

G 4410

11/4/82 OWR

Name DON S. ORLANDO  
By ORLANDO TROUT CREEK RANCH  
Address Andrews Fields  
Oregon 97710

Date filed May 27, 1968  
Priority August 22, 1968  
Action suspended until Off out  
Returned to applicant  
Date of approval February 14, 1969

CONSTRUCTION

Date for beginning February 14, 1970  
Date for completion October 1, 1970  
Extended to  
Date for application of water October 1, 1971  
Extended to

PROSECUTION OF WORK

Form "A" filed Started  
Form "B" filed Nov 3 1971  
Form "C" filed Nov 3 1971

FINAL PROOF

Blank mailed JUN 11 1982  
Proof received  
Date certificate issued NOV 22 1982

Application No. G G 4410  
Permit No. G G 4156  
Certificate No. 51251

Stream Index, Page No. 1D-30  
39/35-25 K  
Tracing in file no. G-4409

FEES PAID

Date	Amount	Receipt No.
5-27-68	52.70	9206
6-19-68	12.20	2697 # G 4409
8-22-68	4.47	11123

\$1 Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
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ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

4.97 cfs from a well (Trout Creek) for the supplemental irrigation of 397.2 acres  
NOV 4 1970 CARD FOR B  
OCT 12 1971 CARD FOR C  
Form 130 sent JUL 12 1982  
T-13784 A POA, POU V.131, P. 786

RECEIVED  
NOV 8 1971  
STATE ENGINEER  
SALEM OREGON

Form B

Application No. G 4410

NOTICE OF COMPLETION OF CONSTRUCTION

I, Don S. Orlando of Orlando Trout Creek Ranch, the holder of Permit No. G 4156

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 30 day of JUNE, 1968

Remarks: \_\_\_\_\_  
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you

should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of OCT, 1971  
Don S. Orlando Fields Oregon 97710  
(Signature of Applicant) (Address)

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is completed.

Form C

**IMPORTANT**—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.  
Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. G 4410

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Don S. Orlando of Orlando Trout Creek Ranch, the holder of Permit No. G 4156

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 30 day of JUNE, 1969.

Remarks: \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of OCT, 1971  
Don S. Orlando Fields Oregon 97710  
(Signature of Applicant) (Address)

RECEIVED  
NOV 8 1971  
STATE ENGINEER  
SALEM OREGON



# Oregon

Tina Kotek, Governor

App: G-4410

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 2, 2024

Oregon Desert Land Trust

C/O Brent Fenty

2843 NW Lolo Dr.

Bend, OR 97703

REFERENCE: Transfer Application T-13784

Green Fields III, LLC

1 Embarcadero Center, Suite 3860

San Francisco, CA 94111

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, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.l.davis@water.oregon.gov](mailto:Arla.l.davis@water.oregon.gov).

Sincerely,

Elyse D. Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Donald (dally) S. Swindlehurst, Watermaster Dist. # 10 (via email)

Nancy Rorick, Agent

Harney County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER
T-13784, Harney County	)	APPROVING A CHANGE IN POINTS OF
	)	APPROPRIATION AND A CHANGE 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.

**Applicants**

OREGON DESERT LAND TRUST  
C/O BRENT FENTY  
2843 NW LOLO DRIVE  
BEND, OR 97703

GREEN FIELDS III, LLC  
1 EMBARCADERO CENTER SUITE 3860  
SAN FRANCISCO, CA 94111

**Findings of Fact**

1. On July 29, 2021, PUEBLO MOUNTAIN LAND COMPANY, LLC, ATTN: DUANE GRANT and OREGON DESERT LAND TRUST, C/O BRENT FENTY filed an application to change the points of appropriation and to change the places of use under Certificates 46665, 51251, 81390, and 92999. The Department assigned the application number T-13784.
2. Notice of the application for transfer was published on August 31, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 8, 2023, the Department approved an assignment of Transfer Application T-13784 from Pueblo Mountain Land Company, LLC, Duane Grant, to Green Fields III, LLC.

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.

4. On February 26, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13784 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 27, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
5. On April 16, 2024, the agent for the applicant requested the completion date of Transfer Application T-13784 be extended due the complexity of the project pursuant to OAR 690-380-5140 (3). The Department has extended the completion date of the transfer to October 1, 2029.
6. On June 7, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13784 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 11, 2024, and in the Burns Times Herald newspaper on June 12 and 19, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

**Certificate:** 46665 in the name of MRS. J. E. CALDERWOOD (perfected under Permit G-3487)

**Use:** SUPPLEMENTAL IRRIGATION OF 44.8 ACRES

**Priority Date:** SEPTEMBER 23, 1966

**Rate:** 0.56 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, shall be limited to 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:** A WELL, a tributary of TROUT CREEK

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	36 E	WM	31	NE SW	350 FEET SOUTH AND 50 FEET EAST FROM THE NW CORNER OF THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 31

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	36	SE NE	17.4
39 S	35 E	WM	36	NE SE	27.4
Total					44.8

8. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 2.31 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

9. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SE	25.9
39 S	35 E	WM	23	SE SE	2.7
39 S	35 E	WM	26	NE NE	9.1
39 S	35 E	WM	26	NE NE	7.1
Total					44.8

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

**Certificate:** 51251 in the name of ORLANDO TROUT CREEK RANCH (perfected under Permit G-4156)

**Use:** SUPPLEMENTAL IRRIGATION OF 16.1 ACRES

**Priority Date:** AUGUST 22, 1968

**Rate:** 0.2 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, shall be limited to 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:** A WELL, a tributary of TROUT CREEK

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	2.1
39 S	35 E	WM	24	NE NW	4.0
39 S	35 E	WM	24	SE NW	10.0
Total					16.1

11. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 1.21 miles northwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

12. Transfer Application T-13784 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE SE	16.1

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

**Certificate:** 81390 in the name of LORIN SHERBURN AND WILLIS E. STAFFORD  
(perfected under Permit G-8135)

**Use:** IRRIGATION OF 104.1 ACRES

**Priority Date:** DECEMBER 19, 1977

**Rate:** 1.3 CUBIC FEET PER SECOND FROM WELL 1

**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 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. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

**Source:** WELL 1, in the TROUT CREEK BASIN

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW NE	1.1
39 S	35 E	WM	23	SE NW	15.0
39 S	35 E	WM	23	NW SE	16.7
39 S	35 E	WM	23	NE SW	1.3
39 S	35 E	WM	26	NW NE	11.5
39 S	35 E	WM	26	SW NE	11.0
39 S	35 E	WM	26	NE NW	26.0
39 S	35 E	WM	26	SE NW	21.5
Total					104.1

14. Transfer Application T-13784 proposes to move the authorized point of appropriation approximately 0.26 mile east from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23

15. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW NE	0.5	POU	SW5 (WELL 1)
39 S	35 E	WM	26	SE NE	7.1	POU/POA	SW6
39 S	35 E	WM	26	SW NE	26.5	POU/POA	SW6
39 S	35 E	WM	26	NW NE	11.5	POA	SW6
39 S	35 E	WM	26	SW NE	11.0	POA	SW6
39 S	35 E	WM	26	NE NW	26.0	POA	SW6
39 S	35 E	WM	26	SE NW	21.5	POA	SW6
Total					104.1		

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

**Certificate:** 92999 in the name of PUEBLO MOUNTAIN LAND CO. LLC (perfected under Permit G-23)

**Use:** IRRIGATION OF 79.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

**Priority Date:** AUGUST 25, 1955

**Rate:** 1.24 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 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:** TWO WELLS in TROUT CREEK BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL SW5 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	26	NW NE	WELL SW6 - 100 FEET SOUTH AND 3530 FEET EAST FROM THE NW CORNER OF SECTION 26

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	NE SW	3.8
39 S	35 E	WM	23	SE SW	24.7
39 S	35 E	WM	23	NW SE	26.0
39 S	35 E	WM	23	SW SE	20.0
39 S	35 E	WM	26	NE NW	4.9
Total					79.4

