (HARN 1495 AND HARN 51851) MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.42 CFS FROM WELL 1 (HARN 1495) AND 2.87 CFS FROM WELL 3 (HARN 51851), IN ANY COMBINATION NOT TO EXCEED 2.87 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 (HARN 51851) - 505 FEET NORTH AND 730 FEET WEST FROM SE CORNER, SECTION 9

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5
27 S	34 E	WM	9	SW NE	40.0
27 S	34 E	WM	9	SE NE	40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE SE	25.6
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	4.1
27 S	34 E	WM	10	SW NW	38.4
27 S	34 E	WM	10	SE NW	18.4

Measurement, recording and reporting conditions:

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

The Director requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on this right. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

The reference levels against which any future measurements will be compared are 20.00 feet below land surface for Well 1 (HARN 1495) and 30.90 feet below land surface for Well 3 (HARN 51851).

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

- (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 leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or

senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The OWRD Well Identification Number (Well ID tag) L-119823 shall be permanently attached to Well 1 (HARN 1495) and Well ID tag L-119839 shall be permanently attached to Well 3 (HARN 51851). Well ID tags L-119823 and L-119839, respectively, shall be referenced in any correspondence regarding the wells, including any reports of water use, water level, or pump test data.

The combined quantity of water diverted at the new point of appropriation, Well 3 (HARN 51851), together with that diverted at the original point of appropriation, Well 1 (HARN 1495), shall not exceed the quantity of water lawfully available at the original point of appropriation, Well 1 (HARN 1495).

Water shall be acquired from the same aquifer as the original point of appropriation, Well 1 (HARN 1495).

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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

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

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

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

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

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

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

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

Issued _____.

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **117813** 7. Summer St. N.E. Ste. A INVOICE # _____
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: <u>Golden Rule Farms</u>	APPLICATION <u>G-17154</u>
BY: <u>INC.</u>	PERMIT
	TRANSFER
CASH: <input type="checkbox"/> CHECK:# <u>5937</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>1,150.00</u>

1083 TREASURY	4170 WRD MISC CASH ACCT
0407 COPIES <u>47126</u>	\$
<u>0408</u> OTHER: (IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>1,150.00</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____
	0245 Cons. Water _____

4270 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	RECORD FEE
0203	GROUND WATER	\$	\$
0205	TRANSFER	\$	\$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	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 (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

TREASURY	OTHER / RDX
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **117813** DATED: 10-26-15 BY: Maria [Signature]
 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **117813** 72 Summer St. N.E. Ste. A INVOICE # _____
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Golden Rule Farms APPLICATION G-17154
 BY: INC. PERMIT _____
 TRANSFER _____

CASH: CHECK:# 5937 OTHER: (IDENTIFY) _____
 TOTAL REC'D \$ 1,150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12344.17 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,150.00

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

4270 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	\$
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: **117813** DATED: 10-26-15 BY: Marie [Signature]
 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

KAVANAGH Kerry L

From: KAVANAGH Kerry L
Sent: Thursday, October 08, 2015 4:21 PM
To: johnshort@usa.com
Subject: RA Certificate Estimate for Golden Rule Farms, Inc. R12344-17 involving Application G-17154
Attachments: RA contract_G-17154.pdf; RA estimate receipt_G-17154.pdf; RA estimate request_G-17154.pdf

Hello John,

Please find the attached estimate and agreement to process the permit into a certificate. **If the proposed agreement is acceptable to you and the water user, please ask Mr. Puckett to return a signed copy to our office along with the payment of the estimated cost to process the permit into a certificate.**

There are TWO items I need prior to preparation of the certificate:

1) Pump tests—

The Department requires that a pump test be submitted and approved for each well. In some cases, a water user may submit a pump test for one well and request a multiple well exemption for other wells if within five miles of the tested well and all wells produce water from the same aquifer. Please see OAR 690-217 attached for more information on pump test requirements.

I did recognize that Well 1 (HARN 1495) is the same well as authorized by Permit G-17183 (App G-17587) and Permit G-17264 (App G-17608).

2) Need revised map that shows the location of the meters.

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@state.or.us Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT
 CERTIFICATE REIMBURSEMENT AUTHORITY
 APPLICANT'S AGREEMENT**



Contract Number: **R12344-17**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Golden Rule Farms, Inc.** hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department 725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: Kerry.L.Kavanagh@state.or.us	Name: Timothy Puckett Company: Golden Rule Farms, Inc. Address: PO Box 255 Christmas Valley, OR 97641 Phone: Email: johnshort@usa.com	Name: John Short Title: Representative Company: Water Right Services LLC Address: PO Box 1830 Bend, OR 97709 Phone: 541-389-2837 Email: johnshort@usa.com

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PCA 47126

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12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
Name: Timothy Puckett
Company: Golden Rule Farms, Inc.
Date: _____

For OWRD: _____
Name: Kerry Kavanagh
Water Right Services Division
Date: _____

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **117560**

Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: <u>Golden Rule Farms</u>	APPLICATION: <u>G-17154</u>
BY: <u>Inc.</u>	PERMIT: _____
	TRANSFER: _____

CASH: CHECK:# 5796 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>47126 R-12344-17</u>	\$
<u>0408</u> OTHER: (IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>125.00</u>
0243 I/S Lease _____	
0244 Muni Water Mgmt. Plan _____	
0245 Cons. Water _____	

4270 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	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
<u>0200</u> LANDOWNER'S PERMIT	\$	0220	\$
OTHER (IDENTIFY) <u>Claim of Beneficial Use \$175.00</u>			

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: **117560** DATED: 9-30-15 BY: [Signature]

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **117560**

Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Golden Rule Farms APPLICATION G-17154
 BY: INC. PERMIT _____
 TRANSFER _____

CASH: CHECK:# 5796 OTHER: (IDENTIFY) TOTAL REC'D \$ 300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R-12344-17 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

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

4270 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	\$ _____
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____

0200 OTHER (IDENTIFY) Claim of Beneficial Use \$175.00

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: **117560** DATED: 9-30-15 BY: [Signature]
 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

KAVANAGH Kerry L

From: SUMPTION Mishelle K
Sent: Monday, October 05, 2015 12:09 PM
To: ANDREWS Marissa L; REED Lisa J
Cc: OPEIFA Salem B; KAVANAGH Kerry L; LOPEZ Elizabeth M
Subject: RE: CERTIFICATE REQUEST

Marissa,

Please use project # R12344-17 and PCA 47126.

Thank you.

Mishelle Sumption | Accountant, Administrative Services

Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301-1266
Desk: 503.986.0924 Fax: 503.986.0904

From: ANDREWS Marissa L
Sent: Monday, October 05, 2015 11:45 AM
To: REED Lisa J
Cc: SUMPTION Mishelle K; OPEIFA Salem B; KAVANAGH Kerry L; LOPEZ Elizabeth M
Subject: CERTIFICATE REQUEST

Hello,

Applicant: Golden Rule Farms, Inc.

Ap. Number: G-17154

Receipt: 117560

Thanks,

Marissa Andrews | Receptionist, Administrative Services

Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
Desk: 503.986.0900

KAVANAGH Kerry L

From: ANDREWS Marissa L
Sent: Monday, October 05, 2015 11:45 AM
To: REED Lisa J
Cc: SUMPTION Mishelle K; OPEIFA Salem B; KAVANAGH Kerry L; LOPEZ Elizabeth M
Subject: CERTIFICATE REQUEST

Hello,

Applicant: Golden Rule Farms, Inc.

Ap. Number: G-17154

Receipt: 117560

Thanks,

Marissa Andrews | Receptionist, Administrative Services

Oregon Water Resources Department

725 Summer St. NE, Suite A

Salem, Oregon 97301

Desk: 503.986.0900



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number <u>G-17154</u> Permit Number <u>G-17034</u> Transfer Number/Permit Amendment (if applicable) _____

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>Golden Rule Farms, Inc.</u>	<u>Water Right Services, LLC / John A. Short</u>
Address:	<u>PO Box 255</u> <u>Christmas Valley, OR 97641</u>	<u>PO Box 1830</u> <u>Bend, OR 97709</u>
Phone:	_____	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	_____	<u>johnshort@usa.com</u>

I certify that I (check one):

- have previously filed a Claim of Beneficial Use
 am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

I certify that I am the (check one):

- Applicant Applicant's Representative Other (Please specify) _____

Name: John A. Short

Signature:

RECEIVED BY OWRD
SEP 30 2015
SALEM, OR

OWRD USE ONLY: Reimbursement Authority Number: R12 344 17 PLA 47126

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to the use of water perfected under the terms of Permit G-17034. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: TWO WELLS (HARN 1495 AND HARN 51851) MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.42 CFS FROM WELL 1 (HARN 1495) AND 2.87 CFS FROM WELL 3 (HARN 51851), IN ANY COMBINATION NOT TO EXCEED 2.87 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	WELL 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9
27 S	34 E	WM	9	SE SE	WELL 3 (HARN 51851) - 505 FEET NORTH AND 730 FEET WEST FROM SE CORNER, SECTION 9

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5
27 S	34 E	WM	9	SW NE	40.0
27 S	34 E	WM	9	SE NE	40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE SE	25.6
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	4.1
27 S	34 E	WM	10	SW NW	38.4
27 S	34 E	WM	10	SE NW	18.4

Measurement, recording and reporting conditions:

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

The Director requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on this right. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

The reference levels against which any future measurements will be compared are 20.00 feet below land surface for Well 1 (HARN 1495) and 30.90 feet below land surface for Well 3 (HARN 51851).

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

- (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 leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or

senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The OWRD Well Identification Number (Well ID tag) L-119823 shall be permanently attached to Well 1 (HARN 1495) and Well ID tag L-119839 shall be permanently attached to Well 3 (HARN 51851). Well ID tags L-119823 and L-119839, respectively, shall be referenced in any correspondence regarding the wells, including any reports of water use, water level, or pump test data.

The combined quantity of water diverted at the new point of appropriation, Well 3 (HARN 51851), together with that diverted at the original point of appropriation, Well 1 (HARN 1495), shall not exceed the quantity of water lawfully available at the original point of appropriation, Well 1 (HARN 1495).

Water shall be acquired from the same aquifer as the original point of appropriation, Well 1 (HARN 1495).

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

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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

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

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

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

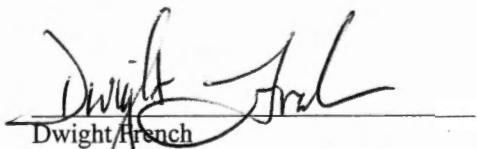
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued APR 25 2016



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



Oregon
Kate Brown, Governor

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

Date Mailed: April 25, 2016
NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm water rights established under the terms of permits issued by this Department. The water rights are now appurtenant to the specific place where the use was established as described by the certificates. The water rights are limited to a specific amount of water, but not more than can be beneficially used for purposes stated within the certificates.

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 must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Kerry Kavanagh at 503-986-0927.

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: G-17154

Permit: G-17034

Certificate: 91367

Certificate/Transfer Holder:

Copies Mailed	
by:	<u>Connie Vance</u> (STAFF)
on:	<u>APR 25 2016</u> (DATE)

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

Copies of Final Certificate to be sent to:

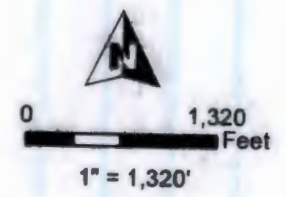
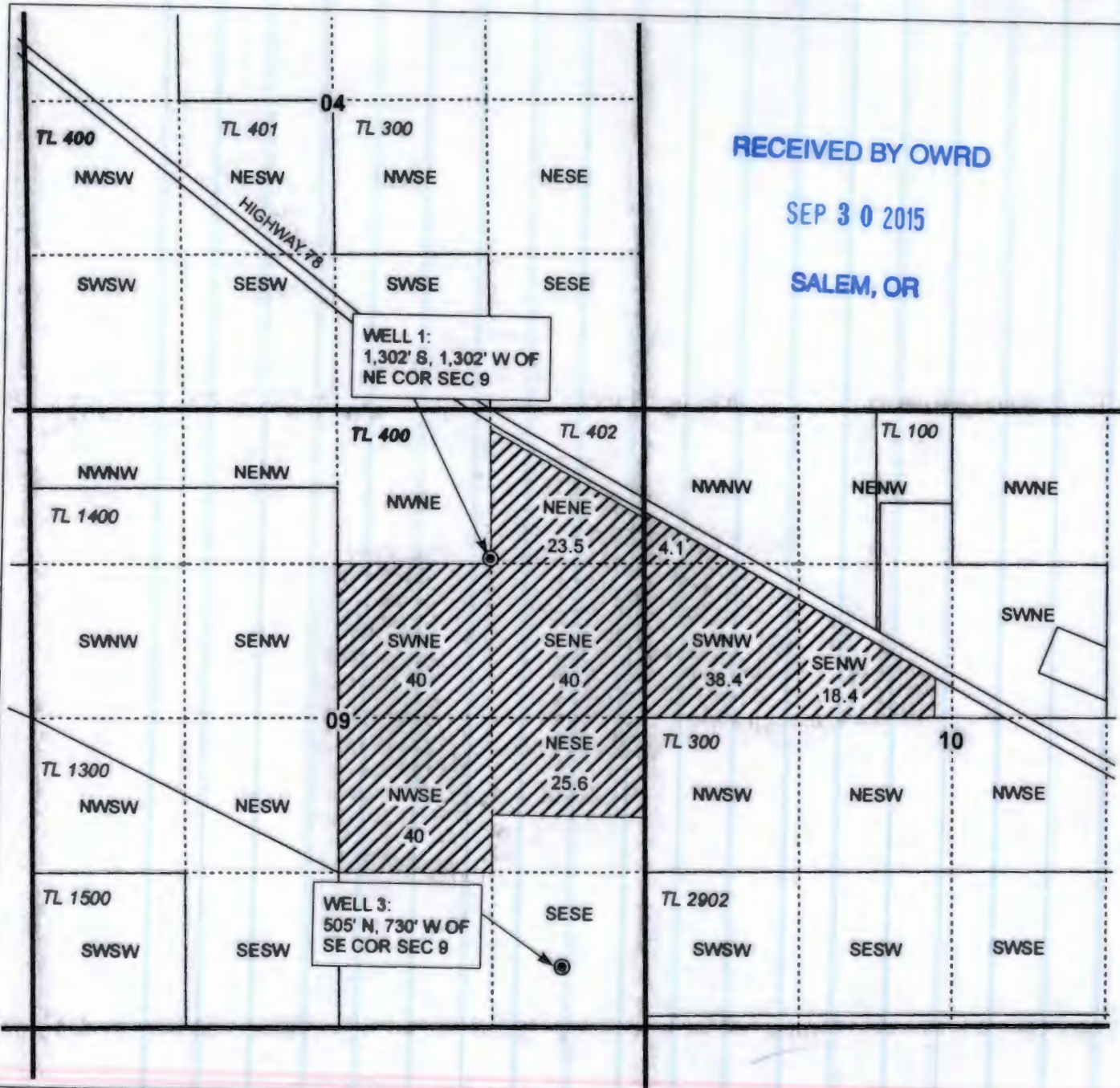
1. Watermaster District 10 (include copy of map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓






Other persons to receive copies: (include map):

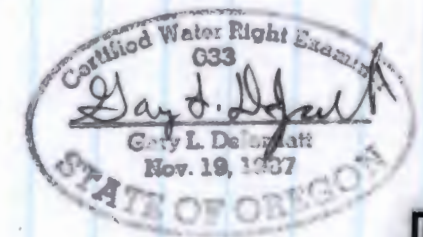
1. John Short, Representative ✓

**T27S, R34E,
SECTIONS 9 & 10, WM**
HARNEY COUNTY, OREGON

RECEIVED BY OWRD
SEP 30 2015
SALEM, OR



-  POU Irrigation
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well



RENEWAL DATE 12/31/2015

CLAIM OF BENEFICIAL USE
Golden Rule Farms, Inc.

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
CCB# 197121 www.oregonwater.us
541-389-2837 JOHNSHORT@USA.COM

APPLICATION G-17154

PERMIT G-17034

PROJECT #15042

AUGUST 26, 2015

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights
has a priority date of July 9, 1987, or later, the fee is required.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

RECEIVED BY OWRD

**SECTION 1
GENERAL INFORMATION**

SEP 30 2015

SALEM, OR

1. File Information

APPLICATION # (G, R, S OR T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
G-17154	G-17034	N/A

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME GOLDEN RULE FARMS, INC.		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS P.O. BOX 255			
CITY CHRISTMAS VALLEY	STATE OR	ZIP 97641	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. *Each permit or transfer holder of record must sign this form.*

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD GOLDEN RULE FARMS, INC.			
ADDRESS P.O. BOX 255			
CITY CHRISTMAS VALLEY	STATE OR	ZIP 97641	

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
TIM PUCKETT	08/05/2015	OWNER OF GOLDEN RULE FARMS, INC.

