

Application No. 8232
Permit No. 5345
Certificate No. 11584

Name Melvin H. Kündert

By

Address Voltage, Ore.

Date filed

Action suspended until

Returned to applicant

Date completed

Date of approval

Stream Index, Page No.

Application Record, Book No.

FEES PAID

Date	Amount	Receipt No.
.....		
.....		
Total		

FEES REFUNDED

Date	Amount	Check No.
.....		

ASSIGNMENTS

Date	To whom	Address	Volume	Page
.....				
.....				
.....				

REMARKS

see 8231
1.25 sec. ft. from Dry Crk. & Dry Crk. Res. for irr. 100A.
4-2-32- See letter in Melvin's file
8-12-36- Requested letter - form 99

OK for Certificate

CONSTRUCTION

Date for beginning Feb. 10, 1922

Date for completion June 1, 1924

Extended to

Date for application of water Oct. 1, 1925

Extended to

PROSECUTION OF WORK

Form "A" filed June 15, 1922

Form "B" filed July 5, 1923

Form "C" filed Feb. 16, 1926

FINAL PROOF

Blank mailed April 1, 1926 Feb. 17, 1936

Proof received Sept. 24, 1936

Date certificate issued December 7, 1936

Receipt for recording fee No. 20638-1.00

App 5 - ~~15119~~
8232
Perms 5345

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
HARNEY COUNTY

IN THE MATTER OF DIMINUTION OF AN)
PORTION OF A PERFECTED WATER RIGHT) FINAL ORDER
EVIDENCED BY CERTIFICATE 11584 IN THE)
NAME OF MELVIN H. KUNDERT)

Findings of Fact

1. On January 6, 2016, the Department received an affidavit from Robert T. and Carla M. Sanders, 342 Matson Road, Kalama, WA, 98625, the owner of lands and the water right appurtenant as evidenced by water right Certificate 11584.
2. Water Right Certificate 11584 allows the use of 1.25 cubic feet per second (cfs), from the Dry Creek and Dry Creek Reservoir, for irrigation of 100.0 acres. The priority date is January 6, 1922.
3. The affiant requests a portion of the water right Certificate 11584 be diminished from a right for irrigation of to a supplemental irrigation.
3. The affidavit requests the use of 0.24 cfs for the irrigation of the following lands be diminished to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	32 E	WM	29	NW NE	4.1
32 S	32 E	WM	29	SW NE	14.8

Now, therefore, it is ORDERED

1. Certificate 11584 is cancelled.
2. The water right for the use of 0.24 cfs for [redacted] as described by Certificate 11584, is diminished from a right for prime [redacted] right for supplemental irrigation.
3. The Department shall issue water right Certificate 91402, a new and superseding certificate, to describe the remainder of the irrigation water right.
4. The Department shall issue water right Certificate 91403, a new and superseding certificate, to describe the diminution of the right to supplemental irrigation.

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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

App 5- ~~15449~~
8232
Perme 5345

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
HARNEY COUNTY

IN THE MATTER OF DIMINUTION OF AN)
PORTION OF A PERFECTED WATER RIGHT) FINAL ORDER
EVIDENCED BY CERTIFICATE 11584 IN THE)
NAME OF MELVIN H. KUNDERT)

Findings of Fact

1. On January 6, 2016, the Department received an affidavit from Robert T. and Carla M. Sanders, 342 Matson Road, Kalama, WA, 98625, the owner of lands and the water right appurtenant as evidenced by water right Certificate 11584.
2. Water Right Certificate 11584 allows the use of 1.25 cubic feet per second (cfs), from the Dry Creek and Dry Creek Reservoir, for irrigation of 100.0 acres. The priority date is January 6, 1922.
3. The affiant requests a portion of the water right Certificate 11584 be diminished from a right for irrigation of to a supplemental irrigation.
3. The affidavit requests the use of 0.24 cfs for the irrigation of the following lands be diminished to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	32 E	WM	29	NW NE	4.1
32 S	32 E	WM	29	SW NE	14.8

Now, therefore, it is ORDERED

1. Certificate 11584 is cancelled.
2. The water right for the use of 0.24 cfs for irrigation on 19.1 acres, as described by Certificate 11584, is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department shall issue water right Certificate 91402, a new and superseding certificate, to describe the remainder of the irrigation water right.
4. The Department shall issue water right Certificate 91403, a new and superseding certificate, to describe the diminution of the right to supplemental irrigation.