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SW SE	20.0



17. Transfer Application T-13784 proposes to move one of the authorized points of appropriation of (WELL SW6), with approximate distances from the existing points of appropriation, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized Wells in miles
39 S	35 E	WM	23	SW SE	SW6 - 5 FEET NORTH AND 2250 FEET WEST FROM THE SE CORNER OF SECTION 23	WELL SW5 - 0.26 mi WELL SW6 - 0.11 mi

18. Transfer Application T-13784 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SE SW	3.7	POU	SW6
39 S	35 E	WM	23	SE SW	6.8	POU	SW5
39 S	35 E	WM	23	NW SE	22.4	POU	SW6
39 S	35 E	WM	23	SW SE	7.0	POU	SW6
39 S	35 E	WM	26	SW SE	3.3	POU	SW6
39 S	35 E	WM	26	NW NE	28.5	POU	SW6
39 S	35 E	WM	26	SE NE	3.3	POU	SW6
39 S	35 E	WM	26	NE NW	4.4	POU	SW6
Total					79.4		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change	POA resulting from T-13784
39 S	35 E	WM	23	SW SE	5.5	POU	SW6
39 S	35 E	WM	24	SW SE	12.8	POU	SW6
39 S	35 E	WM	23	SE SE	0.6	POU	SW6
39 S	35 E	WM	26	NE NE	1.1	POU	SW6
Total					20.0		

**Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]**

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 water delivery 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-13784.
21. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
22. 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).

23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed change, as conditioned, would not result in injury to other existing water rights.
25. All other application requirements are met.

#### Conclusions of Law

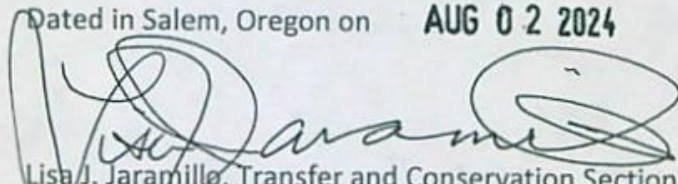
The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

#### Now, therefore, it is ORDERED:

1. The change in points of appropriation and change in places of use proposed in Transfer Application T-13784 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 46665, 51251, 81390, and 92999 and any related decree.
3. Water right Certificates 46665 and 92999 are cancelled.
4. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.
5. Water right Certificates 51251 and 81390 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
6. Under Certificate 46665, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.
7. Under Certificate 51251, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation.
8. Under Certificate 81390, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1).
9. Under Certificate 92999, the quantity of water diverted at the new point of appropriation (SW6) shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL SW6).

10. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
11. The former places of use of the transferred rights shall no longer receive water under the rights.
12. 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.
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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.
14. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **AUG 02 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department

Mailing date: **AUG 05 2024**



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

August 2, 2024

Lorin Sherburn  
19497 Fields Denio Rd.  
Fields, OR 97710

Willis E. Stafford  
1110 Laughlin Rd.  
Prineville, OR 97754

RE: Water Right Certificate 97614 – Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-13784.

The enclosed document (Certificate 97614) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elyse Richman  
Water Right Services Support  
Transfers and Conservation Section



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

August 2, 2024

Orlando Trout Creek Ranch  
20780 Boyce Lane  
Saratoga, CA 95070

RE: Water Right Certificate 97613 – Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-13784.

The enclosed document (Certificate 97613) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elyse Richman  
Water Right Services Support  
Transfers and Conservation Section

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LORIN SHERBURN  
19497 FIELDS DENIO RD  
FIELDS, OR 97710

WILLIS E. STAFFORD  
1110 LAUGHLIN RD  
PRINEVILLE, OR 97754

confirms the right to use the waters of 6 WELLS in the TROUT CREEK BASIN for IRRIGATION OF 775.8 ACRES AND SUPPLEMENTAL IRRIGATION of 31.0 ACRES.

This right was perfected under Permit G-9287. The date of priority is DECEMBER 19, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 10.09 CUBIC FEET PER SECOND; BEING 0.42 FROM WELL 1, 2.39 CFS FROM WELL 2, 2.37 CFS FROM WELL 3, 2.0 CFS FROM WELL 4, 0.39 CFS FROM WELL 5, AND 2.52 CFS FROM WELL 6, or its equivalent in case of rotation, measured at the well. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	23	SE SW	WELL 1 - 280 FEET NORTH AND 1620 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	27	NE NE	WELL 2 - 960 FEET SOUTH AND 110 FEET WEST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	23	NW SW	WELL 3 - 2300 FEET NORTH AND 250 FEET EAST FROM THE SW CORNER OF SECTION 23
39 S	35 E	WM	22	NE SW	WELL 4 - 2280 FEET NORTH AND 320 FEET WEST FROM THE S1/4 CORNER OF SECTION 22
39 S	35 E	WM	23	NW NE	WELL 5 - 1310 FEET SOUTH AND 50 FEET EAST FROM THE N1/4 CORNER OF SECTION 23
39 S	35 E	WM	22	SE SW	WELL 6 - 690 FEET NORTH AND 30 FEET WEST FROM THE S1/4 CORNER OF SECTION 22

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 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 FOR IRRIGATION for each acre per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SHERBORN					
PRIMARY IRRIGATION – WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	23	SE NW	1.8
39 S	35 E	WM	23	NE SW	5.0
39 S	35 E	WM	23	SW SW	5.6
39 S	35 E	WM	23	SE SW	6.4
39 S	35 E	WM	23	NW SE	0.5
39 S	35 E	WM	26	NE NW	4.1
39 S	35 E	WM	26	NW NW	0.3
39 S	35 E	WM	26	SE NW	10.1
Total					33.8

SHERBORN					
PRIMARY IRRIGATION – WELL 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	21	SE SE	0.3
39 S	35 E	WM	22	SE SE	16.4
39 S	35 E	WM	23	SW SW	11.6
39 S	35 E	WM	26	NE NW	4.3
39 S	35 E	WM	26	NW NW	39.7
39 S	35 E	WM	26	SW NW	29.6
39 S	35 E	WM	26	SE NW	0.6
39 S	35 E	WM	27	NE NE	40.0
39 S	35 E	WM	27	NW NE	10.8
39 S	35 E	WM	27	SW NE	4.0
39 S	35 E	WM	27	SE NE	33.6
Total					190.9

SHERBORN					
PRIMARY IRRIGATION – WELL 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	22	SE NE	26.8
39 S	35 E	WM	22	NE SE	38.4
39 S	35 E	WM	22	NW SE	0.5
39 S	35 E	WM	22	SE SE	10.0
39 S	35 E	WM	23	SW NW	35.6
39 S	35 E	WM	23	SE NW	6.4
39 S	35 E	WM	23	NE SW	14.3
39 S	35 E	WM	23	NW SW	40.0
39 S	35 E	WM	23	SW SW	16.8
39 S	35 E	WM	23	SE SW	0.7
Total					189.5

SHERBORN					
PRIMARY IRRIGATION – WELL 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	22	SW NE	19.0
39 S	35 E	WM	22	SW NW	5.2
39 S	35 E	WM	22	SE NW	30.9
39 S	35 E	WM	22	NE SW	38.1
39 S	35 E	WM	22	NW SW	12.4

39 S	35 E	WM	22	SW SW	0.1
39 S	35 E	WM	22	SE SW	14.0
39 S	35 E	WM	22	NW SE	33.6
39 S	35 E	WM	22	SW SE	6.4
Total					159.7

SHERBORN					
PRIMARY IRRIGATION – WELL 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	21	SE NE	7.6
39 S	35 E	WM	21	NE SE	12.4
39 S	35 E	WM	21	SE SE	0.3
39 S	35 E	WM	22	SW NW	8.8
39 S	35 E	WM	22	NW SW	22.0
39 S	35 E	WM	22	SW SW	0.1
39 S	35 E	WM	22	SE SW	16.0
39 S	35 E	WM	22	SW SE	13.6
39 S	35 E	WM	27	NW NE	25.2
39 S	35 E	WM	27	SW NE	13.2
39 S	35 E	WM	27	NE NW	35.2
39 S	35 E	WM	27	NW NW	3.1
39 S	35 E	WM	27	SW NW	16.0
39 S	35 E	WM	27	SE NW	28.4
Total					201.9

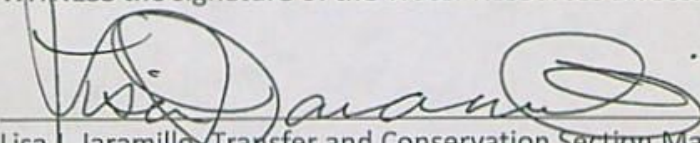
STAFFORD					
SUPPLEMENTAL IRRIGATION – WELL 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	14	NW SE	9.6
39 S	35 E	WM	14	SW SE	9.6
39 S	35 E	WM	23	NW NE	11.8
Total					31.0

This certificate describes that portion of water right Certificate 81390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 02 2024, approving Transfer Application T-13784.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 02 2024.