6. County:

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

RECEIVED BY OWRD

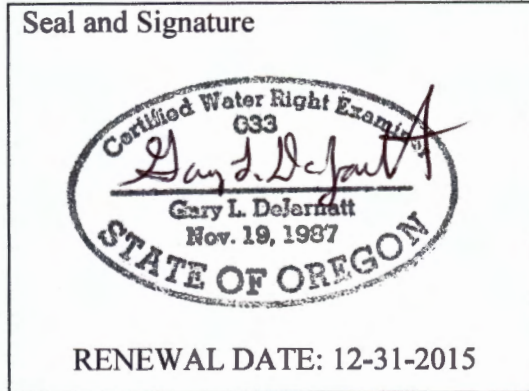
SEP 30 2015

SALEM, OR

**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME GARY DEJARNETT JOB # 15042		PHONE No.	ADDITIONAL CONTACT No. JOHN SHORT 541-389-2837	
ADDRESS 20735 DOUBLE PEAKS DR				
CITY BEND	STATE OR	ZIP 97701	E-MAIL	

Permit or Transfer Holder's of Record Signature or Acknowledgement

***Each** permit or transfer holder of record must sign this form in the space provided below.*

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Timothy F. Puckett	Pres.	9-25-15

RECEIVED BY OWRD

SEP 30 2015

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
WELL #1	HARN 1495	L-119823
WELL #3	HARN 51851	L-119839

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
WELL #1	MALHEUR LAKE BASIN	N/A
WELL #3	MALHEUR LAKE BASIN	N/A

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
WELL #1	IR	HAY	MAR. 1 – OCT. 31	2.87 CFS
WELL #3	IR	HAY	MAR. 1 – OCT. 31	2.87 CFS
Total Quantity of Water Used				2.87 CFS

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

WATER IS PUMPED FROM WELLS TO PIVOTS AND WHEEL LINES AND APPLIED FOR IRRIGATION

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **NO**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

N/A

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
WELL #1	2.87 CFS	2.42 CFS	N/A	IR	230.0 AC	230.0 AC
WELL #3	2.87 CFS	3.24 CFS	N/A	IR	230.0 AC	230.0 AC

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**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

WELL #1 (HARN 1495 / L-119823)

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
27S	34E	WM	9	NE NE			IR	23.5 AC	N/A
27S	34E	WM	9	SW NE			IR	40.0 AC	N/A
27S	34E	WM	9	SE NE			IR	40.0 AC	N/A
27S	34E	WM	9	NW SE			IR	40.0 AC	N/A
27S	34E	WM	9	NE SE			IR	25.6 AC	N/A
27S	34E	WM	10	NW NW			IR	4.1 AC	N/A
27S	34E	WM	10	SW NW			IR	38.4 AC	N/A
27S	34E	WM	10	SE NW			IR	18.4 AC	N/A
Tota27SI Acres Irrigated								230.0 AC	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA	NA	NA	TURBINE	N/A	N/A

3. Motor Information

MANUFACTURER	HORSEPOWER
NA	60 HP

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SALEM, OR

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
60 HP	60 PSI	22'	0'	2.42 CFS

5. Provide pump calculations:

SEE ATTACHED OWRD PUMP CALCULATIONS
--

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	NA	STEEL	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A	1340'	60 PSI	N/A	N/A

12. Additional notes or comments related to the system:

N/A	RECEIVED BY OWRD
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SEP 30 2015

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **YES**

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

2" PIPE OUT OF SIDE OF CASING

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
SEE ATTACHED WELL LOG (HARN 1495 / L-119823)						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

N/A

5. Is the appropriation from a dug well (sump)? **NO**

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

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NO

If "NO", item 2 and 3 relating to this section may be deleted.

SALEM, OR

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

WELL #3 (HARN 51851 L-119839)

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
27S	34E	WM	9	NE NE			IR	23.5 AC	N/A
27S	34E	WM	9	SW NE			IR	40.0 AC	N/A
27S	34E	WM	9	SE NE			IR	40.0 AC	N/A
27S	34E	WM	9	NW SE			IR	40.0 AC	N/A
27S	34E	WM	9	NE SE			IR	25.6 AC	N/A
27S	34E	WM	10	NW NW			IR	4.1 AC	N/A
27S	34E	WM	10	SW NW			IR	38.4 AC	N/A
27S	34E	WM	10	SE NW			IR	18.4 AC	N/A
Total Acres Irrigated								230.0 AC	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA	NA	NA	TURBINE / CENTRIFUGAL	N/A	N/A

3. Motor Information

MANUFACTURER	HORSEPOWER
BALDOR RELIANCE	50 HP
NIDEC MOTOR CORPORATION	75 HP

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SEP 3 0 2015

SALEM, OR

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75 HP	50 PSI	36'	0'	3.24 CFS

5. Provide pump calculations:

SEE ATTACHED OWRD PUMP CALCULATIONS

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	NA	STEEL	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	NA	ALUMINUM	ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A	N/A	60 PSI	N/A	N/A

12. Additional notes or comments related to the system:

**75 HP TURBINE PUMP FEEDS 50HP CENTRIFUGAL BOOSTER PUMP. THIS WELL #3
ERRONEOUSLY CALLED WELL #2 ON PERMIT.**

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **YES**

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

2" PIPE OUT OF SIDE OF CASING

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
SEE ATTACHED WELL LOG (HARN 51851 / L-119839)						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

N/A

5. Is the appropriation from a dug well (sump)? **NO**

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) **NO**

If "NO", item 2 and 3 relating to this section may be deleted.

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 5 CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	10/14/2013		
BEGIN CONSTRUCTION (A)	N/A	05/24/1979 05/23/2012	WELL #1 (HARN 1495) DRILLED WELL #3 (HARN 51851) DRILLED
COMPLETE CONSTRUCTION (B)	10/14/2018	2014	SYSTEM COMPLETE
COMPLETE APPLICATION OF WATER (C)	10/14/2018	08/05/2015	COMPLETE APPLICATION OF WATER TO BENEFICIAL USE

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

If "NO", you may delete item 3 in this section.

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? YES

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

MARCH

c. Was the measurement submitted to the Department? YES

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
N/A			

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SEP 30 2015

SALEM, OR

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **YES**

If "NO", items 5b through 5e relating to this section may be deleted.

b. Provide the month, or months, the static water level measurement(s) were to be made:

MARCH

c. Were the static water level measurements taken in the month(s) required? **YES**

d. If "YES", were those measurements submitted to the Department? **YES**

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT
N/A			

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **YES**

If "NO", items 6b through 6e relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? **NO**

c. Is the pump test attached to this claim? **NO**

d. Has the pump test been approved by the Department? **NO**

e. Has a pump test exemption been approved by the Department? **NO**

**** Claims will not be reviewed until a pump test or exemption has been approved by the Department**

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

If "NO", items 7b through 7f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
WELL #1	McCROMETER	12-04476	WORKING	905348	N/A
WELL #3	McCROMETER	14-10809	WORKING	819179	N/A

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **YES**

If "NO", item 8b relating to this section may be deleted.

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SEP 30 2015

b. Have the reports been submitted?

YES

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
ELECTRONIC	64018

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items 9b through 9e relating to this section may be deleted.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Was the water user required to restore the riparian area if it was disturbed?

YES

d. Was a fishway required?

NO

e. Was submittal of a letter from an engineer required prior to storage of water?

NO

f. Was submittal of a water management and conservation plan required?

NO

g. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

THE WELLS (HARN 1495, HARN 51851) WERE NOT PLACED IN A RIPARIAN AREA

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SECTION 6
ATTACHMENTS

SEP 30 2015

Provide a list of any additional documents you are attaching to this report:

SALEM, OR

ATTACHMENT NAME	DESCRIPTION
PUMP CALCS	OWRD CALCULATIONS OF PUMP OUTPUT
WELL LOGS	HARN 1495, HARN 51851
CBU MAP	CLAIM OF BENEFICIAL USE MAP

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

ON SITE DIRECT MEASUREMENT; 2014 NAIP IMAGERY

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- NA Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- NA Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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SALEM, OR

Pump Capacity Calculation Sheet
using Department designed formula:

Well #1 Golden Rule Farms, Inc.
HARN 1495

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 60
Efficiency = 7.04
Lift = 22
PSI = 60

Results Calculated

(hp)(efficiency) = 422.4
Head based on psi = 152.4
Total dynamic head = 174.4
(head + lift)

Pump Capacity = 2.42 cubic feet per second

1086.8 gallons per minute

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SALEM, OR

Pump Capacity Calculation Sheet
using Department designed formula:

Well #3 Golden Rule Farms, Inc.
HARN 51851

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 75
Efficiency = 7.04
Lift = 36
PSI = 50

Results Calculated

(hp)(efficiency) = 528
Head based on psi = 127.0
Total dynamic head = 163.0
(head + lift)

Pump Capacity = 3.24 cubic feet per second
1453.6 gallons per minute

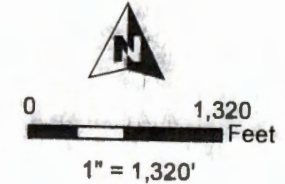
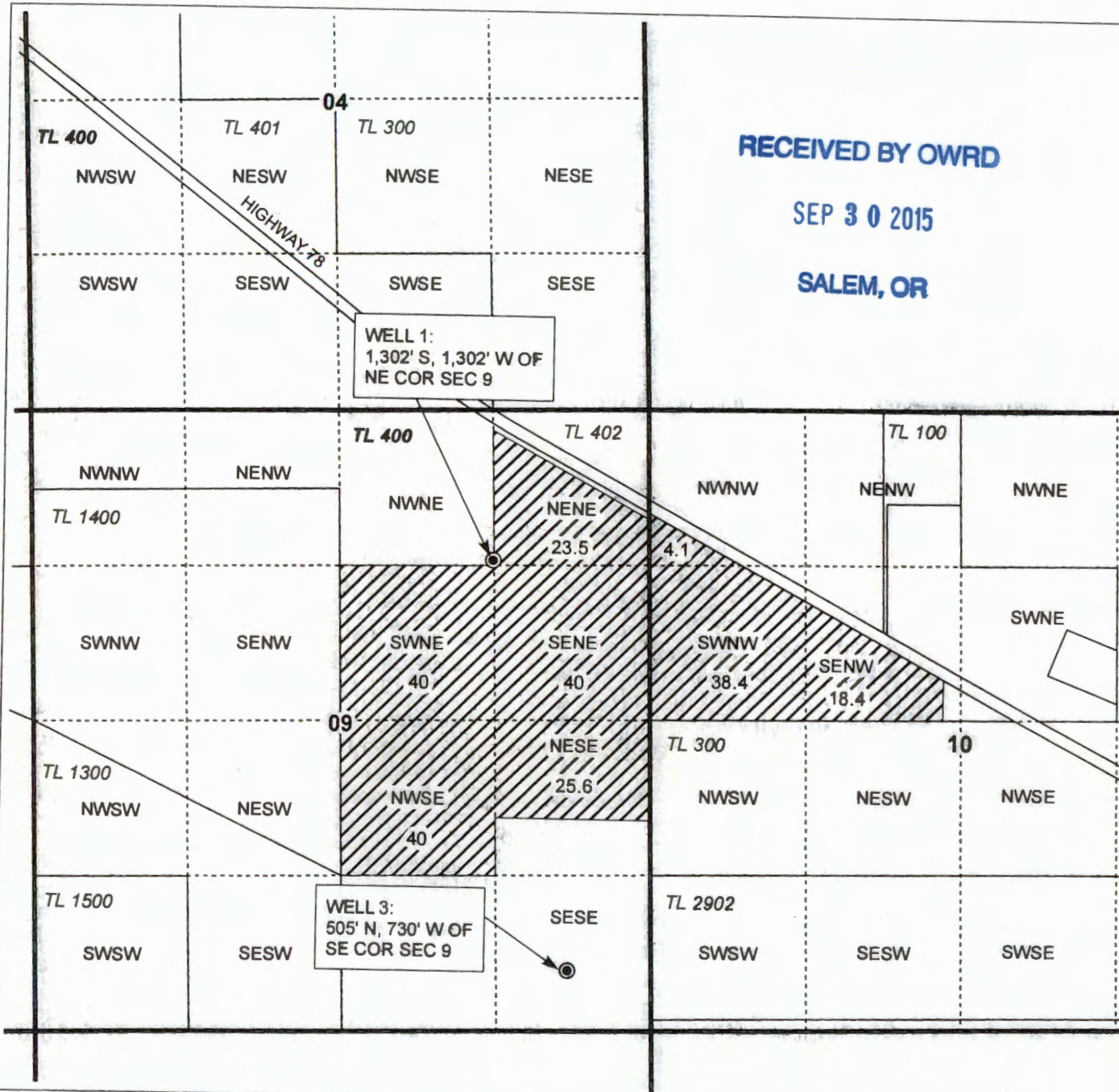
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SEP 30 2015

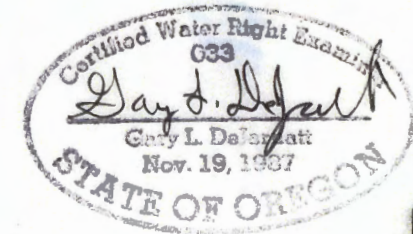
SALEM, OR

T27S, R34E,
 SECTIONS 9 & 10, WM
 HARNEY COUNTY, OREGON

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 SEP 30 2015
 SALEM, OR



-  POU Irrigation
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well



RENEWAL DATE 12/31/2015

CLAIM OF BENEFICIAL USE
 Golden Rule Farms, Inc.

NOTE: THIS MAP IS NOT INTENDED TO
 PROVIDE LEGAL DIMENSIONS OR LOCATIONS
 OF PROPERTY OWNERSHIP LINES.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