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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

Dated at Salem, Oregon this _____ day of _____, 2016.

Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR

Mailing Date: _____

S 8232

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MELVIN H. KUNDERT
VOLTAGE, OR

confirms the right to use the waters of the DRY CREEK and DRY CREEK RESERVOIR, constructed under Application No. 8231, Permit No. R-525, for IRRIGATION of 81.1 ACRES.

This right was perfected under Permit S-5345. The date of priority is JANUARY 6, 1922. 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 1.01 CUBIC FEET PER SECOND measured at the point of diversion from the stream, or its equivalent in case of rotation.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
32 S	32 E	WM	21	NW SE

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, 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:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	32 E	WM	29	NW NE	35.9
32 S	32 E	WM	29	SW NE	25.2
32 S	32 E	WM	29	SE NE	20.0

This certificate describes that portion of the water right NOT MODIFIED by provisions of an order recorded at Special Order Volume 100, Pages _____, diminishing a portion of the right evidenced by Certificate 11584. This certificate together with Certificate 91403 supersedes water right Certificate 11584.

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 _____.

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

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT T. AND CARLA M. SANDERS
342 MATSON RD
KALAMA, WA 98625

confirms the right to use the waters of DRY CREEK AND DRY CREEK RESERVOIR, constructed under Application No. 8231, Permit No. R-525, for SUPPLEMENTAL IRRIGATION of 18.9 ACRES.

This right was perfected under Permit S-5345. The date of priority is JANUARY 6, 1922. 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 1.01 CUBIC FEET PER SECOND measured at the point of diversion from the stream, or its equivalent in case of rotation.

The point of diversion is located as follows:

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

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	32 E	WM	29	NW NE	4.1
32 S	32 E	WM	29	SW NE	14.8

This certificate supersedes Certificate 76993 diminished by an order of the Water Resources Director recorded in Special Order Volume 100, Page _____, entered _____, 2016.

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.

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

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
COOS COUNTY

IN THE MATTER OF DIMINUTION OF AN)
ENTIRETY OF A PERFECTED WATER RIGHT)
EVIDENCED BY CERTIFICATE 11584 IN THE)
NAME OF MELVIN H. KUNDERT)

FINAL ORDER

Findings of Fact

1. The Department received an affidavit from Robert T. and Carla M. Sanders, 342 Matson Road, Kalama, WA, 98625 the owner of lands and the water right appurtenant as evidenced by water right Certificate 11584.
2. Water right Certificate 11584 allows the use of 1.25 cubic feet per second (cfs), from the Dry Creek and Dry Creek Reservoir, for irrigation of 100.0 acres. The priority date is January 6, 1922.
3. The affiant requests a portion of the water right Certificate 11584 be diminished from a right for irrigation of to a supplemental irrigation.
3. The affidavit request the use of 0.24 cfs for the irrigation of the following lands be diminished to supplemental irrigation:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	32 E	WM	29	NW NE	4.1
32 S	32 E	WM	29	SW NE	14.8

Now, therefore, it is ORDERED

1. Certificate 11584 is cancelled.
2. The water right for the use of 0.24 cfs for irrigation of 19.1 acres as described by Certificate 11584 is diminished from a right for primary irrigation to a right for supplemental irrigation.
3. The Department shall issue Water Right Certificate 91403, a new and superseding certificate, to describe the diminution of the right to supplemental irrigation.
4. The Department shall issue Water Right Certificate 91402, a new and superseding certificate, to describe the remainder of the irrigation water right.