  
 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
 IVAN GALL, DIRECTOR  
 Oregon Water Resources Department



STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORLANDO TROUT CREEK RANCH  
20780 BOYCE LANE  
SARATOGA, CA 95070

confirms the right to use the waters of A WELL, a tributary of TROUT CREEK, for PRIMARY IRRIGATION of 4.8 acres and SUPPLEMENTAL IRRIGATION of 181.2 ACRES.

This right was perfected under Permit G-4156. The date of priority is AUGUST 22, 1968. The amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.33 cubic feet per second.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	35 E	WM	25	NW SE	2500 FEET NORTH AND 1830 FEET WEST FROM THE SE CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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; and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	NE SW	1.2
39 S	35 E	WM	24	SE SW	1.2
39 S	35 E	WM	24	NW SE	1.2
39 S	35 E	WM	24	SW SE	1.2
Total					4.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW NE	3.5
39 S	35 E	WM	24	SE NW	9.5
39 S	35 E	WM	24	NE SW	40.0
39 S	35 E	WM	24	SE SW	40.0
39 S	35 E	WM	24	NE SE	4.6
39 S	35 E	WM	24	NW SE	40.0

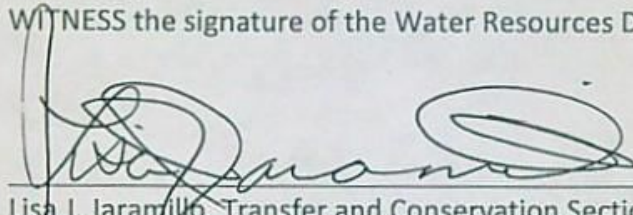
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	35 E	WM	24	SW SE	40.0
39 S	35 E	WM	24	SE SE	3.6
Total					181.2

This certificate describes that portion of water right Certificate 51251, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 02 2024, approving Transfer Application T-13784.

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.

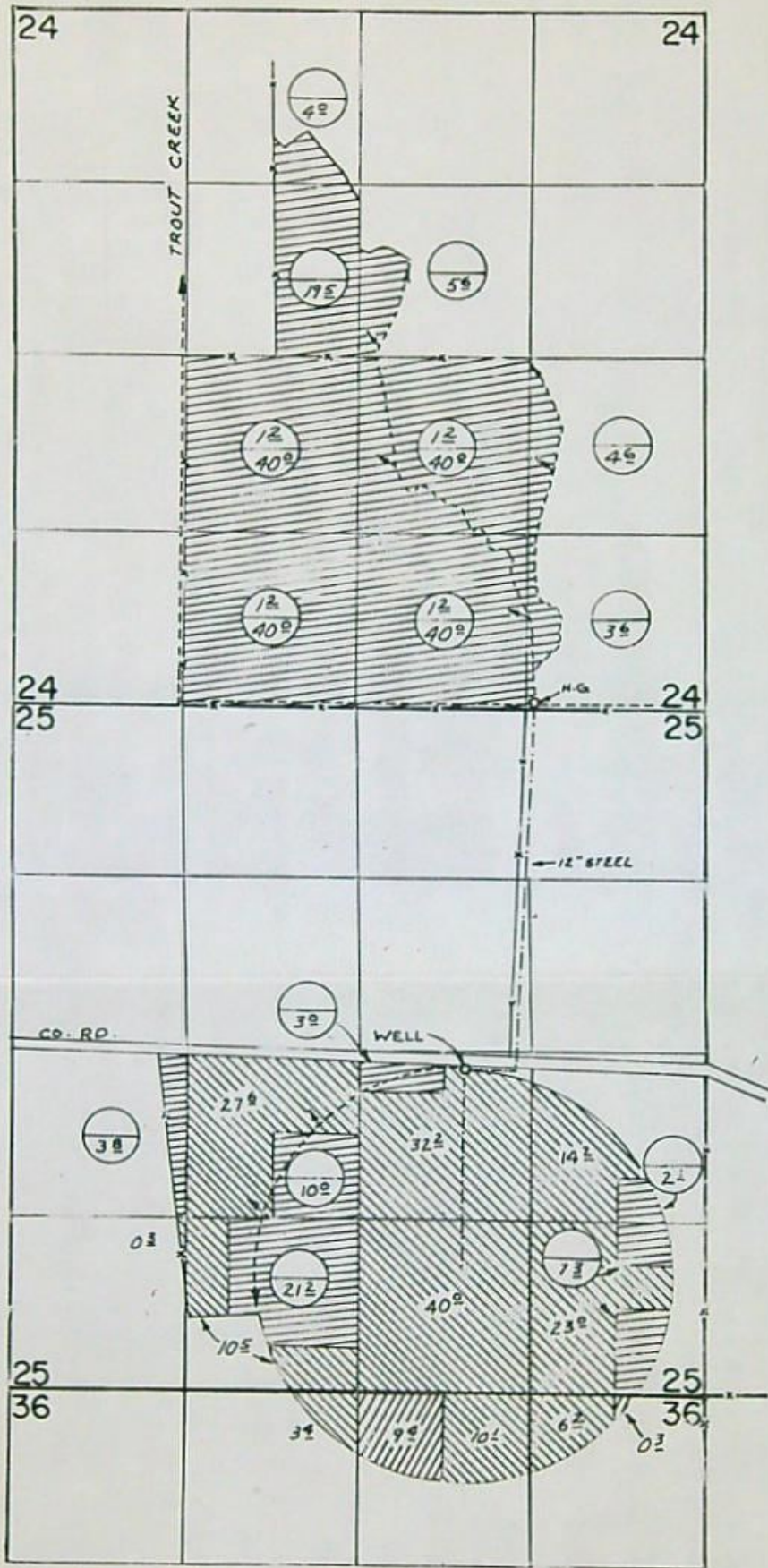
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed AUG 02 2024.