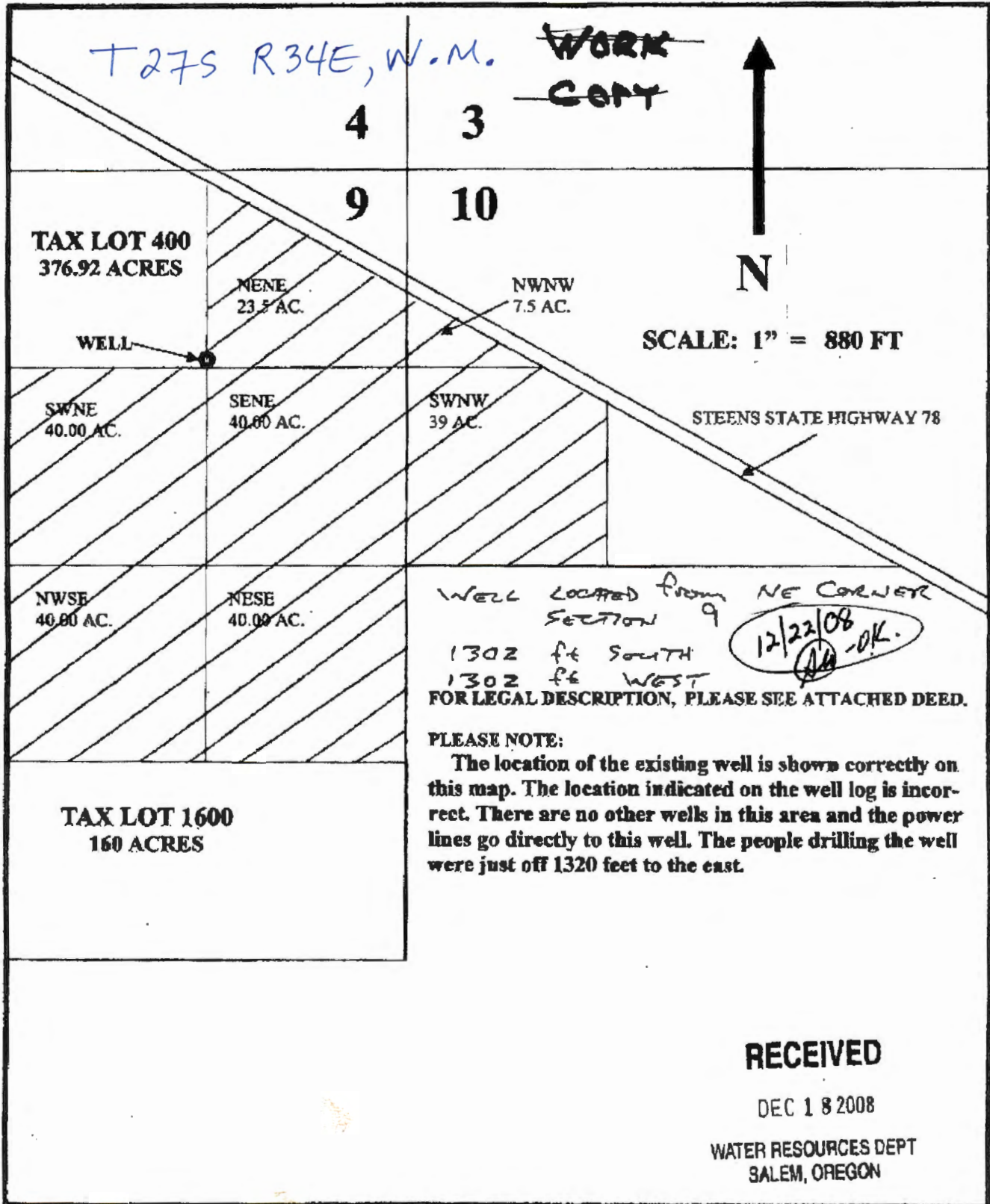
APPLICATION G-17154

PERMIT G-17034

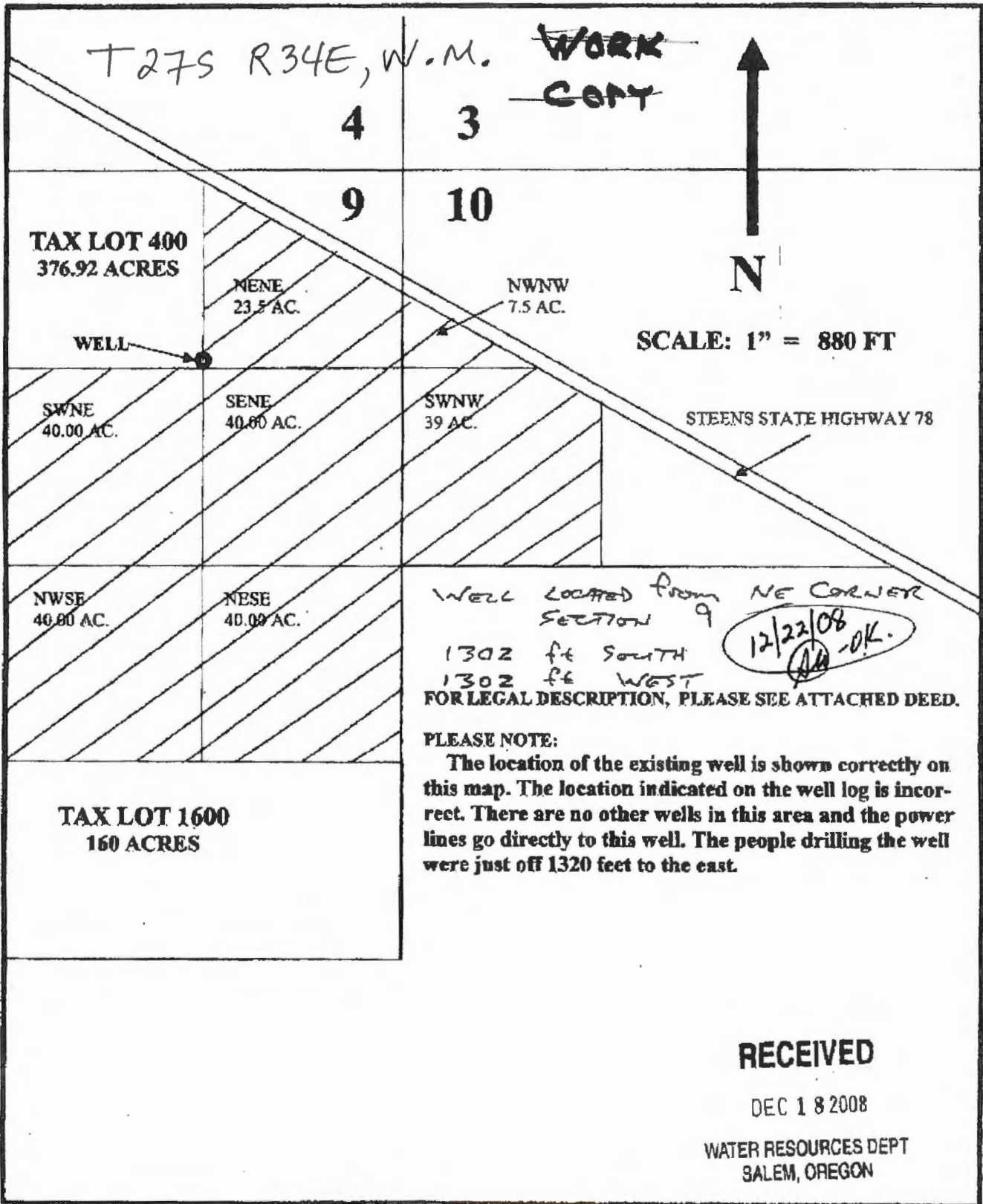
PROJECT #15042

AUGUST 26, 2015

**APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE., CANBY, OR 97013**



APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE., CANBY, OR 97013



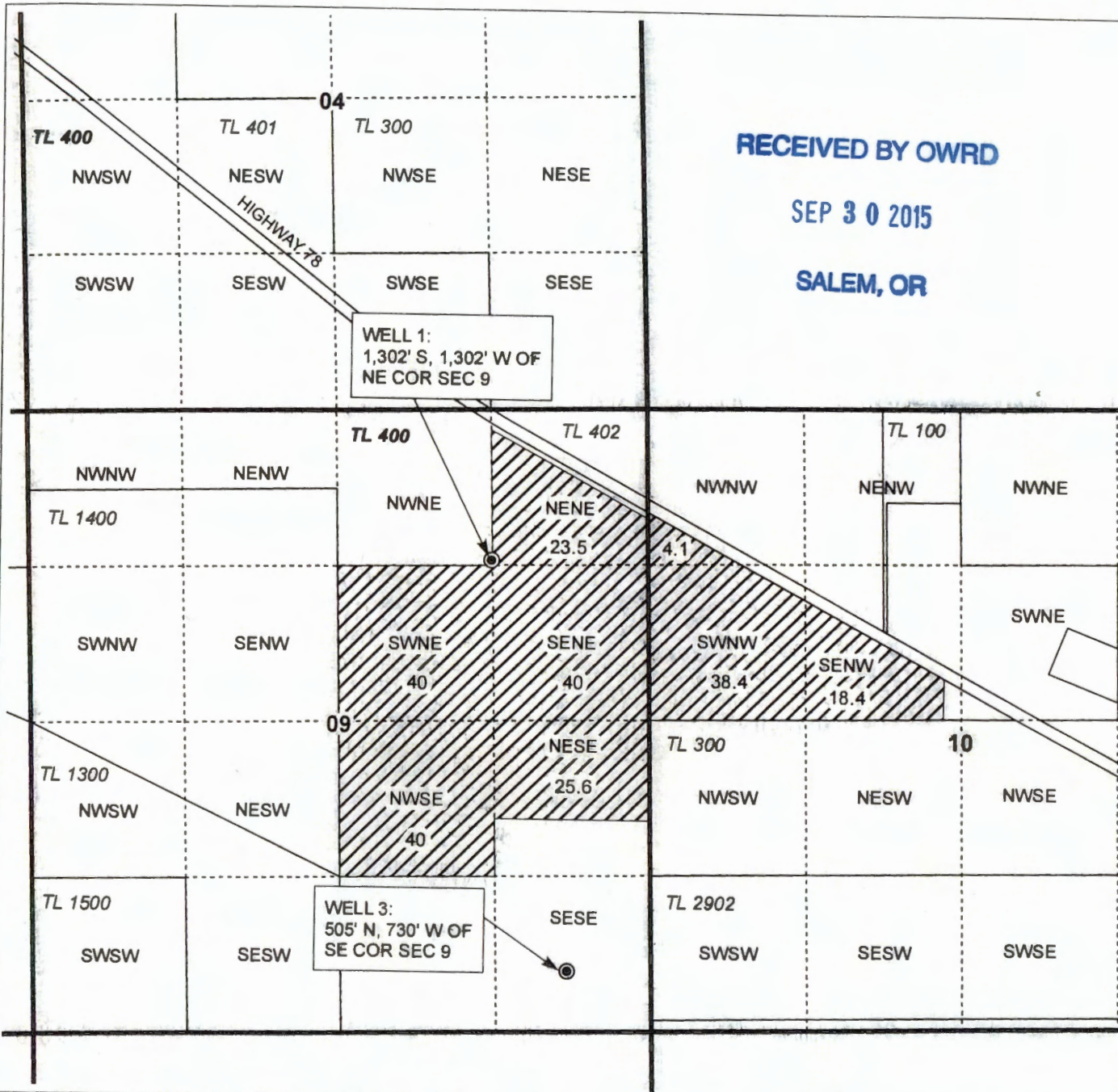
T27S, R34E,
SECTIONS 9 & 10, WM

HARNEY COUNTY, OREGON

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


SEP 30 2015

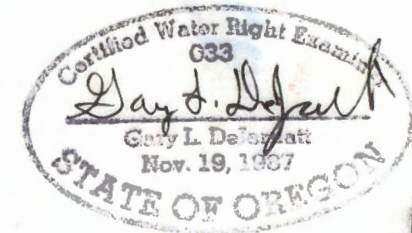
SALEM, OR



0 1,320 Feet

1" = 1,320'

-  POU Irrigation
-  Section
-  Quarter Quarter
-  Tax Lot
-  Well



RENEWAL DATE 12/31/2015

CLAIM OF BENEFICIAL USE
Golden Rule Farms, Inc.

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR -97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

APPLICATION G-17154

PERMIT G-17034

PROJECT #15042

AUGUST 26, 2015



Oregon
Kate Brown, Governor

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

March 15, 2016

GW

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

The Department has accepted the pump test results for the following permitted well(s):

Application	Water Right	Permitted Well	Tested Well	Test Date	Test Status	Exemption	Owner's Well Name
G 17154	Permit: G 17034 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17154	Permit: G 17034 *	HARN 51851	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 3 (L-105480)
G 17587	Permit: G 17183 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17587	Permit: G 17183 *	HARN 51851	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 3 (L-105480)
G 17608	Permit: G 17264 *	HARN 1495	HARN 1495	10/22/2015	Approved	None	WELL 1
G 17608	Permit: G 17264 *	HARN 1488	HARN 1495	10/22/2015	Exempted	Multiple Well	WELL 2

Please contact me if you have any questions.

Sincerely,

Darrick E. Boschmann
Groundwater Section

cc: GW Pump Test File

Oregon Water Right Agent Authorization

To Oregon Water Resources Department:

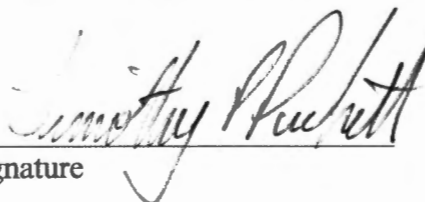
I/We, the undersigned, as owner(s) of those Oregon water rights referenced below, do hereby authorize John A. Short of Water Right Services, LLC as our agent to represent me/us in all matters relating to these water rights or transfers. **Please copy Agent on ALL correspondence relating to these water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

Applications: P-77619, P-77620

Permits: G-17062, G-17034, G-13767, G-14993

Transfer: T-11482,

Certificate: 84713, 39665, 32394, 88299, 82369

	<u>Timothy Puckett</u>	<u>8-22-15</u>
Signature	Printed Name	Date

_____	_____	_____
Signature	Printed Name	Date

RECEIVED BY OWRD
 AUG 27 2015
 SALEM, OR



Oregon

John A. Kitzhaber, MD, 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

October 25, 2013

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

REFERENCE: Permit Amendment Application T-11484

Enclosed is a copy of the order approving your Permit Amendment application.

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@wrd.state.or.us

Sincerely,

Codi Holmes
Water Rights Services Support
Transfer and Conservation Section

cc: Tony D. Rutherford, Watermaster Dist. # 10 (via email)
Dennis R. Glender, Agent

Enclosure



Permit Amendment Review Criteria

5. The change would not result in injury to other water rights.
6. The change does not enlarge the permit.
7. The change does not alter any other terms of the permit.

Conclusions of Law

The additional point of appropriation proposed by Permit Amendment Application T-11484 is consistent with the requirements of ORS 537.211.

Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed by Permit Amendment Application T-11484 is approved.
2. Permit G-17034, in the name of Golden Rule Farm, Inc., is issued to replace Permit G-16585, and incorporates the amendments approved by this order and assignment. Permit G-16585, in the name of Golden Rule Farm, Inc., is no longer of any force or effect.
3. The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
4. Prior to water use from the proposed point of appropriation, 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.

The permittee 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.

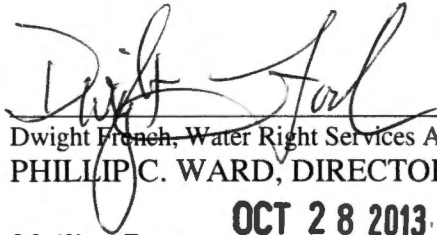
The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

5. Water shall be acquired from the same aquifer as the original point of appropriation.

6. All other terms and conditions of Permit G-17034 remain the same.

Dated at Salem, Oregon this 14 day of October, 2013.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: OCT 28 2013

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

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

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11484 and approved by Special Order Vol. 91, Page 436, entered Oct. 14, 2013 and to describe an assignment to a new permittee approved October 30, 2012. This permit supersedes Permit G-16585.

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

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: TWO WELLS (HARN 1495 AND HARN 51851) IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	34 E	WM	9	NE NE	POA 1 (HARN 1495) - 1302 FEET SOUTH AND 1302 FEET WEST FROM THE NE CORNER OF SECTION 9
27 S	34 E	WM	9	SE SE	POA 2 (HARN 51851) - 300 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 9

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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	34 E	WM	9	NE NE	23.5
27 S	34 E	WM	9	SW NE	40.0
27 S	34 E	WM	9	SE NE	40.0
27 S	34 E	WM	9	NE SE	40.0
27 S	34 E	WM	9	NW SE	40.0
27 S	34 E	WM	10	NW NW	7.5
27 S	34 E	WM	10	SW NW	39.0
Total					230.0

Permit Amendment T-11484 Conditions

The combined quantity of water diverted at the new point of appropriation, POA-2, together with that diverted at the old point of appropriation, POA-1, shall not exceed the quantity of water lawfully available at the original point of appropriation, POA-1.

Water shall be acquired from the same aquifer as the original point of appropriation, POA-1.

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.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

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

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

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

STANDARD CONDITIONS

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.

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

The well(s) shall be 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

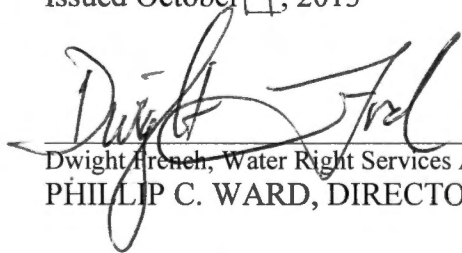
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued October 14, 2013



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR



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

Request for Assignment

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

I, Gale Nelson and Stanley Kazebee (deceased)
 (Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

1326 NE 12th Ave Canby OR 97013
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- hereby assign all my interest in and to 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.)
- hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # G-17154 ; Permit # G-16585 ; Transfer # _____
 License # _____ ; GR Statement # _____ ; GR Certificate of Registration # _____
 -OR-

As filed in the office of the Water Resources Director, to:

Golden Rule Farms, Inc
 (Name of New Owner)

PO Box 255 Christmas Valley OR 97641 541-576-2273
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 17 day of OCTOBER, 2012.

Applicant/Permit Holder [Signature]
 Applicant/Permit Holder Nala Kazebee (heir)

ASSIGN BY PROOF
 10/20/12

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 # 107211 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 \$75.

RECEIVED BY OWRD

OCT 25 2012

SALEM, OR

WR



Oregon

John A. Kitzhaber, MD, 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

October 30, 2012

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

Reference: Application G-17154, Permit G-16585

The assignment by proof from Gale Nelson and Stanley Kazebee 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 107211 covering the recording fee is also enclosed.

Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 107211

cc: Watermaster 10
Gale Nelson and Nola Kazebee
Data Center, OWRD (cover letter & request)
OWRD Transfers
Hydrographics
File



Indian Head

After recording return to:
GOLDEN RULE FARMS, INC.
P.O. BOX 255
CHRISTMAS VALLEY, OR 97641

HARNEY COUNTY, OR 2012-0796
DEEDWD 06/21/2012 09:44 AM
Cnt=1 Pg=1 Total:\$36.00



I, Maria Iturriaga, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Clerk records.
Maria Iturriaga, CCC, Harney County Clerk

Until a change is requested all tax statements shall be sent to the following address:
GOLDEN RULE FARMS, INC.
P.O. BOX 255
CHRISTMAS VALLEY, OR 97641

Escrow No. BU0020495
Title No. 0020495
SWD1 r.020212

STATUTORY WARRANTY DEED

GALE A. NELSON and NOLA L. KAZEBEE, as to an undivided one-half interest each,

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:

A parcel of land located in Sections 4, 9 and 10, Twp. 27 S., R. 34 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcel No. 3 of Partition Plat No. 07-06-203, recorded June 21, 2007, Instrument No. 20071419, Harney County Records.

Land in Harney County, Oregon, as follows:

In Twp. 27 S., R. 34 E., W.M.:
Sec. 9: S1/2SE1/4, NW1/4SE1/4, SW1/4NE1/4.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:
ACCT# 10840; CODE# 4-2 MAP 27S 34E TL 400

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:

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.