\_\_\_\_\_  
 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
 IVAN GALL, DIRECTOR  
 Oregon Water Resources Department

# T.39S.R.35E.W.M.



WELL LOC: 2500' N. & 1830' W. FROM S.E. COR. SEC. 25

- PERMIT G-4156 PRIMARY
- PERMIT G-4155 PRIMARY
- SUPPLEMENTAL

## FINAL PROOF SURVEY

UNDER

Application N. G-4409      G-4155  
                                  G-4410      G-4156

IN FAVOR OF

DON S. ORLANDO - TROUT CR. RANCH

Surveyed JUNE 11 1976 by R. MUCKEN

RECEIVED SP\*35674-000

G4410

STATE OF OREGON

SEP 29 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

COUNTY OF

HARNEY

# Proof of Appropriation of Water

ORLANDO TROUT CREEK RANCH

of 20780 Boyce Lane, Saratoga  
has applied beneficially the waters of  
a well

, State of California 95070 ,

a tributary of Trout Creek for the purpose of  
primary irrigation of 4.8 acres and supplemental irrigation of 197.3 acres

under Permit No. G-4156 and that the use of said waters has been completed under the  
terms of said permit; that the priority of the right dates from

August 22, 1968

that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of

2.53 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well.  
The well is located in the NW 1/4 SE 1/4, Section 25, T39S, R35E, WM; 2,500 feet  
North and 1,830 feet West from SE Corner, Section 25

The amount of water used for irrigation, together with the amount secured under any other  
right existing for the same lands, shall be limited to 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 acre-feet per acre for each acre irrigated  
during the irrigation season of each year;

and shall  
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is  
as follows:

SEE NEXT PAGE

I have read the above and foregoing proof of appropriation of water; I know the contents  
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 27<sup>th</sup> day of September,

1982

*Brigitte Beyer*

*Orlando Trout Creek Ranch*



*Witness*

PRIMARY IRRIGATION

1.2 acres NE 1/4 SW 1/4  
1.2 acres SE 1/4 SW 1/4  
1.2 acres NW 1/4 SE 1/4  
1.2 acres SW 1/4 SE 1/4  
Section 24

SUPPLEMENTAL IRRIGATION

5.6 acres SW 1/4 NE 1/4  
4.0 acres NE 1/4 NW 1/4  
19.5 acres SE 1/4 NW 1/4  
40.0 acres NE 1/4 SW 1/4  
40.0 acres SE 1/4 SW 1/4  
4.6 acres NE 1/4 SE 1/4  
40.0 acres NW 1/4 SE 1/4  
40.0 acres SW 1/4 SE 1/4  
3.6 acres SE 1/4 SE 1/4  
Section 24

Township 39 South, Range 35 East, WM



A F F I D A V I T

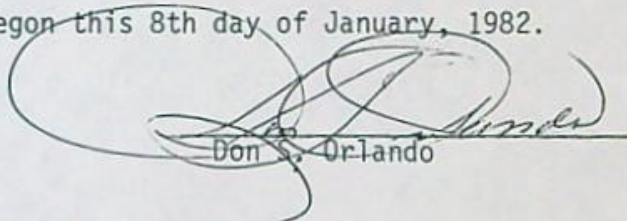
I, Don S. Orlando, being first duly sworn, depose and say that I have had occasion to be upon and observe the following described real property several times during the irrigation season of each year since the summer of 1965:

E $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$   
of Section 25;  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$   
of Section 36,

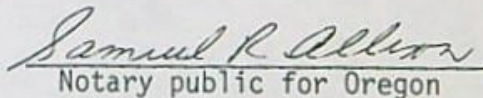
Township 39 South, Range 35 East, WM;

that since the summer of 1975 no water has been used from Trout Creek for irrigation of the aforesaid lands; and that in the event a hearing becomes necessary in a proceeding for cancellation of the water rights from Trout Creek for irrigation of said lands I will testify to my knowledge of nonuse of water from Trout Creek on said lands.

Dated at Salem, Oregon this 8th day of January, 1982.

  
Don S. Orlando

Subscribed and sworn to before me this 8th day of January, 1982.

  
Notary public for Oregon

My commission expires Oct 13, 1984



A F F I D A V I T

I, Don S. Orlando of Orlando Trout Creek Ranch, being first duly sworn, depose and say that Orlando Trout Creek Ranch is the owner of record of certain real property in Harney County, Oregon, described as:

$E\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ,

Most S'ly 1 acre of  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ,

SE $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$

S $\frac{1}{2}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$ ,

N $\frac{1}{2}$  NE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ,

S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$

of Section 25;


N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$

of Section 36,

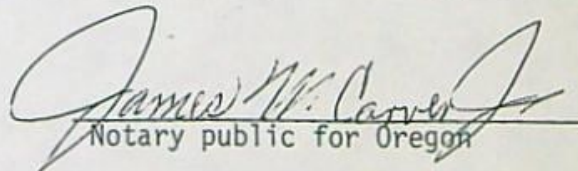
Township 39 South, Range 35 East, WM.

and the water rights appurtenant thereto for appropriation of water from Trout Creek; that Orlando Trout Creek Ranch has abandoned any and all interest in and to said water rights and requests the same be canceled from the records.

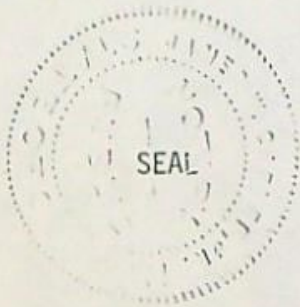
Dated and signed at Salem, Oregon this 8th day of January, 1982.

  
for Orlando Trout Creek Ranch

Subscribed and sworn to before me this 8th day of January, 1982.

  
Notary public for Oregon

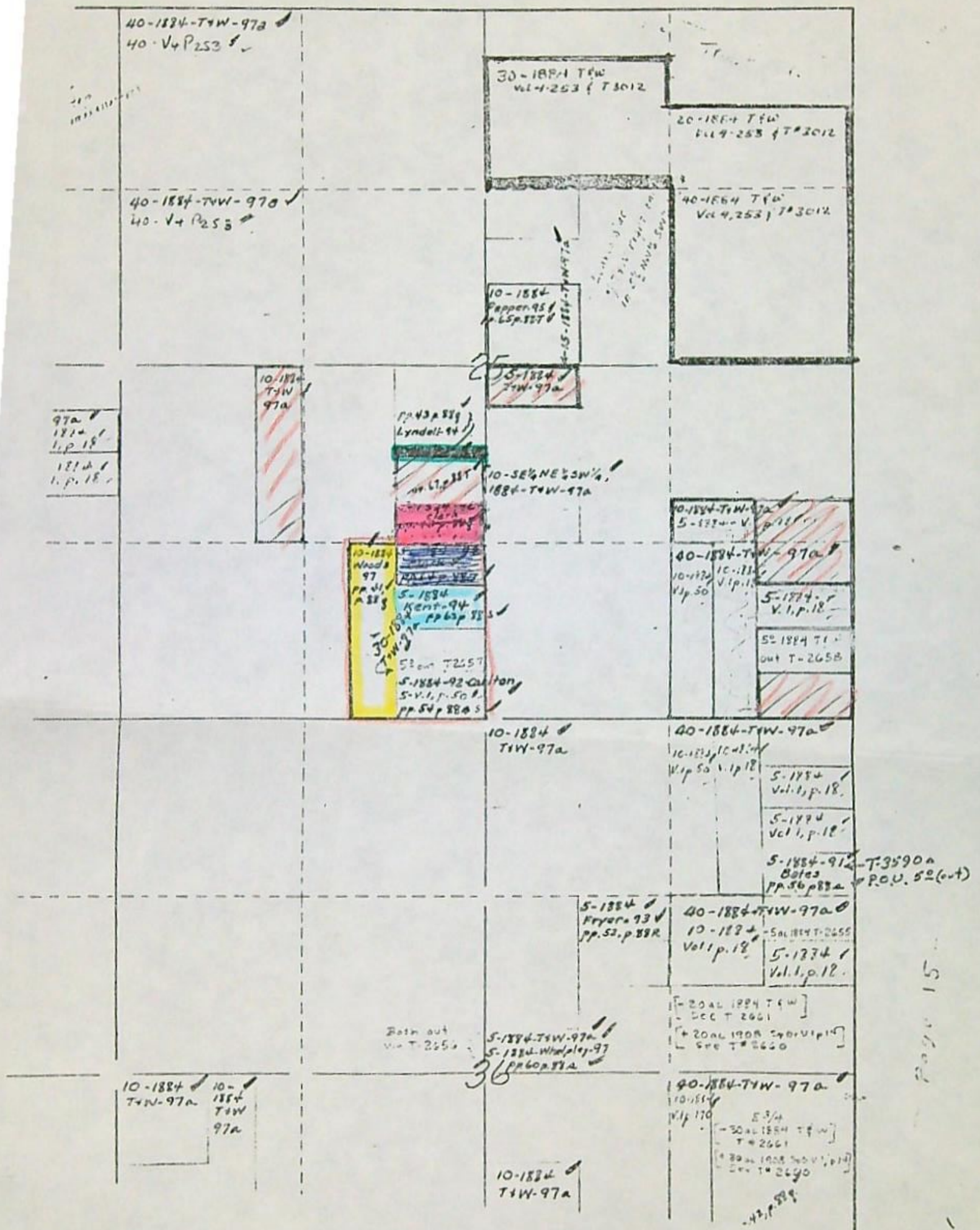
My commission expires August 8, 1984







Township 39 S Range 55 E



A F F I D A V I T

STATE OF OREGON        )  
                              )  
County of                )        ss

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of William Kent, evidencing the right to the use of water from Trout Creek, as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the above described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ to \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) own personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_

A F F I D A V I T

STATE OF OREGON        )  
                              )  
County of                )        SS

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of Blanche Lyndall, evidencing the right to the use of water from Trout Creek as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the above described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ until \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) own personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_

A F F I D A V I T

STATE OF OREGON        )  
                              )  
County of                )        ss

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of Lawrence Clark, evidencing the right to the use of water from Trout Creek, as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the above described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ until \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) own personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_

A F F I D A V I T

STATE OF OREGON        )  
                              )  
County of                )        ss

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in S $\frac{1}{2}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of C.E. Thomas and L.W. Walter, transferres American Land and Livestock Company, evidencing the right to the use of water from Trout Creek, as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ until \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_

A F F I D A V I T

STATE OF OREGON            )  
                                  )  
County of                    )        ss

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of Clarence Clark, evidencing the right to the use of water from Trout Creek as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the above described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ until \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) own personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_

A F F I D A V I T

STATE OF OREGON            )  
                                  )  
County of                    )        ss

(I, We), \_\_\_\_\_

\_\_\_\_\_, being first duly sworn, depose and say that (I, we) have personal knowledge that the water right appurtenant to the lands located in E $\frac{1}{2}$  W $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 25, T. 39 S., R. 35 E., W.M., in the County of Harney, Oregon, said water right issued in the name of Michael J. Woods, evidencing the right to the use of water from South Branch of Trout Creek, as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the above described lands or from this source for a period of five or more successive years or from \_\_\_\_\_ until \_\_\_\_\_.

(I, We) have lived in the vicinity of these lands and have had occasion to view these lands for the past \_\_\_\_\_ years and know of (my, our) own personal knowledge that these lands have not been \_\_\_\_\_ from the above mentioned stream for \_\_\_\_\_ years.

In event of a hearing before the Water Resources Director concerning the above referred to water right on the subject of abandonment and nonuse, (I, we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (I, we) have hereunto set (my, our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Notary Public of Oregon  
My Commission expires \_\_\_\_\_



MEMO TO: Bill Beal, Watermaster

DATE: August 6, 1981

FROM: Jim Carver *Jim C.*

REFERENCE: Files G-4409 and G- 4410

Here is a copy of an affidavit we received through Don Orlando, Trout Creek Ranch, in connection with what are claimed to unused water rights from Trout Creek on lands he is covering with a center pivot sprinkler.

Before we go any further with this, we need a copy of the Assessor's map for the S $\frac{1}{2}$  of Section 25, T 39 S, R 35 E, together with deed record information as to who owns what in the south half of the section.

APPIDAVIT

RECEIVED

AUG 3 1981

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON

County of Harney

We, Ralph D Kerr & Dolly Holloway

\_\_\_\_\_ , being first duly sworn, depose and say that (we) have personal knowledge that the water right appurtenant to the lands located in S $\frac{1}{2}$ , Section 25, T. 39 S., R. 35 E., W.M. , in the County of Harney, Oregon, said water right issued in the name of C.E. Thomas and L.W. Walter, transferres American Land and Livestock Company, evidencing the right to the use of water from Trout Creek, as established by decree of Circuit Court, Harney County, entered February 23, 1916, has not been used upon the described lands or from this source for a period of seven or more successive years.

(We) have lived in the vicinity of these lands and have had occasion to view these lands for the past 11 years - for Ralph Kerr (D) 16 years and know of (our) personal knowledge that these lands have not been irrigated \_\_\_\_\_ from the above mentioned stream for seven years.

R.D.K.  
S.D.

In event of a hearing before the Water Resources Director concerning the above referred to water rights on the subject of abandonment and nonuse, (we) will testify to the facts as set forth in this affidavit.

IN WITNESS WHEREOF, (we) have hereunto set (our) hand(s) this 25 day of July, 1981.

Ralph D Kerr  
Dolly Holloway

Subscribed and sworn to before me this 25<sup>th</sup> day of July, 1981.

Orlando Trout Creek Ranch

20780 BOYCE LANE  
SARATOGA, CA 95070

[Signature]  
Notary Public of Oregon  
My Commission expires 2-26-84

FILED

TO Tom S.

DATE 8/12 TIME 4:10

**WHILE YOU WERE OUT**

Don Orlando CALLED

OF Fields

PHONE 495-2212

TELEPHONED	<input checked="" type="checkbox"/>	IN PERSON TO SEE YOU	
PLEASE CALL	<input checked="" type="checkbox"/>	WANTS TO SEE YOU	
WILL CALL AGAIN		RETURNED YOUR CALL	

MESSAGE application No.

G-4409

G-4410

"adverse use"

Please call 8/13 a.m.

TAKEN BY J

*over*

Surface right has not been  
used for 5+ years. D. Orlando  
will submit statement to  
that effect. He said a  
neighbor also has personal  
knowledge of nonuse

I intend to send forms  
so they can prepare affidavits

Also, send proof for  
permit 6-4156



## *Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or  
1-800-452-7813

February 9, 1981

Don S. Orlando  
Orlando Trout Creek Ranch  
Fields, OR 97710

REFERENCE: Files G-4409 and G-4410

Dear Mr. Orlando:

We have been holding action on your files pending reply to my letter dated September 24, 1980.

Will you please advise us as to the progress being made toward completing the required information.

We made a survey of the project in June of 1976 and we will have to issue a certificate of water right confirming the use prior to June 1981. If we are unable to meet this deadline, another survey of your project will be made because it will be more than five years since the survey was made. As you are aware, a water right remains valid indefinitely but is subject to forfeiture by failure to exercise the right for five successive years. We should not confirm a water right more than five years after a survey has been made

Sincerely,

THOMAS E. SHOOK  
Water Rights Engineer

TES:wpc  
3848A

# 2

Monday  
May  
1977

8:00

Report on file

8:30

G-4410

9:00

ONLY well irrigates

9:30

10:00

land south of road

10:30

11:00

Has Trout Creek

11:30

12:00

might been

1:00

1:30

abandoned?

2:00

2:30

3:00

yes

3:30

<sup>7-5-78</sup>  
Bob ~~M...~~ said

4:00

unlikely Trout Creek

4:30

water used S of road

5:00



## Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or  
1-800-452-7813

September 24, 1980

Don S. Orlando  
Orlando Trout Creek Ranch  
Fields, Oregon 97710

Dear Mr. Orlando:

REFERENCE: File number G-4409 and G-4410

Here are forms to be used as guides in preparing your affidavits of personal knowledge of nonuse of the old Trout Creek water rights. We will need at least two parties to submit affidavits for each right in question. Please have your own affidavits typed. Do not use the forms I have enclosed.

The information I have given you is probably confusing. I have enclosed a map showing the lands in question. The colors on the map represent the right described on the affidavit with the corresponding <sup>color</sup> in the upper left hand corner. Please note, the map represents the location of the original Trout Creek water rights and as you are aware over the years we have received applications requesting changes in place of use.

If the information is still confusing, please call me at our toll-free number 1-800-452-7813.

Sincerely,

THOMAS E. SHOOK  
Water Rights Engineer

TES:wpc  
2303A

COPY



*Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

August 7, 1980

File No. G-4409

G-4410

Don S. Orlando  
Orlando Trout Creek Ranch  
Fields, OR 97710

Dear Mr. Orlando:

We have been holding action on your files for over a year pending a reply to my letter of April 11, 1979.