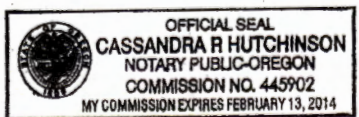
Dated this 15 day of MAY, 2012

Gale A. Nelson
GALE A. NELSON

Nola L. Kazabee
NOLA L. KAZEBEE

State of Oregon
County of Clackamas

This instrument was acknowledged before me on May 15th, 2012 by GALE A. NELSON and NOLA L. KAZEBEE.



Cassandra R Hutchinson
(Notary Public for OREGON)

My commission expires February 13, 2014

RECEIVED BY OWRD

OCT 25 2012

SALEM, OR

G-THSY

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17154

Final Order

Appeal Rights

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.

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.

Application History

On December 18, 2008, Gale Nelson and Stanley Kazebee submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on June 9, 2009. The protest period closed July 24, 2009, and no protest was filed.

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

Order

Application G-17154 therefore is approved as proposed by the Proposed Final Order, and Permit G-16585 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED October 9, 2009



for Phillip C. Ward, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17154

Final Order

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DATED October 9, 2009



for Phillip C. Ward, Director
Water Resources Department

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17154

Final Order

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DATED October 9, 2009

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Kerry Kavanagh. 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 503-986-0816.

If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

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

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: A WELL (HARN 1495) IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

WELL LOCATION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T27S, R34E, W.M.; 1302 FEET SOUTH
AND 1302 FEET WEST FROM NE CORNER, SECTION 9

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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SECTION 9

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.0 ACRES
SECTION 10

TOWNSHIP 27 SOUTH, RANGE 34 EAST, W.M.

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.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

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

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

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

STANDARD CONDITIONS

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.

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

The well(s) shall be 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued October 9, 2009



for Phillip C. Ward, Director
Water Resources Department

Mailing List for FO Copies

Application #G-17154

Original mailed to applicant with claim of beneficial use form:

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY OR 97013

Copies sent to:

1. WRD - File # G-17154
2. WRD - Ken Stahr

<p>Copies Mailed</p> <p>By: <u>DS</u> (SUPPORT STAFF)</p> <p>on: <u>10/12/09</u> (DATE)</p>
--

FO and Map Copies sent to (remember to reduce copy margins):

3. WRD - Watermaster District #: 10
4. WRD - Regional Manager: EASTERN

Copies sent to Other Interested Persons (CWRE, Agent, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

- 1.

CASEWORKER : Kerry Kavanagh

FO Checklist

HARN 1495

Application #: G-17154 Applicant: GALE NELSON AND STANLEY KAZEBEE

Name and/or address has **changed or been assigned** Yes No
If new: _____

Respond to **significant comments, issues, or disputes** related to the proposed use of water. N/A

Affected landowner(s) have been notified N/A Yes No, send a letter to landowners before FO issuance.

Verify names/addresses of affected landowners, and those who commented and/or paid \$10 fee. N/A

Include fish screen form if ODFW requested **screening condition and rate** ≤ 0.5 CFS N/A Yes No

PFO conclusions **require modification** due to typos, errors or omission of conditions Yes No
If so: _____

Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** N/A Yes

SWW If GW and interference, copy form for Stahr. N/A

<u>Fees</u>	<u>Base Fee</u>	<u>Water Amount (Q)</u>
	\$300 / \$500	1 st CFS/AF _____
	\$700 / \$1000	_____ Addl @ _____
		_____ Addl @ _____
		Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use + _____

_____ + _____ = _____
 (base) (Q) (total exam fee)

EXAM FEE REQUIRED	<u>900</u>	RECORDING FEE REQUIRED	\$250 / <u>300</u> / \$400
EXAM FEE PAID	<u>900</u>	RECORDING FEE PAID	<u>300</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

- FO w/ draft permit; still needed:
- fees
- easement
- st water contract
- approved dam plans & specs
- land use approval

FO w/ permit # G-16585

FO to deny
refund \$ _____

*Final Order Canceling Permit
to be issued
- Simultaneously
G-8594*

Name: Kerry Kavanagh Date: 8/12/2009

Peer Reviewer: Jeana Eastman *you g16109*

PFO Checklist

HARN 1495

Application #: G-17154 Applicant: GALE NELSON AND STANLEY KAZEBEE

Shortcomings preventing PFO? Y / N Should process continue? Y / N
 IR Date 4-10-09 Public Notice Date 4-14-09 Comments received? Y / N 5-14-09

Was additional information requested in the IR? Y / N If so, do we now have enough info to do the PFO? Y / N

Was the application filed after 10/23/99? Y / N (If not, add A date requirement)

B.O.R. or Doug Co. project Y / N Contract in file? N contract # _____

POD characteristics identifies as DEQ 303d? Y / N / NA Comments received? Y / N _____

Is second gw review necessary? Y / N / NA Complete? Y / N

Water Availability OK / REDONE / NA _____

Have conflicts been addressed? Y / N / NA submitted affidavit of partial cancell. of Permit G-8594

Changes from IR determinations _____

SWW If GW and interference, copy form for Stahr. NA

Copy to Reg Manager E WM #10 CWRE _____ Agent _____

<u>Fees</u>	<u>Base Fee</u>	<u>Water Amount (Q)</u>
	\$150 / \$250	1* CFS/AF _____
	\$300 / \$500	_____ Addl @ _____
		Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use + _____
	_____ + _____ = _____	(Q) (total exam fee)
	(base)	

EXAM FEE REQUIRED	<u>900</u>	RECORDING FEE REQUIRED	\$175 / \$250 / <input checked="" type="checkbox"/> \$300
EXAM FEE PAID	<u>- 900</u>	RECORDING FEE PAID	<u>- 300</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

Name: Kerry Kavanagh Date: 5/20/2009 Peer Reviewer: Brook Geffen

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

IR CHECKLIST

HAKN 1495

Application #: G-17154 Applicant: GALE NELSON

Use(s): IRRIGATION USE ON 230.0 ACRES Priority Date: December 18, 2008

MU or QM NA will complete construction within 20 years
 Fujii reviewed recommendations _____

Is the application complete? No Yes

ORS 538 prohibits use No Yes If so, do not do an IR; return the application & fees to the applicant.

DIV 9 NA will likely be available... will not likely be available... will, if properly conditioned... FN

classify as surface water well _____ has PSI with _____

(include basin map if true) well _____ is within 1N 3E 20, 21, 28, 29 GWLA CGWA _____

GW conditions _____

DIVISION 33 NA No above Bonneville, and not allowed 4/15 - 9/30
 below Bonneville
 statewide

SW Availability NA 80% live 50% storage _____ WID: _____

Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

POU conflict NA No No, different sources No, make up a deficiency in rate No, existing not at max. rate

Yes Permit G-8594 - upon issuance of ^{new} permit - will cancel

Use is supplemental, checked for primary rights w/ diff source NA Yes limits _____

Use is allowed not allowed limited OAR Compact 690-970

Requested Use/Rate/Season IR on 230ac / 2.90 cfs / Mar 1 - 2011

Allowed Use/Rate/Season 230ac X 1/80 = 2.87 cfs Limit 1/80 Duty 3

Land use approved not approved being pursued county notified NA

Storage contract NA BOR Doug Co Corp of Eng needed obtained _____

Authorized agent specified NA needed Yes _____

Conditions: FN, LARGE

Small ≤ 0.1 CFS, ≤ 9.2 AF, **Medium** > 0.1 and < 0.5 CFS, > 9.2 and < 100AF, **Large** ≥ 0.5 CFS, ≥ 100 AF
Use at least "Medium" when the source is Siltcoos Lake, Sandy Basin GW, or stored water with a contract.
Use "Large" for temp control (including NU), HC exceptions, Tenmile Lake, or if applicant is a government entity
Use "Large-7g" or "Large-7i" if GW recommends 7g or 7i
Use "Large with totalizing flow meter" for IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA

Stream is withdrawn NA No Yes, allows use/season _____

SWW NA above within _____ (If GW and interference, copy form for Stahr.)

- Use is within a **high priority area for streamflow restoration** NA No Yes
- Letter format good limited bad bad w/ rate reduction opportunity bad w/ HC opportunity
- POD is within **North Umpqua settlement reach** and the spreadsheet was updated NA Yes
- Forms NA DIV 33 basin map HC except spring description other Vol. cancellation of permit form
- Copy to

<input type="checkbox"/> NWR	<input checked="" type="checkbox"/> WM # <u>10</u>	<input type="checkbox"/> ODFW	<input type="checkbox"/> CRIFC
<input type="checkbox"/> NCR	<input type="checkbox"/> agent	<input type="checkbox"/> DEQ	<input type="checkbox"/> US Fish & Wildlife
<input type="checkbox"/> ER	<input type="checkbox"/> CWRE	<input type="checkbox"/> DOA	<input type="checkbox"/> NW Planning Council
<input type="checkbox"/> SWR		<input type="checkbox"/> State Parks	<input type="checkbox"/> CTUIR
- DOA Food Safety Division (bottled water) city _____ (w/in 5-mile muni wells)

- Prior to permit, applicant must submit NA storage contract easement plans/specs evidence of well repair
- App and map meet **min. requirements** Yes No _____
(If not, send IR certified)

Scanned images exist for application form and map

<input checked="" type="checkbox"/> Fees <u>2.90</u> CFS	Base	<u>500</u>
_____ AF	Up to 1 CFS	<u>200</u>
	<u>2</u> Add'l CFS @ <u>\$100</u>	<u>200</u>
	Up to 20 AF	_____
	_____ Add'l AF @ _____	_____
	Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use +	_____
	Exam Fee Required =	<u>900</u>
	Exam Fee Paid	<u>900</u>
	Still Owed	<u>0</u>

one well

- Paid \$ 300 permit recording fee.
 • $230 \text{ ac} \times 1/80 = 2.87 \text{ cfs} \rightarrow \text{Limit rate}$

Name: Kerry Kavanagh Date: 3/27/2009 Peer Reviewer: Michele McAleer

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

App:G 17154 *

- ▶ Platcard
- ▶ Conflict Report
- ▶ POD Characteristics
- ▼ Water Availability
 - ▶ POD: 1
- ▶ IR Checklist
- ▶ Digital Map (Applications are not mapped, use POD Locations instead)

Contact Information

▼ **Current contact information**

APPLICANT:
GALE NELSON
1326 NE 12TH AVE
CANBY, OR 97013

APPLICANT:
STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

Documents View all scanned documents

▼ **Application: G 17154 digital map**

▶ Received: 12/18/2008

Application Workflow			
Action	Date	Result	Completed By
Application Filed	12/18/2008		
Ground Water Review	3/5/2009		MIKEZWART

▶ Unable to view right in new web mapping because this water right is not currently mapped.

Water Right Information

Status: Non-Cancelled
County: Harney
File Folder Location: Salem

Point(s) of Diversion

▼ **POD 1 - A WELL > MALHEUR LAKE**

▼ **Description**

- ▶ T-R-S-QQ: 27.00S-34.00E-9-NE NE
- ▶ Location Description: 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9

▼ **POD Rate**

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
2.9	2.9		

▼ **IRRIGATION (Primary)**

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks
12/18/2008	2.9	2.9					3/1	10/31	

▼ **Remarks**

- ▶ HARN 1495

Place(s) of Use Add TRS grouping

▼ **Use - IRRIGATION (Primary) - 230.0 acres; Priority Date: 12/18/2008**

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks
27.00S-34.00E-9	NE NE				23.5	NC		
27.00S-34.00E-9	SW NE				40.0	NC		
27.00S-34.00E-9	SE NE				40.0	NC		
▶ 27.00S-34.00E-9	NE SE				40.0	NC		
27.00S-34.00E-9	NW SE				40.0	NC		
27.00S-34.00E-10	NW NW				7.5	NC		
27.00S-34.00E-10	SW NW				39.0	NC		
Sum of Acres: 230.0								

Water Right Genealogy

--No genealogy records available for this water right, try the family link below instead.

- [View Water Rights in same Family](#)
- [Help understanding and working with the Water Rights Information System](#)
- [Report Errors with Water Right Data](#)
- [Return to WRIS Query](#)

Point of Diversion Characteristics

Right:	App:G 17154 *
Name:	GALE NELSON

TRSOQ: 27.00S-34.00E-09-NENE Digital Map of TRSOQ

~~County: Harney~~

Basin: Malheur

WM District: 10

WM Region: E

Withdrawn Area:

WAB:

Priority WAB:

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way:

Division 33:

Water Quality Limited:

WATER RESOURCES DEPARTMENT

DIVISION 510 MALHEUR BASIN PROGRAM

690-510-0000 Classifications

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Malheur-Owyhee Basins and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife, fish life, pollution abatement uses, and the waters of the Malheur-Owyhee Basins are hereby so classified with the following exceptions:

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the mainstem of the South Fork Owyhee River from the Oregon-Idaho border to Three Forks (the confluence of the North, Middle and South Forks Owyhee River), and the main stem Owyhee River from Crooked Creek (river mile 118) to the mouth of Birch Creek (river mile 76), and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, industrial, mining, recreation, wildlife, and fish life uses and the aforementioned waters are hereby so classified;

(b) The maximum economic development of this state and the attainment of the highest and best use of the waters of the natural lakes of the Malheur-Owyhee Basins, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7-1/2 theoretical horsepower, recreation, wildlife, and fish life uses and the waters of the natural lakes of the Malheur-Owyhee Basins are hereby so classified.

(2) The maximum economic development of this state, the attainment of the highest and best use of 1,454,000 acre-feet annually of natural flows of the Snake River, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, and irrigation uses, and the 1,454,000 acre-feet annually of natural flows of the Snake River are hereby so classified.

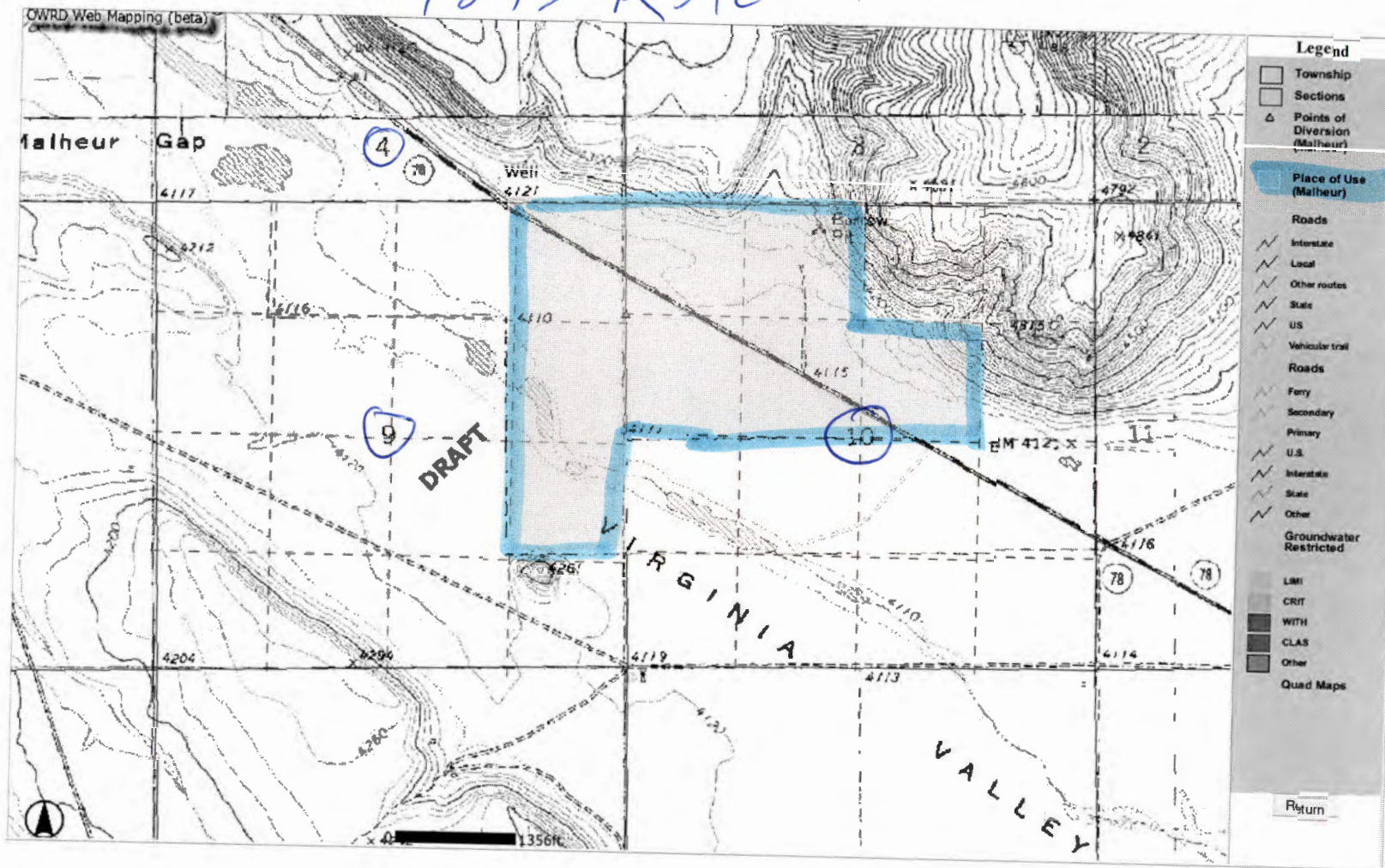
(3) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give cognizance to the multiple-purpose concept.