It was my understanding you were going to furnish us ownership maps to provide the cancellation of a portion of the earlier water rights or to submit a transfer requesting a change in place of use .

Further action will be held on this file for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook  
Water Rights Engineer

TES:lrs





## Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

April 11, 1979

File No. G-4409  
G-4410

Don S. Orlando  
Orlando Trout Creek Ranch  
Fields, OR 97710

Dear Mr. Orlando,

We are prepared to send you the findings of our survey made during the summer of 1976 in connection with your ground water permit No. G-4155. There are a couple of problems that will have to be resolved first, however.

Our records show existing water rights from Trout Creek for some of the lands you irrigate in Section 36, Township 39 South, Range 35 East, W. M. We should have brought this information to your attention before the permit was issued. I apologize for the oversight. The areas in question are shown in red on the enclosed map. Please compare it with your permit map.

The 0.3 acre within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36 was not included in your application, but perhaps Mr. Young unintentionally left this area out. If your well is the only source of supply within the circle, the 0.3 acre will have to be canceled. Also, the 9.4 acres within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36 enjoys a water right from Trout Creek and this will have to be canceled before we can proceed with your permit G-4155 towards the final certificate of water right.

If you will advise us of the lands you own within the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 36, Township 39 South, Range 35 East, W. M. by sending a description as shown on your deed, we will prepare an affidavit of abandonment. This will allow us to clear our records of the old rights and then we can send the proof of appropriation of water for your approval.


We will also send you findings of our survey for your permit G-4156. Please note, only the area shown on the map hachured in Section 24 can be allowed under the proof of this permit because the primary source, Trout Creek, is not used south of the county road in Section 25, Township 39 South, Range 35 East, W. M. You will have to submit an application for a new permit to irrigate the unhachured area within the circle system in Section 25 if you wish to establish a legal right for this area.

Further action will be held on these files for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook, Water Rights Engineer  
TFS/dw

COPY



*Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

September 28, 1978

File No. G-4409  
G-4410

Don S. Orlando  
Orlando Trout Creek Ranch  
Fields, OR 97710

Dear Mr. Orlando,

We are preparing to send you the findings of the survey made during the summer of 1976 in connection with your ground water permits numbered G-4155 and G-4156.

Our engineer has reported that the well is the only source of supply for the lands south of the county road in Sections 25 and 36. I have enclosed a portion of a map showing the area in question.

Will you please advise us as to whether or not the primary source of supply from Trout Creek is being used and will continue to be used on the lands described in your permits?

Further action will be held on your file for a reasonable length of time pending your reply.

Sincerely,

Thomas E. Shook  
Water Rights Engineer

TES/dw



**STATE  
ENGINEER**

**WATER RESOURCES DEPARTMENT**

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

Bon S. Orlando  
Orlando Trout Creek Ranch  
Fields, OR 97710

November 8, 1971

G-4410

Dear Sir:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. G-4156.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

Form 128  
reo

February 26, 1969

Don S. Orlando  
Orlando Trout Creek Ranch  
Andrews  
Oregon 97710

G-4409

G-4410

G-4409, permit No. G-4155,  
application No. G-4410, permit No. G-4150 with a blueprint.

G-4410  
G-4409

September 6, 1968

Don S. Orlando  
Orlando Trout Creek Ranch  
Andrews  
Oregon 97710

Dear Sir:

This will acknowledge receipt of the returned applications No. G-4409 and G-4410, superseding applications, map, and the fees of \$6.15 for application No. G-4409 for which our receipt No. 11122 is enclosed and \$4.47 for application No. G-4410 for which our receipt No. 11123 is enclosed. These applications have received the new dates of priority of August 22, 1968.

These applications are now in satisfactory form for approval by issuance of permits.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
Larry W. Jebousek  
Assistant

LWJ:dlw  
Enclosures  
cc: C. N. Young  
County Surveyor  
Burns, Oregon 97720

G-4409  
G-4410

August 26, 1968

Mr. Don S. Orlando  
Andrews  
Oregon 97710

Dear Mr. Orlando:

In response to your request, I have checked the files and Mr. Young did return your applications Nos. G-4409 and G-4410 on August 22, 1968. Therefore, they were reinstated and given a new date of priority on that date.

There have not been any intervening filings in the vicinity of your well; therefore the change in priority is not material. Under the law I have no choice even if it were material, but to give them the new priority as of the date they were received.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

CLW:eh

G-4409  
G-4410

August 20, 1968

Don S. Orlando  
Orlando Trout Creek Ranch  
Andrews  
Oregon 97710

Dear Sir:

Your applications No. G-4409 and G-4410, which were returned to you for completion and correction, endorsed so that in order to retain their dates of priority should have been returned to this office on or before August 19, 1968, have not been received.

They have, therefore, lost their priority but may be reinstated and given a new priority date as of the day they are again received.

Very truly yours,

CHARLES L. WHEELER  
State Engineer

By  
Larry W. Jebousek  
Assistant

LNJ:ks

G-4409  
G-4410  
G-3681  
G-1949

July 26, 1968

Conn and Lynch  
Attorneys at Law  
620 North First Street  
Lakeview, Oregon 97630

ATTENTION: Theodore R. Conn

Dear Mr. Conn:

I am enclosing a certified true copy of permit No. G-3487 issued to Mrs. J. E. Calderwood as requested.

Applications G-4409 and G-4410 were filed May 27, 1968 by Don S. Orlando for a permit to appropriate 3000 gallons per minute from a well for irrigation of 744 acres and for a permit to appropriate 3000 gallons per minute from a well for supplemental irrigation of 300 acres. These applications were not complete and not accompanied by the required map so were returned to the applicant on June 19, 1968 for completion, and they have not yet been returned to us. If you wish, we will furnish copies when these applications are returned.

The only water well report we have for a well drilled in Sec. 31, T. 39 S., R. 36 E., except for the Calderwood well, is for Columbus Groves and is enclosed. No permit exists for appropriation of ground water from this well, but the report indicates this was drilled for domestic use.

C. D. Morris was issued permit No. G-1791 for the appropriation of water from a well in the SW 1/4 NE 1/4, Sec. 31, T. 39 S., R. 36 E. and this was assigned to James E. Calderwood. We do not have a water well report for this well.

There are no permits for appropriation of ground water for use in Secs. 25 and 36, T. 39 S., R. 35 E.

Our receipt No. 10731 for the \$10.00 you submitted is enclosed. The fee for the documents enclosed is \$3.00. If no other copies are required we will refund the balance of \$7.00.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

TJ:slh  
Enclosures

By  
Trevor Jones  
Assistant



DORE R. CONN  
JES C. LYNCH

CONN & LYNCH  
ATTORNEYS AT LAW  
620 NORTH FIRST STREET  
LAKEVIEW, OREGON 97630

MAILING ADDRESS:  
POST OFFICE BOX 351  
PHONE 947-2196

July 24, 1968

RECEIVED  
JUL 25 1968  
STATE ENGINEER  
SALEM OREGON

Mr. Chris Wheeler  
State Engineer  
516 Public Service Building  
Salem, Oregon 97310

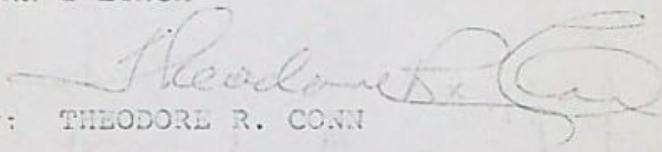
Dear Chris:

Enclosed find my check in the sum of \$10 for which please send me copies of the application and permit and, if completed, final proof on a well owned by a man by the name of Orville Orlando in Section 25 of Township 39 South, Range 35 E.W.M., which may have a number of G4409 or G4410; also a log of a well located in Section 31, Township 39 South, Range 36 E.W.M., which should be in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and drilled by Dale Morris.

I also would like certified copy of Application G3681, Permit No. G3487, dated September 23, 1966.

Very truly yours,

CONN & LYNCH

  
By: THEODORE R. CONN

TRC:ak

Enclosure

June 19, 1968

Don O. Orlando  
Orlando Trout Creek Ranch  
Andrews  
Oregon 97710

Dear Sir:

This will acknowledge receipt of your application for a permit to appropriate 3000 gallons of water per minute from a well for the primary irrigation of 744 acres, a map, and the fee of \$52.70 for which our receipt No. 9205 is enclosed. This application, which has been filed and numbered G-4409, requires an additional \$10 recording fee.

Also acknowledged is receipt of your application for a permit to appropriate 3000 gallons of water per minute from a well for the supplemental irrigation of 300 acres, and the fee of \$40.50 for which our receipt No. 9206 is enclosed. This application has been filed and numbered G-4410.

The application map must be submitted on a good quality of tracing paper or tracing cloth so that it may be easily reproduced. The map submitted on typing paper is not satisfactory. The well must be described on the map in reference to a government survey corner, and not a county road. Item No. 4 on both applications should then be amended to agree with the map, and also describe in which quarter-quarter section, the well is located.

The map must separately designate the number of acres of primary and supplemental irrigation in each forty. Item No. 12 on application No. G-4409 must then describe the number of acres irrigated in each forty.

Application No. G-4409 designates the entire 744 acres as being primary irrigation. Our records indicate a number of water rights in the sections designated, and it would appear that much of the land filed on should be designated as supplemental irrigation, if the existing rights are valid and you intend to continue using them.

June 19, 1968

Anytime the owner of a perfected water right goes for a period of five successive years or more without exercising that right, it is considered abandoned by law and should be canceled. If this well is in fact the primary source of water for the 744 acres described, then I will prepare for your signature, the necessary affidavit of abandonment for any water rights appurtenant to these lands.

I am returning both applications and the map for completion and correction. The applications are endorsed so that in order to retain its date of priority, it must be returned on or before August 19, 1968.

Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
Larry W. Jebousek  
Assistant

LWJ:dlw  
Enclosures



Permit No. G-.....

APPLICATION FOR A PERMIT

# To Appropriate the Ground Waters of the State of Oregon

I, Don S. Orlando of ORLANDO TROUT CREEK RANCH  
(Name of applicant)

of Andrews  
(Postoffice Address), county of Harney

state of Oregon, do hereby make application for a permit to appropriate the following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated Trout Creek  
(Name of stream)

tributary of .....

2. The amount of water which the applicant intends to apply to beneficial use is ..... cubic feet per second or 3000 gallons per minute.

3. The use to which the water is to be applied is Supplemental to Trout Creek

4. The well or other source is located 350 ft. South and 580 ft. West from the Northeast corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 25.

W. M., in the county of Harney

5. The Pipe Line & Canal  
(Canal or pipe line) to be 1 3/4 miles in length, terminating in the SW 1/4 SE 1/4  
(Smallest legal subdivision) of Sec. 13, Twp. 39 S, R. 35 E, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is "Big RYE"

### DESCRIPTION OF WORKS

7. 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.

Not artesian

8. The development will consist of Well  
(Give number of wells, tunnels, etc.) having a diameter of 24 inches and an estimated depth of 400 feet. It is estimated that 400 feet of the well will require 1/4" steel casing. Depth to water table is estimated 6  
(Kind) (Feet)

Permit No. G-.....

APPLICATION FOR A PERMIT

To appropriate the Ground Waters of the State of Oregon

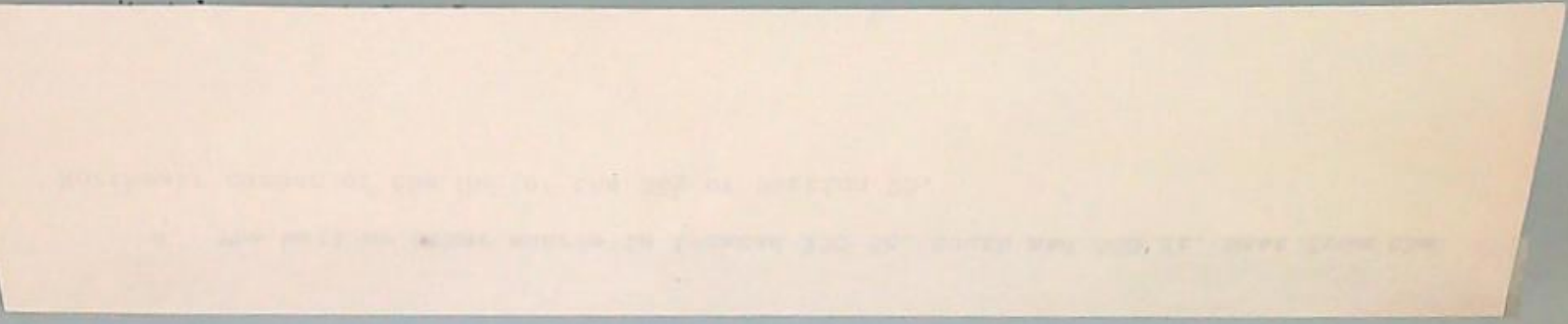
I, Don S. Orlando of ORLANDO TROUT CREEK RANCH  
(Name of applicant)

of Andrews  
(Postoffice Address), county of Harney

state of Oregon, do hereby make application for a permit to appropriate the following described ground waters of the state of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is



4. The well or other source is located 1500 ft. S and 1900 ft. W from the corner of County Road and Boundary Line Fence in the NE 1/4 of the SE 1/4 of Section 25  
(Section or subdivision)  
(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the ..... of Sec. 25, Twp. 39 S., R. 35 E., W. M., in the county of Harney

5. The Pipe Line & Canal to be 1 3/4 miles in length, terminating in the SW 1/4 SE 1/4 of Sec. 13, Twp. 39 S., R. 35 E., W. M., the proposed location being shown throughout on the accompanying map.  
(Canal or pipe line)  
(Smallest legal subdivision)

6. The name of the well or other works is "Big RYE"

DESCRIPTION OF WORKS

7. 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.

Not artesian

8. The development will consist of Well having a diameter of 24" inches and an estimated depth of 400' feet. It is estimated that 400 feet of the well will require 1 1/4" casing. Depth to water table is estimated 6  
(Kind) (Feet)

CANAL SYSTEM OR PIPE LINE—

9. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) 3 feet; width on bottom 1 feet; depth of water 2 feet; grade 1 feet fall per one thousand feet.

(b) At 1 1/4 miles from headgate: width on top (at water line) 2 feet; width on bottom 1 feet; depth of water 2 feet; grade 1 feet fall per one thousand feet.

(c) Length of pipe, 3178 ft.; size at intake 12 in.; in size at 3178 ft. from intake 12 in.; size at place of use 12 in.; difference in elevation between intake and place of use, 2 ft. Is grade uniform? yes. Estimated capacity, 3000 gal. ~~per~~ per minute

10. If pumps are to be used, give size and type 3 stage 14" bowl; 200 hp 12" column; turbine Make: Jacuzzi

Give horsepower and type of motor or engine to be used 125 HP US Hollow Shaft

11. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development

Not applicable 2810 ft 50 of Trout Creek

12. Location of area to be irrigated, or place of use

Township N. or S.	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
39 S	35 E	24	NE 1/4 of SW 1/4	40
39 S	35 E	24	SE 1/4 of SW 1/4	40
39 S	35 E	24	NW 1/4 of SE 1/4	37
39 S	35 E	24	SW 1/4 of SE 1/4	33
39 S	35 E	24	NW 1/4 of NW 1/4	40
39 S	35 E	24	SW 1/4 of NW 1/4	40
39 S	35 E	24	SE 1/2 SE 1/4 of NW 1/4	20
39 S	35 E	24	SE 1/4 NE 1/4 of NW 1/4	10
39 S	35 E	13	SW 1/4 of SE 1/4	40

(If more space required, attach separate sheet)

Character of soil Silty Clay Loam

Kind of crops raised Hay





STATE OF OREGON, }  
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS 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 ..... 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 .....

The use to which this water is to be applied is .....