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App:G 17154 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot
<u>PERMIT:G 8594</u> *	CONNECTICUT GENERAL LIFE INSURANCE CO.	G-9019	G-8594			11/20/1978	NC	IR	27.00S-34.00E-09-NENE	<input type="checkbox"/>	4
									27.00S-34.00E-09-SENE	<input type="checkbox"/>	4
									27.00S-34.00E-09-NESE	<input type="checkbox"/>	4
									27.00S-34.00E-10-NWNW	<input type="checkbox"/>	4
									27.00S-34.00E-10-SWNW	<input type="checkbox"/>	4

T27S R34E



App G-9019
Permit G-8514

Application No. G-9019

Permit No. G 8594

WATER RESOURCES DEPT.
SALEM, OREGON

JUN 04 1979

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

I, DEE V. DOMAN WELL # 3A
(Name of Applicant)
of Star Rt #2 Box 3321 Hwy 78 Burns
(Mailing Address) (City)
State of Oregon 97732 Phone No. 493-2569
(Zip Code) do hereby

make application for a permit to appropriate the following described ground waters of the State of Oregon:

- The development will consist of 1 well
(Give number of wells, tile lines, infiltration galleries, etc.)
having a diameter of 14" and an estimated depth of 200 feet.
- The well or other source is to be located 1320 ft. S and 0 ft. (N. or S.) (E. or W.)
from the NE corner of 9 T27S R34E
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the NW 1/4 of the NW 1/4 of Sec. 10 Tp. 27S R. 34E, W.M., in the county of Harney.

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
27S	34E	9	NE 1/4 of NE 1/4	40
"	"	"	SE 1/4 of NE 1/4	40
"	"	"	NE 1/4 of SE 1/4	40
27S	34E	10	NW 1/4 of NW 1/4	40
			NE 1/4 of NW 1/4	40
			SW 1/4 of NW 1/4	40
			SE 1/4 of NW 1/4	40
			SW 1/4 of NE 1/4	40
				100

- It is estimated that 100 feet of the well will require 1/4 wall steel casing.
(Kind)
- Depth to water table is estimated 30 feet. Well drilled by Owner w/cable tool
(Feet)

6. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second or 1.200 gallons per minute.

7. The use to which the water is to be applied is irrigation

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

No artesian expected

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

10.

DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

175 hp turbine pump

90 ft 8" column

1 set 11" bowls

11. Construction work will begin on or before July 1 1979

12. Construction work will be completed on or before Dec 30 1980

13. The water will be completely applied to the proposed use on or before July 1 1982

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right.

Application No. E-9018

Permit No. G 8594

Remarks:.....
.....
.....
.....
.....
.....
.....
.....
.....


Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before.....June 18....., 19 79.....

WITNESS my hand this 18th day of April, 19 79.....

James E. Sexson Water Resources Director

By 
Donald R. Buell

RECEIVED
JUN 04 1979
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 20th day of November, 19 78, at 2:30 o'clock P.M.

Application No. G-9019

Permit No. G 8594

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1200 gallons per minute ~~cubic feet per second~~ measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from Well 3A

The use to which this water is to be applied is irrigation.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.
The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is November 20, 1978

Actual construction work shall begin on or before July 13, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981

WITNESS my hand this 13th day of July, 1979


Water Resources Director

WATER RESOURCES DIVISION
1010 NE Oregon Street
Portland, Oregon 97232

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

Application G 17154 Township 27 S
Priority Date 12-18-2008 Range 34 E
Use(s) PRIM 230 Section 9 & 10
IRRIG ACRES
Rate 2.90 1300 POA Loc NE NE SECTN 9
CFS GPM
County HARNEY POU Loc SEE MAP
W.M. DIST # 10 Caseworker KERRY K

- Applicant/Organization Name, Mailing Address and Telephone Number.
- Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) *NOTE: A surface water application cannot be filled at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).*
- The proposed source is or is not (circle one) withdrawn from further appropriation, or Division 538. If it is, return application and fees. *GW*
- Property ownership indicated. *STATES YES!*
 - If applicant does not own all the land, the affected landowner's name and mailing address must be listed.
 - If applicant does not own all the land, a statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.
- Groundwater development section (Page 3 and 4, Section B) or a well log report. *YES*
- Proposed use of water. If supplemental, list primary water right acreage if applicable.
- Enclosed Supplemental Form for each proposed use.
 - Form I (Irrigation)
 - Form M (Municipal or Quasi-Municipal)
 - Form R (Mining)
 - Form Q (Commercial or Industrial)
 - Spring Description Sheet
- Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)
- Period of use
- Water management section (Please estimate if the water system has not been designed).

- Resource Protection Section (Page 6, Section 5).
- Project schedule (If system is already completed, indicate "existing").
- For reservoir applications ~~storing more than 9.2 acre feet, and a dam height of more than 10 feet,~~ preliminary plans and specifications for dam and impoundment are required.
 - ~~If the above is statement is checked, the map must be prepared by a CWRE.~~
- All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature.*
- You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.
- A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature.*
- The map must meet all the minimum requirements of OAR 690-310-0050.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Township, Range, Section | <input checked="" type="checkbox"/> Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU) |
| <input checked="" type="checkbox"/> Place of use, 1/4, 1/4's and tax lot clearly identified | <input checked="" type="checkbox"/> Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.) |
| <input checked="" type="checkbox"/> Location of each diversion point well or dam by reference to a recognized public land survey corner | <input checked="" type="checkbox"/> North Directional Symbol |
| <input checked="" type="checkbox"/> Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture | <input type="checkbox"/> Other <u>Retained by FAX</u> |
| <input checked="" type="checkbox"/> Reference corner on map | |
| <input checked="" type="checkbox"/> Each point of diversion coordinate | |

Fees: Amount of water requested 2.99 CFS 1300 GPM

Base Fee \$ <u>500</u>	Additional Use @ <u> </u>
1st CFS/AF <u>200</u>	Total Exam Fees \$ <u>900</u>
<u>2</u> Addtnl CFS/AF @ <u>100</u> = <u>200</u>	Total Paid \$ <u>1200</u>
<u> </u> Addtn' POD @ <u> </u>	Amount Due \$ <u>All Fees Paid</u>

Reviewed by: HJM Date: 12-22-2008



Oregon

Theodore R. Kulongoski, Governor

6-17154

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

November 26, 2008

Gale A. Nelson and Stanley L. Kazebee
1326 NE 12th Ave
Canby, OR 97013

COPY

Reference: File G-9019, Permit G-8594

RECEIVED

DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

Dear Mr. Nelson and Mr. Kazebee:

We received your letter requesting reconsideration of the proposed Order of Certification, proposing cancellation of Permit G-8594.

You request, in effect, that the Department withhold further action on this permit to allow you time to submit and have approved a new permit. The new permit would allow, if approved, you to use water from your wells to irrigate some of the lands involved in this permit. Your real estate agent, Ken Thomas, indicated to staff that if a new permit is not approved, you would want to request and attempt to get approved an extension of time for this permit.

The current permit holder is Connecticut General Life Insurance Company. You own a portion of the land involved in the permit. The other land is owned by the Oregon Department of State Lands. Apparently Connecticut General Life Insurance Company no longer owns or holds mortgages on this land.

To date neither Connecticut General Life Insurance Company nor the Department of State Lands has responded to the notice of the proposed Order of Certification. If we do not receive a response from them, we will take the actions described below.

We will withhold further action on this file for 120 days to allow you time to prepare and submit an application for a new permit. Please include with your new application a statement that, upon issuance of the final order approving the new permit, you wish this permit be cancelled.

If we do not receive an application for a new permit within the 120 day period, and do not receive a response from Connecticut General Life Insurance Company or the Department of State Lands, we will issue the final Order of Certification without further notice.

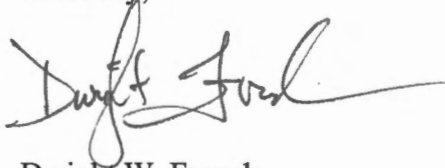
If we receive an application for a new permit within the 120 day period, but the permit is not approved, we will allow you a reasonable amount of additional time to have your portion of the permit assigned to you; and for you to request an extension of time.

Gale A. Nelson and Stanley L. Kazebee
Reference: File G-9019, Permit G-8594
November 26, 2008

If the new permit is approved and we have not received a response from Connecticut General Life Insurance Company or the Department of State Lands, we will issue the final Order of Certification for this permit without further notice

If you have any questions please call Larry Nunn, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,



Dwight W. French
Administrator
Water Right and Adjudication Division

COPY

cc: Connecticut General Life Insurance Company
Department of State Lands

COPY

RECEIVED

DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-17154

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 27S/34E-9aa

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date March 5, 2009
 FROM: Ground Water/Hydrology Section Mike Zwart
Reviewer's Name
 SUBJECT: Application G- 17154 Supersedes review of _____
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525.* Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. **This review is based upon available information and agency policies in place at the time of evaluation.**

A. GENERAL INFORMATION: Applicant's Name: Gale Nelson/Stanley Kazebee County: Malheur

A1. Applicant(s) seek(s) 2.90 cfs from 1 well(s) in the Malheur Basin,
 _____ subbasin Quad Map: Adobe Flat

A2. Proposed use: Irrigation, 230 acres Seasonality: March 1-October 31

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	HARN 1495	1	Valley fill	2.90	27S/34E-9 NE-NE	1302' S, 1302' W fr NE cor S 9
2						
3						
4						
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	4110	30	22	5/25/79	160	0-20	0-60			1000	20	P

Use data from application for proposed wells.

A4. Comments: The well here is also authorized under Permit G-8594, which is listed in WRIS as non-cancelled, so there may be a conflict issue.

A5. Provisions of the Malheur Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water are, or are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: _____

A6. Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction. Name of administrative area: _____

Comments: _____

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Interbedded clay, sand and possibly pumice (Qal and possibly Tvs of GW Report 16)	<input type="checkbox"/>	<input checked="" 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"/>

Basis for aquifer confinement evaluation: The basin-fill sediments are regionally unconfined, but may be locally semiconfined.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than 1/4 mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
						<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"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: Virginia Valley does not appear to be a surface water source that should be considered under Division 9 and there is no other surface water within one mile. The head in the aquifer suggests that there is no local ground-water contribution to baseflow.

Water Availability Basin the well(s) are located within: No WAB data in this area.

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < 1/4 mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		<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"/>		<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"/>

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. Complete only if Q is distributed among wells. Otherwise same evaluation and limitations apply as in C3a above.

SW #	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
	<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"/>

Comments: This section does not apply.

C4a. **690-09-040 (5):** Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: This section likely applies, but there is no WAB data for this area and interference is likely to be very diffuse. Therefore, no calculations of potential interference were attempted.

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: 1 Logid: HARN 1495

D2. **THE WELL 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) _____

D3. **THE WELL construction deficiency:**

- a. constitutes a health threat under Division 200 rules;
- b. commingles water from more than one ground water reservoir;
- c. permits the loss of artesian head;
- d. permits the de-watering of one or more ground water reservoirs;
- e. other: (specify) _____

D4. **THE WELL construction deficiency is described as follows:** _____

- D5. **THE WELL**
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

D6. **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.

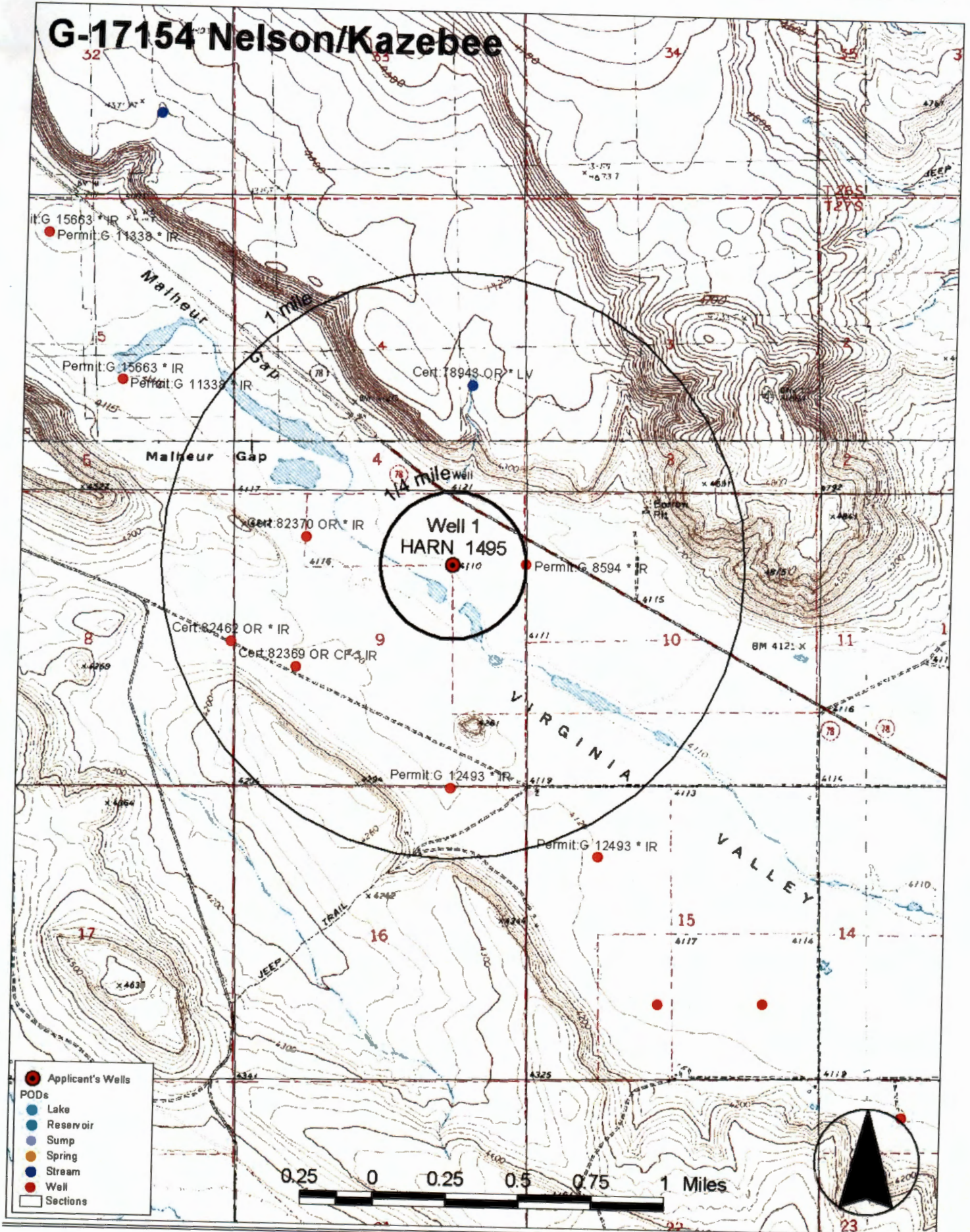
THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. Well construction deficiency has been corrected by the following actions: _____

_____, 200_____
(Enforcement Section Signature)

D8. **Route to Water Rights Section (attach well reconstruction logs to this page).**

G-17154 Nelson/Kazebee



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17154

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On December 18, 2008, GALE NELSON AND STANLEY KAZEBEE submitted an application to the Department for the following water use permit:

- Amount of Water: 2.9 CUBIC FEET PER SECOND (CFS)
- Use of Water: IRRIGATION OF 230.0 ACRES
- Source of Water: A WELL (HARN 1495) IN MALHEUR LAKE BASIN
- Area of Proposed Use: HARNEY COUNTY WITHIN SECTION 9 AND SECTION 10, TOWNSHIP 27 SOUTH, RANGE 34 EAST, W.M.

On April 10, 2009, the Department mailed the applicant notice of its Initial Review, determining that "*The use of 2.87 CFS of water from a well (HARN 1495) in Malheur River Basin for irrigation use on 230.0 acres is allowable during the full period requested, March 1 through October 31.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 14, 2009, 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:

- recommendations by other state agencies
- 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 ground water 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 irrigation.

Ground Water Findings Under OAR 690-009

The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. The proposed water use will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that no more than 2.87 CFS would be necessary for the proposed use. The amount of water allowed shall be restricted to 2.87 CFS.

The proposed ground water use is not within a designated critical ground water area.

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 Program, or a 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.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED June 9, 2009

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

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

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **July 24, 2009**. Protests 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 protest fee of \$350 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 ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **July 24, 2009**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and

- A standing fee of \$100.00. If a hearing is scheduled, an additional fee of \$250.00 must be submitted along with a request for intervention.

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 either:

- 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.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

This document was prepared by Kerry Kavanagh. 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 503-986-0816.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF HARNEY

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

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

APPLICATION FILE NUMBER: G-17154

SOURCE OF WATER: A WELL (HARN 1495) IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 230.0 ACRES

MAXIMUM RATE: 2.87 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 18, 2008

WELL LOCATION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T27S, R34E, W.M.; 1302 FEET SOUTH
AND 1302 FEET WEST FROM NE CORNER, SECTION 9

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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SECTION 9

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.0 ACRES
SECTION 10

TOWNSHIP 27 SOUTH, RANGE 34 EAST, W.M.

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.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

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

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

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

STANDARD CONDITIONS

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.

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

The well(s) shall be 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

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

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

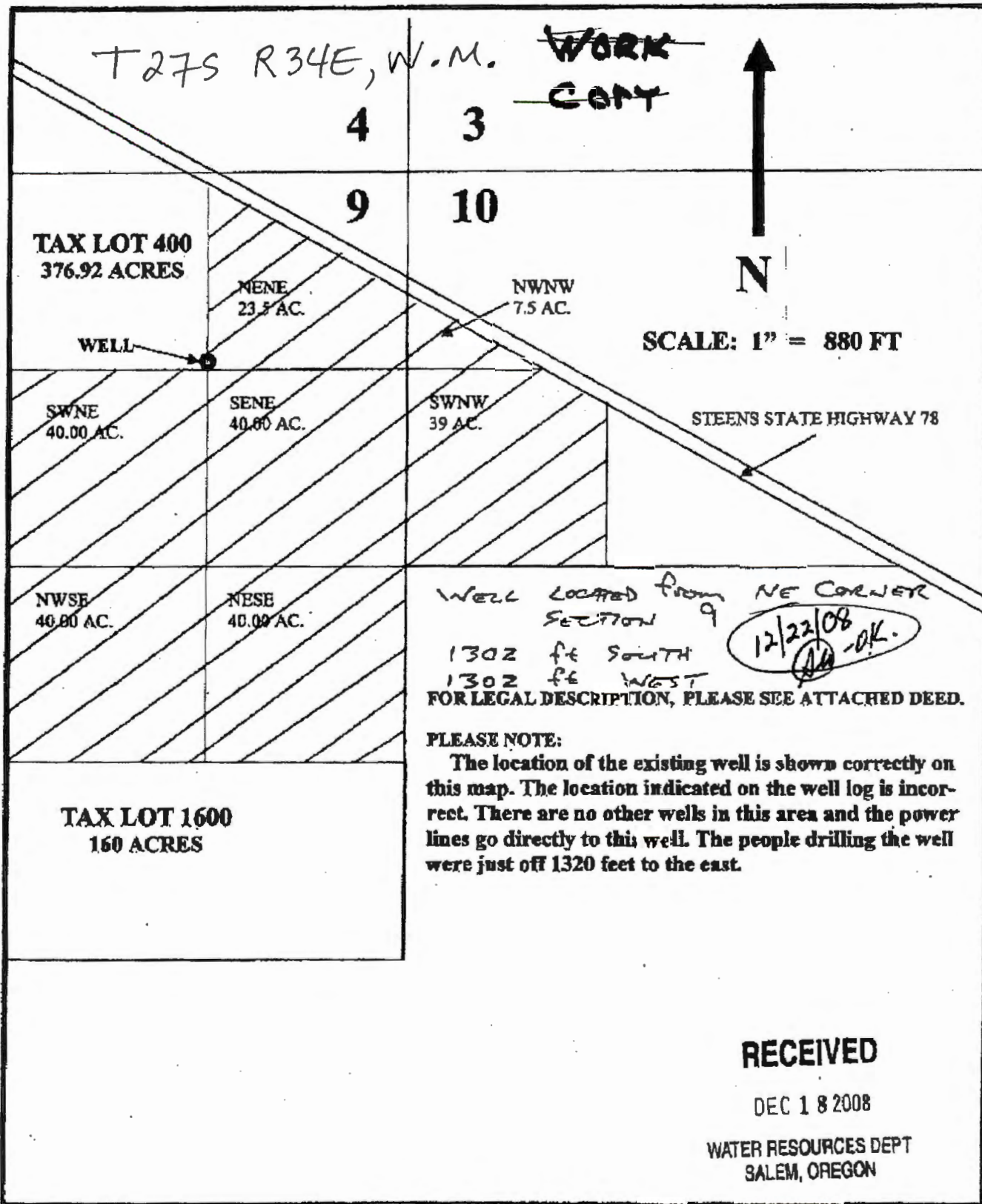
Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued

DRAFT - THIS IS NOT A PERMIT

for Phillip C. Ward, Director
Water Resources Department

APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE., CANBY, OR 97013



Mailing List for PFO Copies

Application #G-17154

PFO Date June 9, 2009

Original mailed to applicant:

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

Copies sent to:

- 1. WRD - File # G-17154
- 2. Water Availability: Ken Stahr

PFO and Map Copies sent to:

- 3. WRD - Watermaster # 10
- 4. WRD - Regional Manager: EASTERN

Copies Mailed
By: <u>TCS</u>
(SUPPORT STAFF)
on: <u>6/8/09</u>
(DATE)

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Kerry Kavanagh



App G-17154

TO: Water Resources Director
Water Resources Department
725 Summer Street NE, Suite A
Salem OR 97301-1271

I/We hereby authorize the ^{partial} cancellation of my/our water use Application No. G-9019,

Permit No. G-8594, which describes a right to develop the use of up to

1300 C.F.S./G.P.M. ACRE-FEET of water from A WELL
(source)

for the purpose of IRRIGATION
(use)

Sincerely,

Stanley L. Kazebee
Signature of Permittee or Authorizing Agent

Date: 4/28/2009

STANLEY L. KAZEBEE
Printed Name of Permittee or Authorizing Agent

Date: 4/28/2009

Gale A. Nelson
Signature of Other Permittee, If Any
GALE A. NELSON

Address: 1326 NE 12TH AVE
CANBY, OR 97013

Phone: (503) 803-1400

RECEIVED
APR 29 2009
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, 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

April 10, 2009

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

*4/28/09
Kerry,
Per your letter,
attached is signal form
per your request.*

Reference: File G-17154

Dear Applicants:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the 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 application proposed the use of 1300.0 gallons per minute, or 2.90 cubic feet per second (CFS), of water from a well (HARN 1495) for irrigation on 290.0 acres from March 1 through October 31.
2. The Department understands that you will voluntarily cancel a portion of Permit G-8594 (Application G-9019) when a permit for this application is issued. Please complete and return the enclosed form authorizing the partial cancellation of Permit G-8594 prior to Thursday, May 14, 2009, so the Department can continue to process the application as primary irrigation. This will allow the Department to issue a permit for this application at the same time as cancelling Permit G-8594.
3. The proposed use is not prohibited by law or rule except where otherwise noted below.
4. The use of water from a well (HARN 1495) in Malheur River Basin for irrigation use is allowable under the Malheur River Basin Program.
5. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

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APR 29 2009

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, 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

April 10, 2009

GALE NELSON AND STANLEY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

Reference: File G-17154

Dear Applicants:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the 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 application proposed the use of 1300.0 gallons per minute, or 2.90 cubic feet per second (CFS), of water from a well (HARN 1495) for irrigation on 230.0 acres from March 1 through October 31.
2. The Department understands that you will voluntarily cancel a portion of Permit G-8594 (Application G-9019) when a permit for this application is issued. Please complete and return the enclosed form authorizing the partial cancellation of Permit G-8594 prior to Thursday, May 14, 2009, so the Department can continue to process the application as primary irrigation. This will allow the Department to issue a permit for this application at the same time as cancelling Permit G-8594.
3. The proposed use is not prohibited by law or rule except where otherwise noted below.
4. The use of water from a well (HARN 1495) in Malheur River Basin for irrigation use is allowable under the Malheur River Basin Program.
5. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

6. The standard allowable rate for irrigation use from surface water is 1/80 cubic foot per second (CFS) per acre. Your application requested 2.90 CFS for 230.0 acres. If the application is approved, the rate allowed will be limited to 2.87 CFS.

Summary of Initial Determinations

The use of 2.87 CFS of water from a well (HARN 1495) in Malheur River Basin for irrigation use on 230.0 acres is allowable during the full period requested, March 1 through October 31.

Because of these favorable determinations, the Department can now move your application to the next phase of the water-rights application review process, 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 \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, April 24, 2009**. 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 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.

2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

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

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

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

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

of use under this 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.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Kerry Kavanagh, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kerry Kavanagh
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17154
WAB 10-no psi
POU 10-no psi
GW

APPLICATION FACT SHEET

Application File Number: G-17154

Applicant: GALE NELSON AND STANLEY KAZEBEE

County: Harney

Watermaster: 10

Priority Date: December 18, 2008

Source: A WELL (HARN 1495) IN MALHEUR RIVER BASIN

Use: IRRIGATION USE ON 230.0 ACRES

Quantity: 2.9 CUBIC FEET PER SECOND

Basin Name & Number: Malheur River, #10

Stream Index Reference: Volume 1 SOUTH FORK MALHEUR RIVER & MISC

Well Location: NENE, SECTION 9, T27S, R34E, W.M.; 1302 FEET SOUTH AND 1302 FEET WEST FROM NE CORNER, SECTION 9

Place of Use:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
SECTION 9

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.0 ACRES
SECTION 10

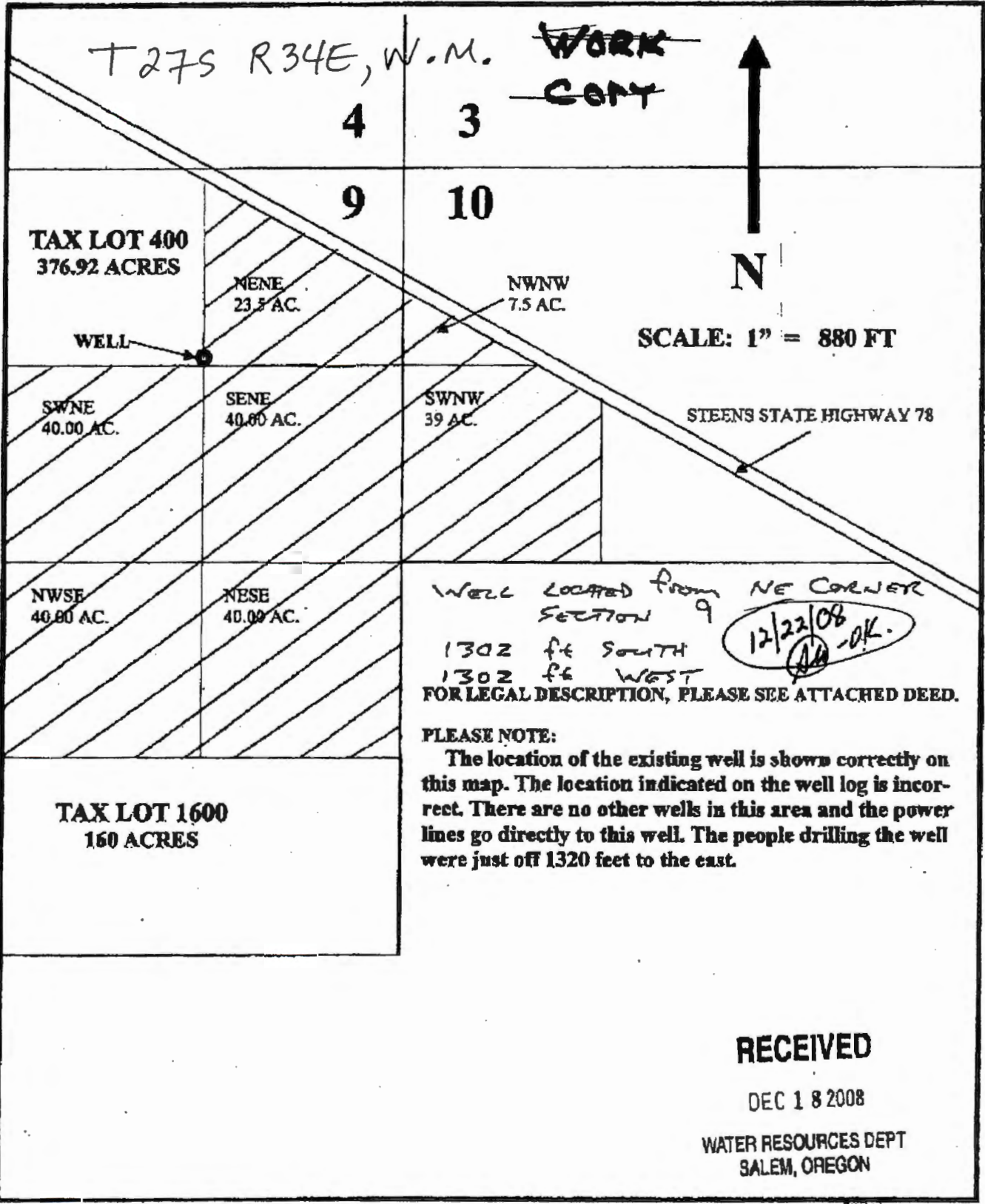
TOWNSHIP 27 SOUTH, RANGE 34 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, April 24, 2009

PUBLIC NOTICE DATE: Tuesday, April 14, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, May 14, 2009

APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE., CANBY, OR 97013



6-17154

1326 N.E. 12th Ave.
Canby, OR 97013

December 17, 2008

Dwight W. French, Administrator
Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271

New permit application to replace File G-9019, Permit G-8594

Dear Mr. French,

Thank you for your letter of November 26, 2008, a copy of which we have enclosed for your reference. Also enclosed is our first letter dated November 19, 2008, to Mr. Larry Nunn, requesting time to submit for a new permit.

We are submitting with this letter an application for a new permit to irrigate from our wells some of our lands on the south side of Highway 78 in Harney County near Princeton.

We are the sole owners of Tax Lots 400 and 1600, with no lien holders having any interest. We are NOT applying for any water rights to our Tax Lots 401 and 402, located north of Highway 78, nor to any lands owned by the Division of State Lands.

Upon your issuance of the final order approving the new permit, we wish Permit G-8594 to be cancelled.

Included with this letter are the following:

1. Application for a Permit to Use Ground Water.
2. Application map of 230 acres in portions of Tax Lots 400 & 1600.
3. Tax plat map showing subject tax lots.
4. Copy of our Statutory Warranty Deed for our purchase of Tax Lot 400.
5. Water Well Report of May 24-30, 1979.
6. Well Testing Report date 1-19-08.
7. Oregon Water Resources Department Form 1
8. Land Use Information Form signed and dated by Harney County.
9. Check for \$1200 for Water Use Permit and Permit Recording Fee.

Thank you for your consideration. If there are any questions, you may contact Stan Kazebee at 503-803-1400. You may also contact Ken Thomas, our consultant, at 541-493-2776.

Sincerely,

Stan Kazebee

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DEC 18 2008
WATER RESOURCES DEPT
SALEM, OREGON

1326 N.E. 12th Ave.
Cathy, OR 97013

November 19, 2008

State of Oregon
Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271

COPY

Attention: Mr. Larry Nunn

RE: Permit G-8594 Application G-9019

This is in reference to your letter/notice mailed October 20, 2008, proposing to cancel Permit G-8594. Gale A. Nelson and Stanley L. Kazebee are the new owners of the land under the above named permit. We also have purchased at auction, 160 acres of BLM land that is contiguous to this said land.

We would appreciate your allowing us time to submit a new application for the use of our wells for our land on the south side of Hwy 78, and including the contiguous 160 acre BLM purchase. We would not include any land owned by us or by the Division of State Lands that is north of Hwy 78.

We have included copies of the current tax statements and plat map of the land we own south of Hwy 78 including the BLM acreage contiguous to our land, tax lots 400 and 1600 respectively. Included also, are copies of the letter and final order received by us from your department.

Once the new permit is approved, we would be willing to cancel Permit G-8594.

We appreciate your help in this matter, and if there are any questions, contact either Gale at 503-939-9575 or Stan at 503-803-1400.

Thank you for your consideration.

Sincerely,

Gale A. Nelson

Stanley L. Kazebee

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DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION FOR A WATER USE PERMIT
(OAR Chapter 690, Division 310)

I. To Appropriate Groundwater or Surface Water

Base.....\$500.00 ✓
PLUS:
 1st cubic foot per second (cfs) or fraction thereof.....\$200.00 ✓
 Each additional cfs or fraction thereof.....\$100.00 ✓
 Each additional use, point of diversion or well after the 1st.....\$200.00
 Permit recording fee (must be paid prior to permit issuance).....\$300.00 ✓

Handwritten calculations:
 500.00
 200.00
 + 200.00

 900.00
 x 2 = 200.00

 1100.00
 Total circled as \$900.00

The \$300.00 can be paid later or now.