If for irrigation, this appropriation shall be limited to ..... 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 ..... 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 cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

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 .....

Actual construction work shall begin on or before ..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

*Signed and sealed 8-22-68*

Application No. G-4410

Permit No. G-.....

PERMIT

TO APPROPRIATE THE GROUND WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 27th day of May, 1968, at 9:30 o'clock A. M.

Returned to applicant: .....

Approved: .....

Recorded in book No. .... of

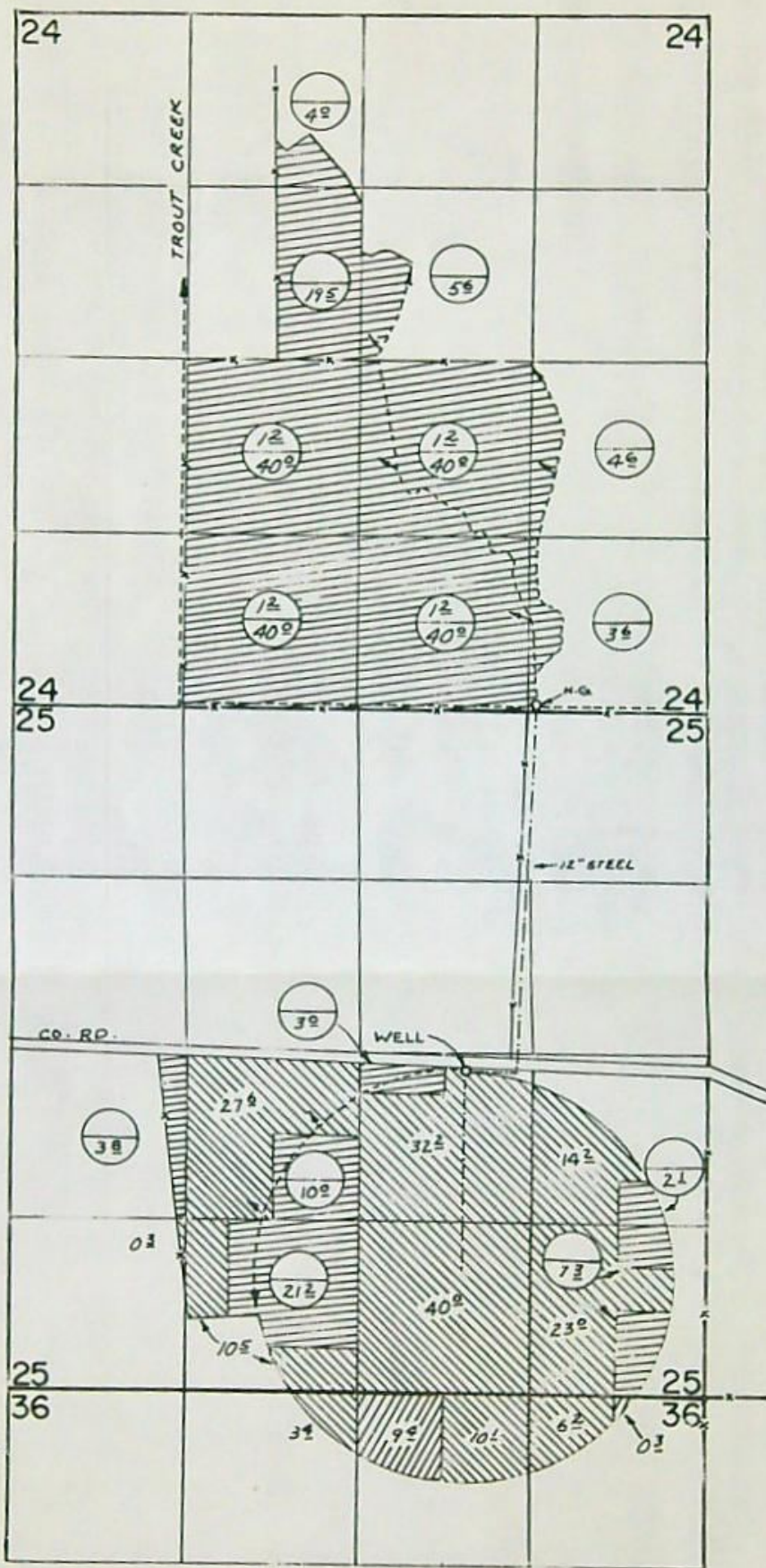
Ground Water Permits on page .....

STATE ENGINEER

Drainage Basin No. 12, page 30

*10/1*

# T.39S.R.35E.W.M.



WELL LOC: 2500' N. & 1830' W. FROM S.E. COR. SEC. 25

PERMIT G-4156  PRIMARY  
 PERMIT G-4155  PRIMARY  
 SUPPLEMENTAL

## FINAL PROVISION SURVEY

UNDER

G-4409

G-4155

APPROVED BY

G-4410

G-4156

DON S. ORLANDO - TROUT CR RANCH

SURVEYED JUNE 6, 1976 R. MUEHLEN

TWP	RNG	SEC.		Primary	TRIBUT. CR DEC. V. 3 P. 96	Supplemental	SUPPL
39S	35E	24	SW NE		40°	56	56
			NE NW		40°	40	40
			SE NW		40°	195	195
			NE SW	12	40°	40-	40°
			SE SW	12	40°	40-	40°
			NE SE		40°	46	46
			NW SE	12	40°	40-	40°
			SW SE	12	40°	40-	40°
			SE SE		40°	36	36
			NE SW		DEC. V. 3 P. 97A 10°	10°	10°
			NW SW		V3 P. 97A 10°	38	38
			SE SW		V3 P. 97A 25°	212	212
			NE SE		V3 P. 97A 5°	21	21
			NW SE		V3 P. 97A 5°	30	30
			SE SE		V3 P. 97A 15°	73	73
						1987 2463	2447

25

No Primary  
used, per report

2 Pgs

213

# Abstract of Permit No. G-4,156

Application No. G-4,410 Certificate No.

Name: Don S. Orlando of Orlando Trout Creek Ranch  
Address: Fields 20780 Boyce Lane Andrews, Oregon Santa Fe CA 95070

Source of water supply: well TRIB. TROUT CREEK

Use: Note report on Suppl primary irrigation of 4.8 acres and Supplemental irrigation of 197.3 ACRES

Point of diversion: 1790' S. 0.0 22' from S.E. cor. Sec. 25, being within NW 1/4, Sec. 25, T. 37 S., R. 35 W., W. M., county of Harney

Number of acres: 2500' N. & 1830' W FROM S.E. COR. SEC. 25

## DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
39S	32E	13																40
		24		40	40		10			20	40			40	40	40		40
		26	10												5			
		25			15						10	9.5	5.2 A.C.	25	2.5	4.5		5.7*

\* 5 acres in NE 1/4 SE 1/4 SW 1/4 & 5 acres in NE 1/4 SE 1/4 SE 1/4 allowed rights by Decree of Court with priority date of 1884 being transferred. See: Tr. C-204 WITHDRAWN

When Proof is made Primary Irrigation will be allowed from the well on the lands where the Decreed Rights have been transferred.

Priority date: August 22, 1968

Amount of water: 2.53 c.f.s.

Time limit to begin construction: February 1st, 1970

Time limit to complete construction: 1-1-70 extended to extended to

Time limit to completely apply water: 1-1-71 extended to extended to

Remarks: 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 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

0685B

Basin 12, Vol.

INFO: Don Orlando.

Does not ir. approx N.  $\frac{1}{2}$  mile. There is high ground which blocks flow to the N. Surveyed all cleared. ~~But is also~~ ~~ir. from Forest Creek.~~ Outgates supplemental only in section 24. Land S. of Rd is only ir. from well.

Pumps via 12" lined main to a ~~the~~ ditch system from which they flood.

Pumps up to 3000 G.P.M. through this pipe.

See Pump, etc. on APPL. G-4409

DITCH - 3' BOTTOM, 5' TOP, 1<sup>2</sup> DEEP

6-16-77-76

R. G. Mueken