If also proposing to appropriate stored water under the same application, add the following:

Each acre foot (af) or fraction thereof up to 20 af.....\$ 20.00
 Each additional af or fraction thereof.....\$ 1.00

1 cfs = 4499pm

II. To Appropriate Groundwater or Surface Water for STORAGE

Base.....\$500.00
PLUS:
 Each af or fraction thereof up to 20 af.....\$ 20.00
 Each additional af or fraction thereof.....\$ 1.00
 Permit recording fee (must be paid prior to permit issuance).....\$300.00

Handwritten calculation:
 13009pm / 449 ≈ 2.9

III. To Appropriate ONLY Stored Water

Base.....\$250.00
PLUS:
 Each af or fraction thereof up to 10 af.....\$ 15.00
 Each additional af or fraction thereof.....\$ 1.00
 Permit recording fee (must be paid prior to permit issuance).....\$300.00

RECEIVED

DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

If appropriating ground water for above ground storage, direct ground water use, and use of above ground storage under a single application, use the following fee structure:

Mailing List for IR Copies

Application #G-17154

IR Date: April 10, 2009

Original mailed to applicant:

GALE NELSON AND STANELY KAZEBEE
1326 NE 12TH AVE
CANBY, OR 97013

Copies sent to:

1. WRD - File # G-17154
2. WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

3. WRD - Regional Manager: EASTERN
4. WRD - Watermaster # 10

Copies Mailed
By: <u>MS</u>
(SUPPORT STAFF)
on: <u>4/9/09</u>
(DATE)

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

Caseworker: Kerry Kavanagh

COPYSHT.IR

REMINDER: Copy **all** IR's for uses in the Klamath Basin to DEQ and ODFW contacts, regardless of whether they are subject to Division 33. (If they are not subject to Division 33, do not include Division 33 forms.)



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.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Gale A Nelson Stanley L Kazebee
First Last

Mailing Address: 1326 NE 12th Ave
Canby OR 97013
City State Zip

Phone: 503-939-9575 503-939-9575 503-803-1400
Home Work Other

*Fax: _____ *Email Address: STAN. 503-263-6774

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: N/A

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use		
App. No. <u>6-17154</u>	Permit No. _____	Date _____

Last Updated: 11/24/2008

Ground Water/1

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DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

WR

2. PROPERTY OWNERSHIP

Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

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 I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

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.

N/A

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Malheur Lake

Distance from well(s) to nearest stream or lake:

1) 4 miles 2) 3) 4)

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) N/A 2) 3) 4)

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DEC 18 2008

WATER RESOURCES DEPT SALEM, OREGON

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 section 4 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:

N/A

Mailing Address:

City State Zip

Completion Date: _____

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
		See Well Log							

Note: Well numbers in this listing must correspond to well locations(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:

N/A

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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SALEM, OREGON

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)
1	See well log	Irrigation	1300	414,720,000	1200

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1300 gpm (See well test)
(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 to 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, indicate the total number of acres where water will be applied or used: 230 Acres
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 100 HP Turbine
- 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 10" PVC Length 1320 ft

- other, describe: 8" Aluminum - 1320 ft.

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C. Application/Distribution Method

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

Center pivot and wheel lines supplied by turbine pump and PVC pipe or aluminum pipe.

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: _____

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Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open Canal

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

We would use a low pressure center pivot because it would be the most cost effective and manageable means to do an efficient job for this operation. The wheel lines would irrigate areas not suitable due to size for pivots.

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: April, 2009

Proposed date construction will be completed: July, 2009

Proposed date beneficial water use will begin: May, 2014

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.

[Empty box for remarks]

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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

 *Stanley L. Keyser*

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

12/17/2008
Date

Rob C. [unclear]

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.

WRD on the web:
www.wrd.state.or.us

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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: 230 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 Full season Partial season (from: _____ to _____)
- 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:

690 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: We will irrigate day and night, except when haying or if conditions warrant shutting it off.

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Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; 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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Gale A Nelson & Stanley L. Kazebee
Mailing Address: 1326 NE. 12th Ave
City: Canby State: OR Zip: 97013 Day Phone: 503-939-9575

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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:
275	34E	9	NE	400-1600	Irrigation	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Alfalfa hay
275	34E	10	SWNW	400	Irrigation	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Alfalfa hay
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1300 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: Irrigation with center pivot and/or wheel lines to raise alfalfa hay

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFQV-1.

Land uses to be served by proposed water uses (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
		<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 Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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SALEM, OREGON

Name: Brandon McMillen Title: Planning Director
 Signature: [Signature] Phone: 541-573-6655 Date: 12/1/08
 Government Entity: Hancock County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER WELL REPORT

Application # G-9019 G-17154
State Well No. 273/34E-1066

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

1495
Harney

(1) OWNER:

Name P.V. Doman
Address Princeton, OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
12" Diam. from 0 ft. to 60 ft. Gage .250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? Yes No

Type of perforator used _____
Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? _____
Yield: 1000 gal./min. with 20 ft. drawdown after 4 hrs.

Baller test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m.

Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 14 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 7 sacks
How was cement grout placed? poured

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Harney Driller's well number _____
NW 1/4 NW 1/4 Section 10 T.21S R. 34E W.M.

Bearing and distance from section or subdivision corner
1320' S 0' E NE corner of Sec 9

(11) WATER LEVEL: Completed well.

Depth at which water was first found 30 ft.
Static level 22 ft. below land surface. Date May 25
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 12
Depth drilled 160 ft. Depth of completed well 150 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	6	
Tan clay	6	18	
Tan & Blue Clay mix	18	25	
Blue clay	25	90	
Dark gray clay	90	95	
gravel & cinders in clay	95	100	
Light Blue clay	100	125	
Cinder & sand	125	130	
Light Blue clay	130	160	

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JUN 15 1979

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SALEM, OREGON

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SALEM, OREGON

Work started May 24 19 79 Completed May 30 19 79

Date well drilling machine moved off of well June 19 19 79

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] P.V. Doman Date June 19, 19 79
(Drilling Machine Operator)

Drilling Machine Operator's License No. Lance Doman

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name _____ (Person, firm or corporation) (Type or print)

Address _____

[Signed] P.V. Doman (Water Well Contractor)

Contractor's License No. _____ Date _____, 19 _____

East well

WELL TESTING REPORT AND AGREEMENT

OPERATOR Gale Nelson LOCATION _____ DATE 1-19-08
 OWNER B.V. Doman
 RIG NO. 12'' WELL DEPTH 130' STATIC LEVEL 22'
 HEIGHT OF CHAIR 60' HEIGHT OF SCREEN None
 W.P. DEPTH 120' S.P.C. TEST 113' SCREENING SIZE 10'' SCREENING SIZE 16''

TIME	WELL DEPTH	FLOWMETER	G.P.S.	REMARKS
2:00 PM	22'		300	Well was plugged with mud-clay
3:00 PM	28'		400	Pump was set AT 120' To clear out well
4:00 PM	34'		600	
5:00 PM	39'		800	
6:00 PM	43'		1000	
7:00 PM	48'		1200	
8:00 PM	48'		1200	
9:00 PM	48'		1200	
10:00 PM	52'		1500	
11:00 PM	52'		1500	
12:00 AM	48'		1200	
1:00 AM	48'		1300	
2:00 AM	48'		1300	
3:00 AM	48'		1300	
4:00 AM	48'		1300	
5:00 AM	48'		1300	This is a good strong clean well
			1300	clean well.

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WATER RESOURCES DEPT
SALEM, OREGON

Valentine Drilling Co.

George Valentine

15 HRS

67154

THIS SPACE RESERVED FOR RECORDER'S USE
20070047

After recording return to:
GALE A. NELSON
P.O. BOX 159
AURORA, OR 97002

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

GALE A. NELSON
P.O. BOX 159
AURORA, OR 97002

Escrow No. BU0017978
Title No. 0017978

SWD

COPY

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received
for record on the 11th day of January
2007 at 1:37 a clock P.M. and
recorded Microfilm number 200710047
Deed Records of said County.
Marta Iturriaga, County Clerk
By: J. Radwin Deputy

STATUTORY WARRANTY DEED

WARREN MATTHEWS and ZOE MATTHEWS, as tenants by the entirety, Grantor(s) hereby convey and warrant to GALE A. NELSON, as to an undivided 1/2 interest and STANLEY L. KAZEBEE, as to an undivided 1/2 interest, 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 EXHIBIT "A" CONSISTING OF ONE PAGE ATTACHED HERETO.

ACCT# 10840; CODE# 4-2

MAP:27S 34E LOT 400

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:

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND 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 197.352.

Dated this 11/3/07 day of _____

Warren Matthews
WARREN MATTHEWS

Zoe Ann Matthews
ZOE MATTHEWS

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WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon
County of HARNEY

STATUTORY WARRANTY DEED

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Dated this 11/23/07 day of _____.

Warren Matthews
WARREN MATTHEWS

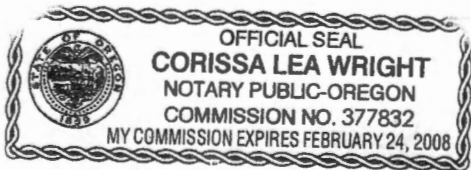
Zoe Ann Matthews
ZOE MATTHEWS

State of Oregon
County of HARNEY

This instrument was acknowledged before me on Jan 3rd, 2007 by WARREN MATTHEWS and ZOE MATTHEWS.

Corissa Lea Wright
(Notary Public for Oregon)

My commission expires Feb. 24, 2008



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SALEM, OREGON

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 27 S., R. 34 E., W.M.:

Sec. 4: SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

Sec. 9: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

Sec. 10: NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following three parcels:

Parcel No. 1: Beginning at a point on the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 10, said point being 148 feet North and 1320 feet West of the East quarter corner of said Sec. 10; thence N. 68°39' W. 632.2 feet; thence N. 21°21' E. 430 feet; thence S. 68°39' E. 474.2 feet to a point on the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence South, along the said East line, 461.7 feet to the point of beginning.

Parcel No. 2: Beginning at a point on the North line of said Sec. 10, which point is 1980 feet East of the Northwest corner of said Sec. 10; thence East, along the North line of said Sec. 10, a distance of 660 feet; thence South 791.7 feet; thence West 630 feet; thence South 1108 feet; thence N. 60°20' W. parallel to and 50 feet distant Northerly from the relocated center line of the Rome-Princeton Highway, 34.53 feet to a point opposite Engineer's center line Station 310+37.92; thence North 1882.6 feet to the point of beginning.

Parcel No. 3: Highway right of way conveyed to the State of Oregon, as disclosed by deed recorded April 26, 1951, in Book 53, Page 418, and Resolution recorded December 2, 1975, in Book 99, Page 602, Deed Records.

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COPY

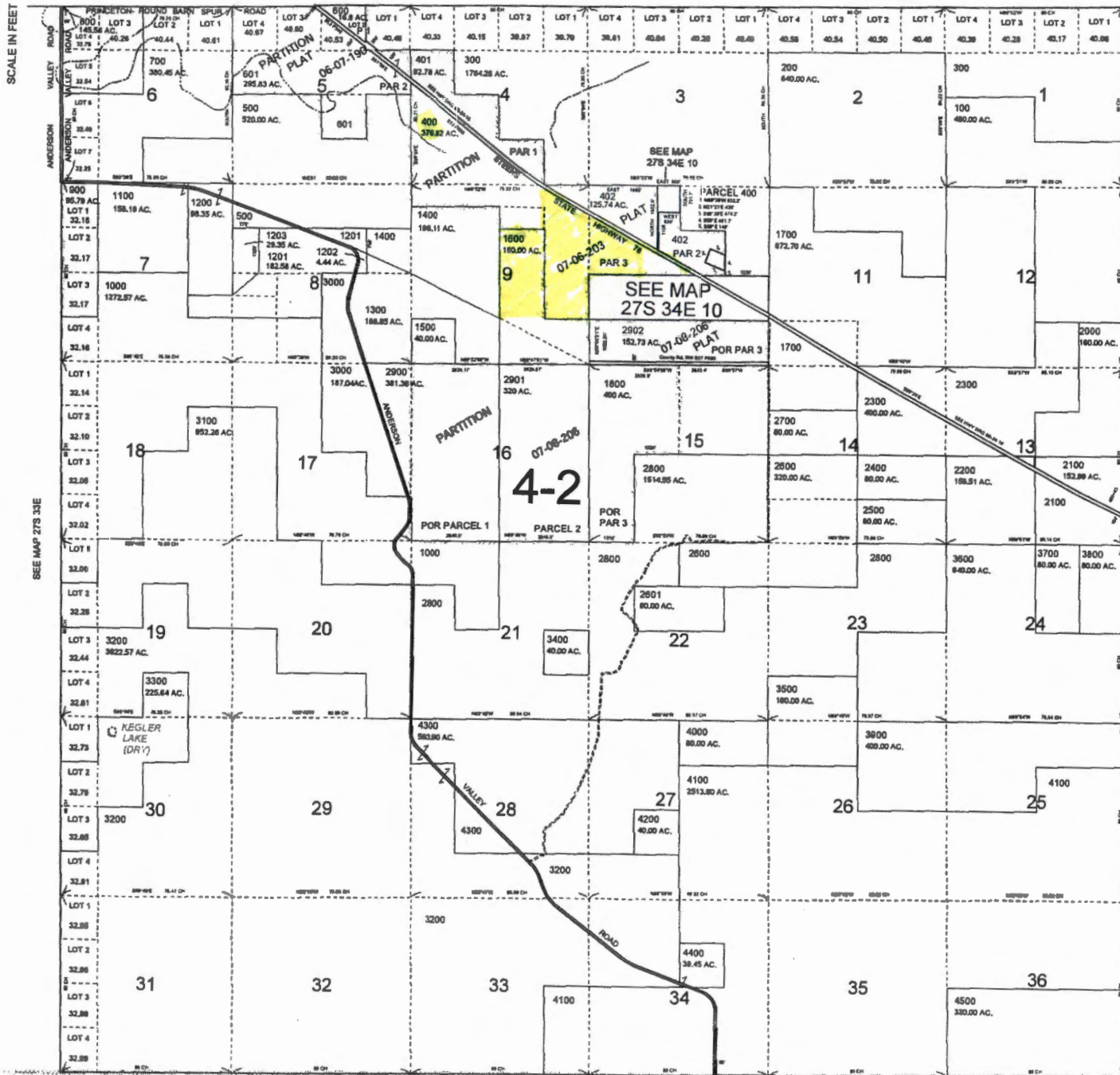
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.27S. R.34E. W.M. HARNEY COUNTY

1" = 2000'
SEE MAP 268 34E

27S 34E
& INDEX

CANCELLED NO.
1800
2801
1301 (2008)



SEE MAP 27S 33E

SEE MAP 27S 35E

SEE MAP 268 34E

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WATER RESOURCES DEPT
SALEM, OREGON

PRINTED ON
May 21, 2008
27S 34E
& INDEX

6-17-154

STAN KAZEBEE

~~CASCADE PACIFIC BUILDING INSPECTIONS, INC.~~

1326 NE 12th Avenue

CANBY, OR 97013

PHONE # 503-263-6774 503-803-1400(c)

FAX # 503-263-6774

OREGON WATER RESOURCES

TO:

HERB

FAX #

503-986-0901

DATE:

12/22/08

COVER PAGE PLUS

1

PAGES

MESSAGE:

Initials & dated map per
map attached. Location of well OK.

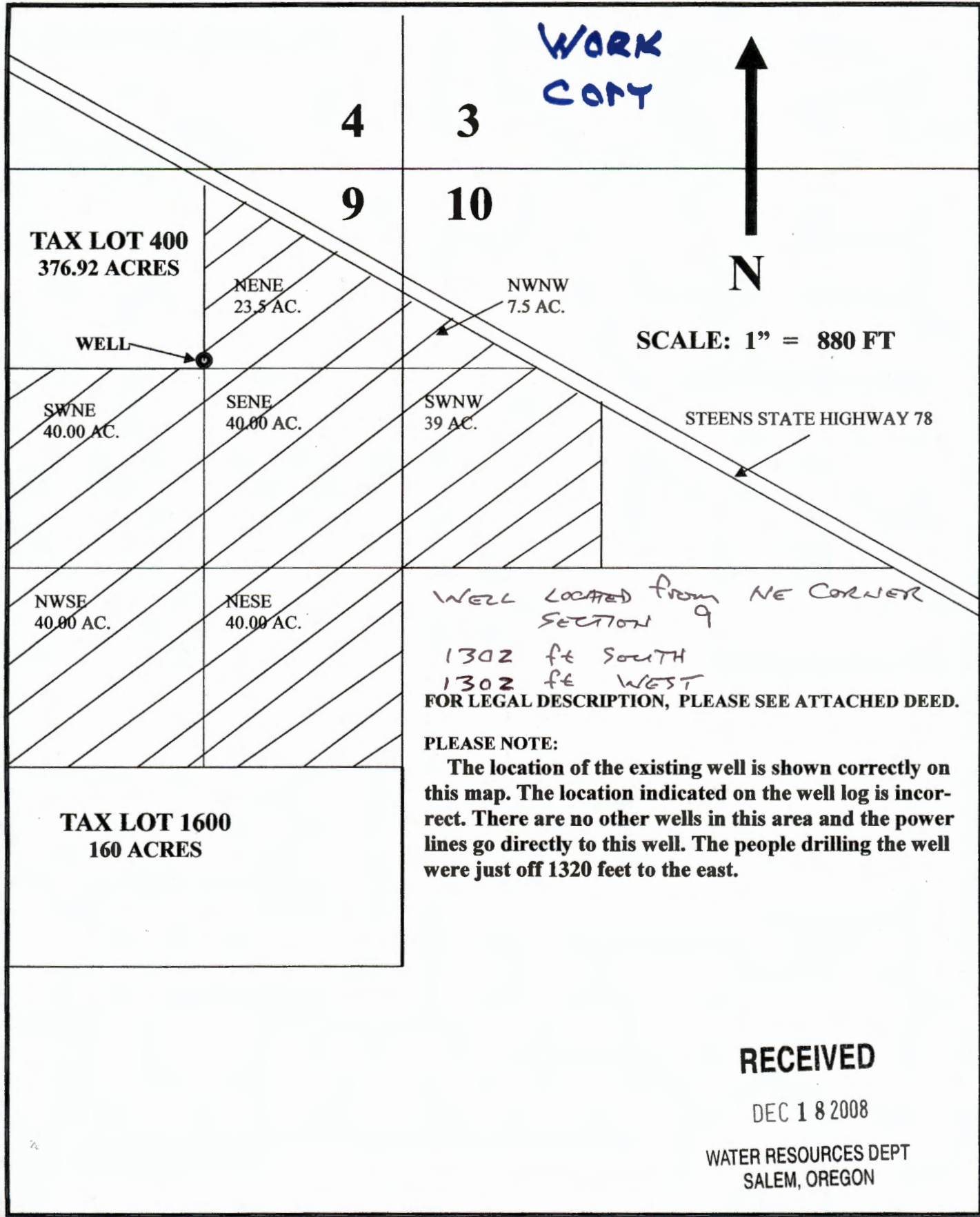
Love!
Merry Christmas!

Stan Kazabee

Superseded 12/22/02

6-17154

APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE. , CANBY, OR 97013



WORK COPY



SCALE: 1" = 880 FT

STEENS STATE HIGHWAY 78

WELL LOCATED FROM NE CORNER
SECTION 9
1302 ft SOUTH
1302 ft WEST
FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED DEED.

PLEASE NOTE:

The location of the existing well is shown correctly on this map. The location indicated on the well log is incorrect. There are no other wells in this area and the power lines go directly to this well. The people drilling the well were just off 1320 feet to the east.

RECEIVED

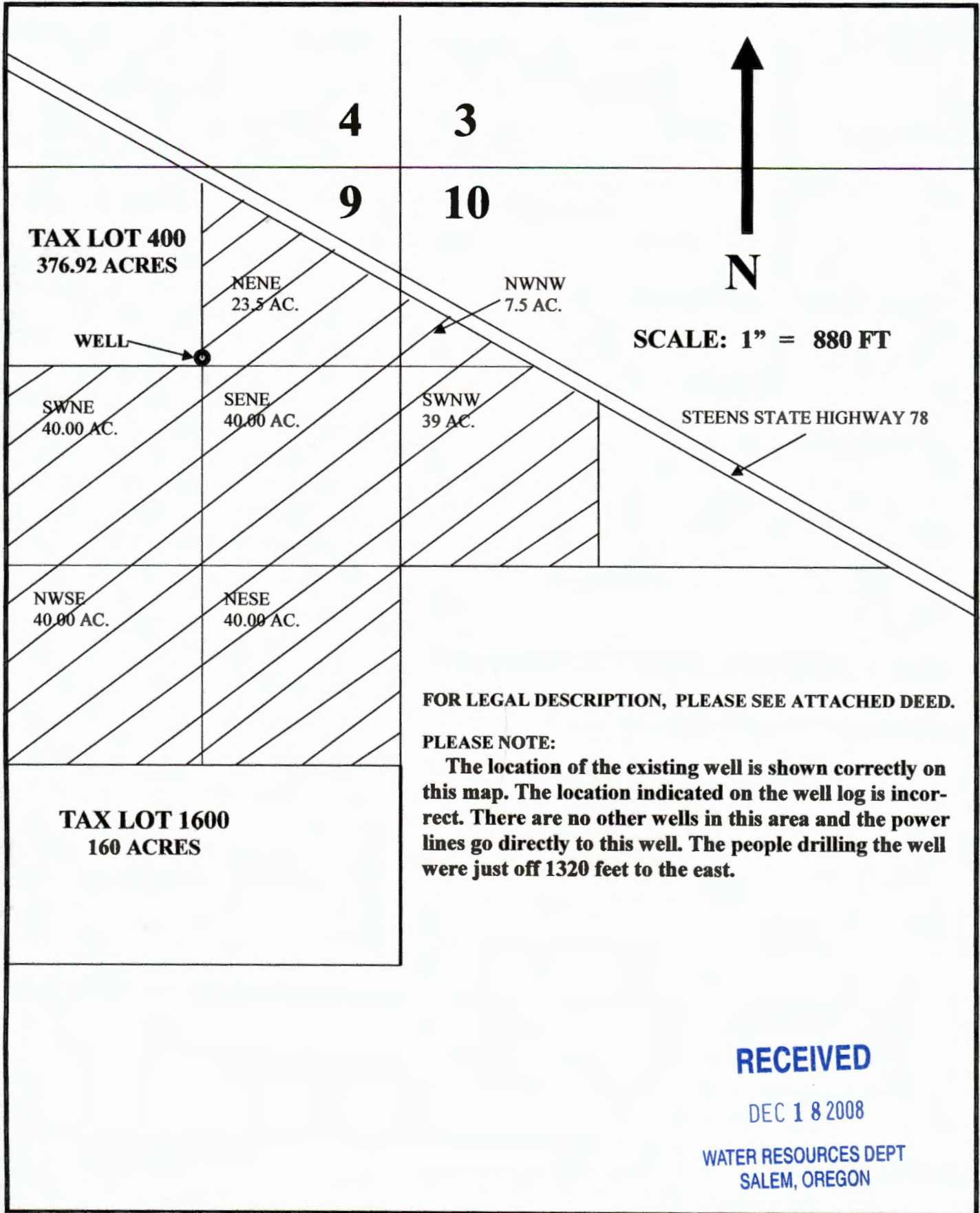
DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

superseded - 12/22/08

G-17154

**APPLICATION MAP IN THE NAME OF GALE A. NELSON AND STANLEY L. KAZEBEE
1326 N. E. 12th AVE. , CANBY, OR 97013**



FOR LEGAL DESCRIPTION, PLEASE SEE ATTACHED DEED.

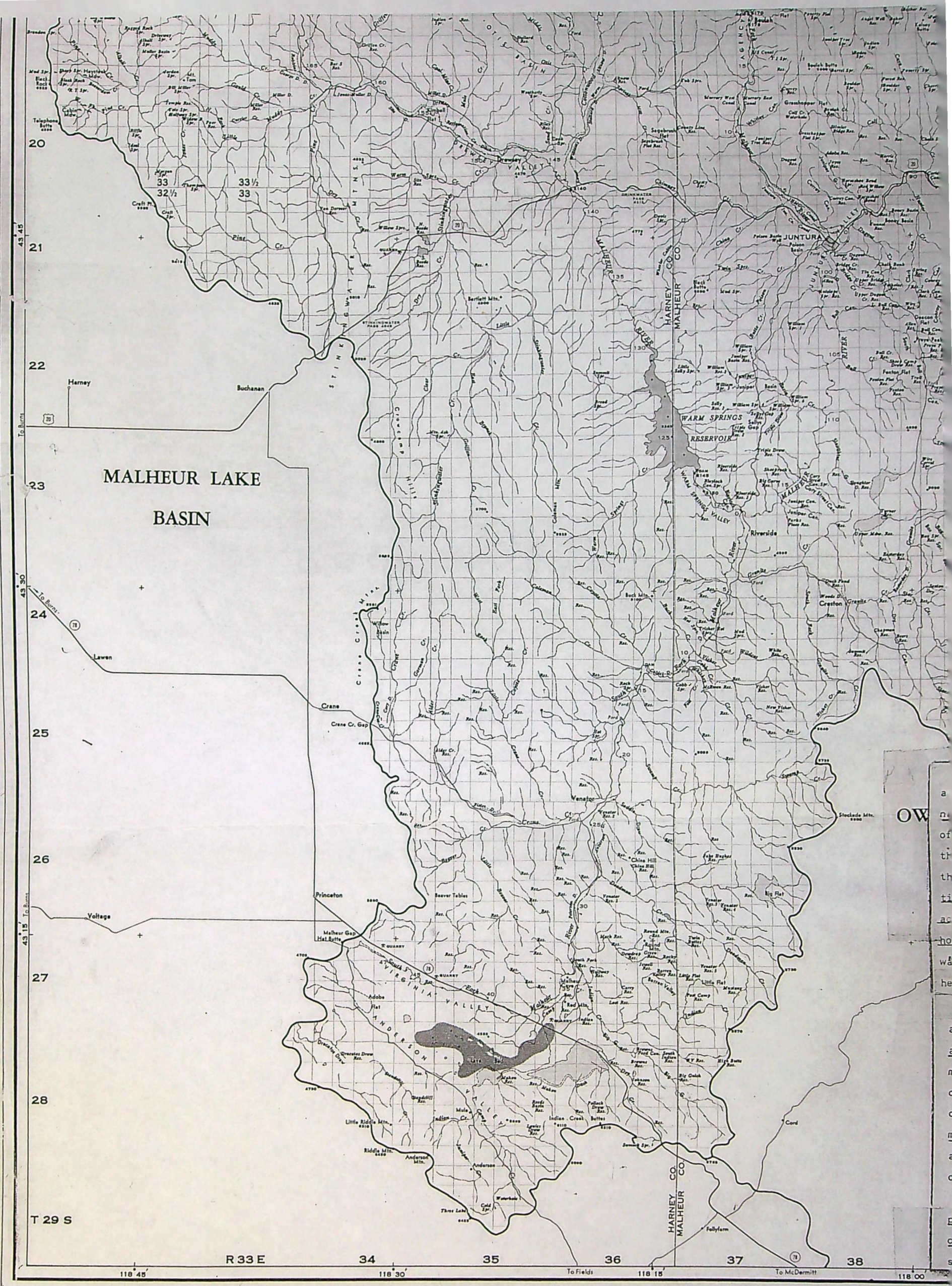
PLEASE NOTE:

The location of the existing well is shown correctly on this map. The location indicated on the well log is incorrect. There are no other wells in this area and the power lines go directly to this well. The people drilling the well were just off 1320 feet to the east.

RECEIVED

DEC 18 2008

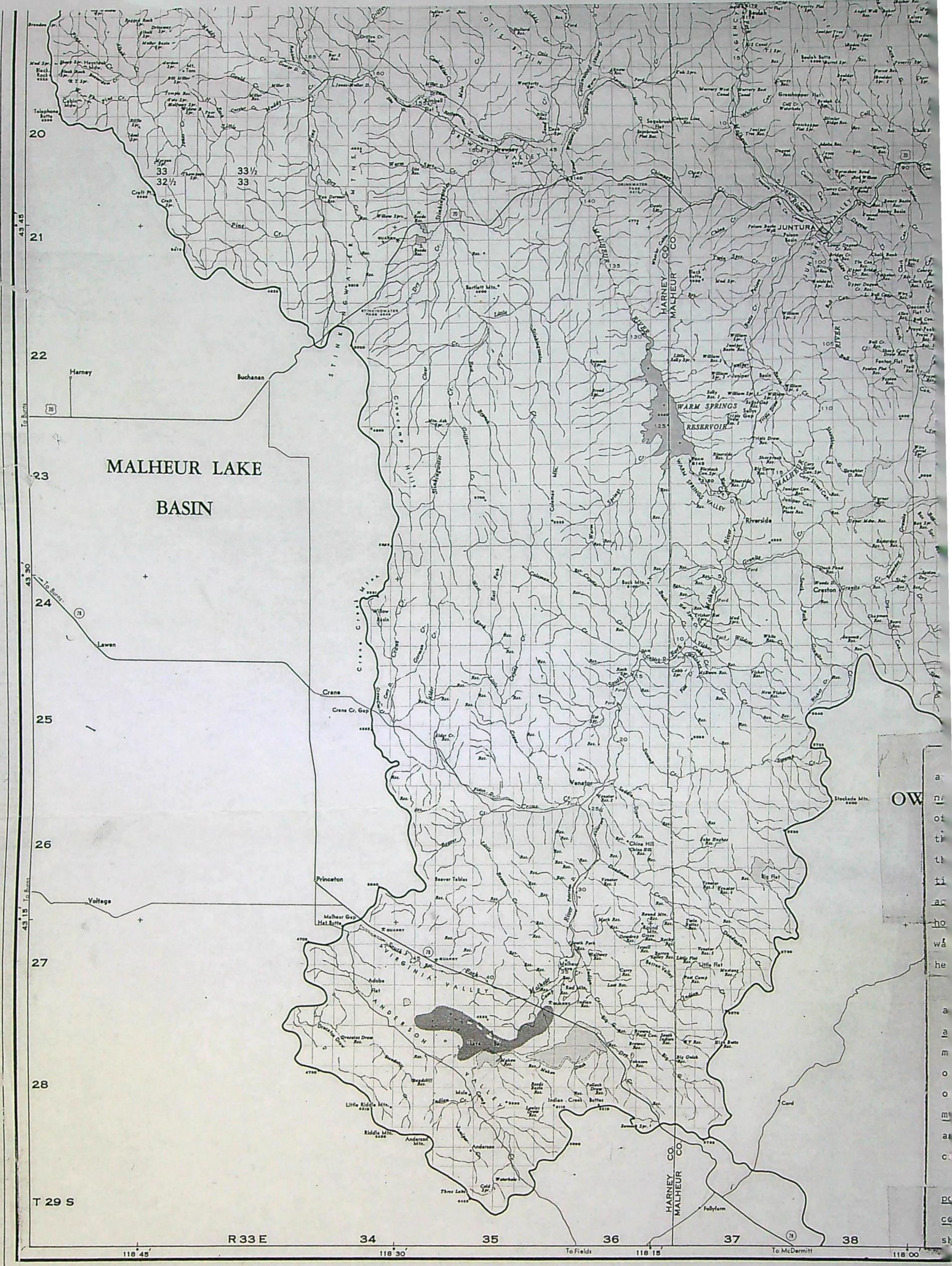
WATER RESOURCES DEPT
SALEM, OREGON



Portion of Malheur River Basin map

South fork Malheur R (Also Misc.)

Vol. 1



Portion of Malheur River Basin map
South fork Malheur R (Also Misc.)
Vol. 1

RECE

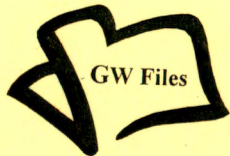
RECE

BY:

CASH

RECE

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP



GW Files

RECEIPTING *LA37*
POST CARD SENT

WATER RIGHTS SUPPORT

ATTN: WATER RIGHTS SUPPORT....

A.S.

Mark contents of file with application number; WRIS, and route file to caseworker.

Caseworker:

Brook Geffen	503-986-0808	<input type="checkbox"/>
Jeana Eastman	503-986-0859	<input type="checkbox"/>
Joel Plahn	503-986-0815	<input type="checkbox"/>
Kerry Kavanagh	503-986-0816	<input checked="" type="checkbox"/>
Michele McAleer	503-986-0853	<input type="checkbox"/>



Files
& R

VOICE #

LOCATION

9-17154

PERMIT

TRANSFER

REC'D

\$ 1,800.00

\$
\$

Water

\$
\$
\$
\$
\$

RECORD FEE

\$ 300.00

LICENSE FEE

\$
\$

CARD #

MEMBER

\$
\$
\$

\$

9. Bluff Copy - Fiscal



NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP

RECEIPTING *LA*
POST CARD SENT

WATER RIGHTS SUPPORT

ATTN: WATER RIGHTS SUPPORT....

>>>>> Mark contents of file with application number; WRIS, and route file to caseworker.

Caseworker:		
Brook Geffen	503-986-0808	<input type="checkbox"/>
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Kerry Kavanagh	503-986-0816	<input checked="" type="checkbox"/>
Michele McAleer	503-986-0853	<input type="checkbox"/>



P.A.S.

STANLEY KAZEBEE

1328

Oregon Water Resources Department
070 Permits & Fees

Water rights permit fees

12/17/2008

1,200.00

Base "plus" \$ 900
Recording 300
Total \$ 1200

RECEIVED

DEC 18 2008

WATER RESOURCES DEPT
SALEM, OREGON

West Coast Bank Che Permit fee: Water rights Tax Lots 400 & 1600 Ha

1,200.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **95200**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Stanley Kazebee
BY: Gabe Nelson

APPLICATION	<u>9-17154</u>
PERMIT	
TRANSFER	

CASH: CHECK.# 1328 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1200.00

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			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$ <u>900.00</u>	0204 \$ <u>300.00</u>
0205	TRANSFER	\$	
WELL CONSTRUCTION		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: **95200**

DATED: 12/18/02 BY: LTG

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **107211**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Golden Role Farms, Inc.

BY: _____

APPLICATION	617154
PERMIT	
TRANSFER	

CASH: CHECK:# 18264 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 75.00

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 46111

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) Assignment \$ 75.00

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$ _____ RECORD FEE \$ _____

0203 GROUND WATER EXAM FEE 0204 \$ _____ RECORD FEE \$ _____

0205 TRANSFER EXAM FEE \$ _____

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: **107211** DATED: 10-29-12 BY: RR

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