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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

Dated at Salem, Oregon this _____ day of _____, 2016.

Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR

Mailing Date: _____

11

11

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MELVIN H. KUNDERT
VOLTAGE, OR

confirms the right to use the waters of the DRY CREEK and DRY CREEK RESERVOIR, to be constructed under Application No. 8231, Permit No. R-525, for IRRIGATION of 81.1 ACRES.

This right was perfected under Permit S-5345. The date of priority is JANUARY 6, 1922. 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 1.01 CUBIC FEET PER SECOND measured at the point of diversion from the stream, or its equivalent in case of rotation.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
32 S	32 E	WM	21	NW SE

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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 _____.

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

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT T. AND CARLA M. SANDERS
342 MATSON RD
KALAMA, WA 98625

confirms the right to use the waters of DRY CREEK AND DRY CREEK RESERVOIR, ~~to be~~ constructed under Application No. 8231, Permit No. R-525, for SUPPLEMENTAL IRRIGATION of 18.9 ACRES.

This right was perfected under Permit S-5345. The date of priority is JANUARY 6, 1922. 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 1.01 CUBIC FEET PER SECOND measured at the point of diversion from the stream, or its equivalent in case of rotation.

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32 S	32 E	WM	29	SW NE	14.8

This certificate supersedes Certificate 76993 diminished by an order of the Water Resources Director recorded in Special Order Volume 100, Page _____, entered _____, 2016.

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.

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

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



Oregon Water Resources Department Water Rights Mapping Tool

OWRD Only

725 Summer St NE, Sale

Return

He
Co

Search

Identify Non-Water Right
Features

Tax Lots

Identify Tax
Lots[OR](#)
[Map](#)
☐ Off
☒ On

County: Harney

Taxlot: 32532E000001103

Owner1: Null

Owner2: Null

Owner
Address:

Site Address:

Acres: 567.4

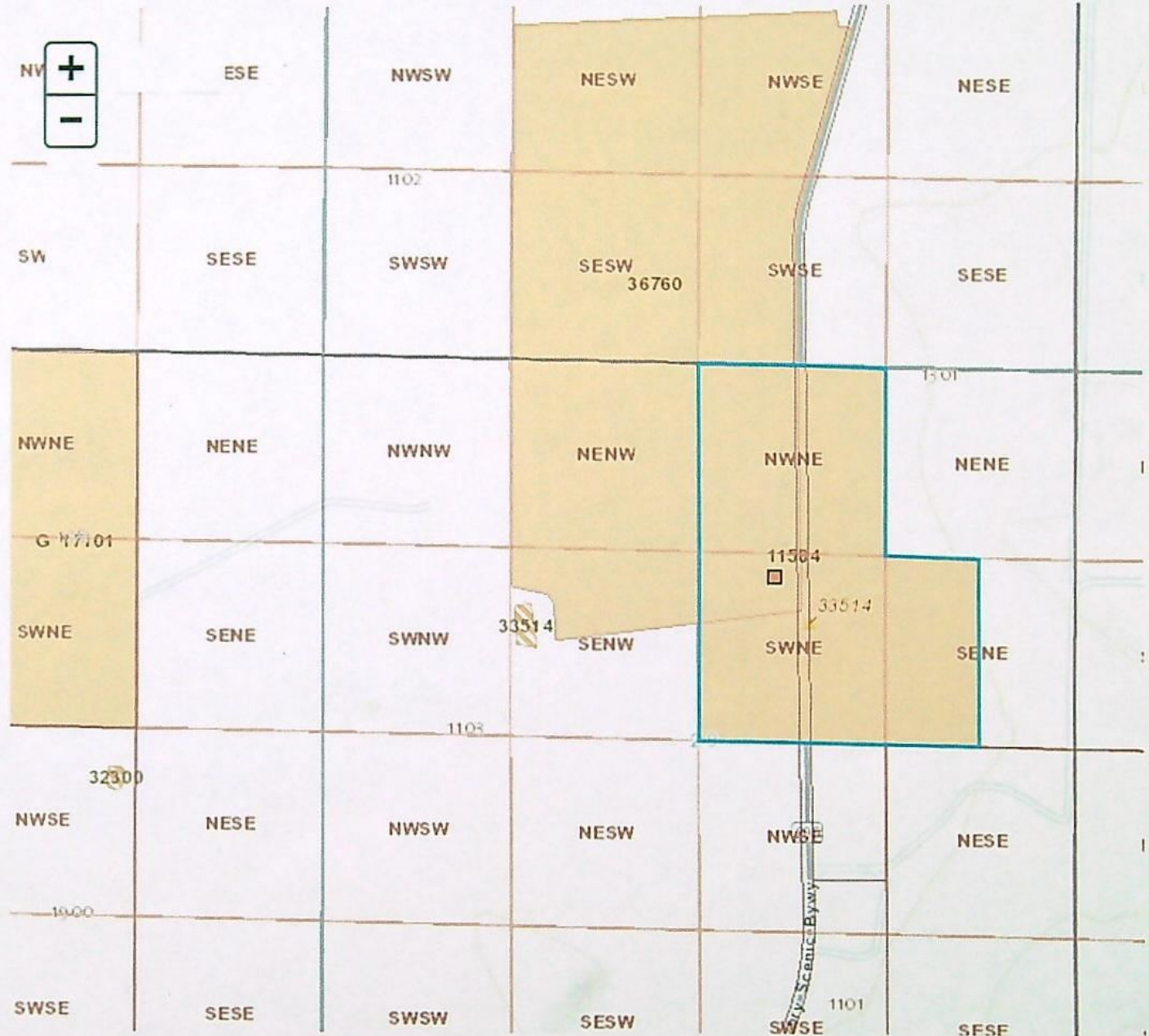
TRSQQ: WM32.00S32.00E0XXXX

Effective
Date: January 1, 2014

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

Tools



HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2016

NOT OFFICIAL VALUE

April 18, 2016 10:32:08 am

Account # 59165 Tax Status ASSESSABLE
Map # 32S32E00-00-01301 Acct Status ACTIVE
Code - Tax # 1620-59165 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name KONEK, MALENA G

Deed Reference # 1997-1751 (SOURCE ID(T): 971751)

Agent

Sales Date/Price 08-22-1997 / \$0.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address

FRENCHGLEN, OR 97736

Prop Class 551 MA SA NH Unit
RMV Class 551 05 00 162 9805-1

Situs Address(s) Situs City

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
1620 Land		73,250		Land	0
Impr.		0		Impr.	0
Code Area Total	3,739	73,250	12,500		0
Grand Total	3,739	73,250	12,500		0

Land Breakdown										
Code Area	ID#	RFD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	LUC
1620	1	R		EFRU-1	Farm Use Zoned	100	A	265.00	7A	006*
1620	2	R		EFRU-1	Farm Use Zoned	100	A	0.00	SW	006*
Grand Total								265.00		73,250

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #		Trended RMV
Grand Total										0

RR landowner Cert 91402

HARNEY County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2016

NOT OFFICIAL VALUE

April 18, 2016 10:27:31 am

Account # 92722 Tax Status ASSESSABLE
Map # 32S32E00-00-01103 Acct Status ACTIVE
Code - Tax # 1620-92722 Subtype NORMAL

Legal Descr Metes & Bounds - See legal report for full description.

Mailing Name SANDERS, ROBERT & CARLA M

Deed Reference # 2010-766 (SOURCE ID(T): 20100766)

Agent

Sales Date/Price 07-09-2010 / \$150,000.00

In Care Of

Appraiser JOHN CLEMENS

Mailing Address 342 MATSON RD
KALAMA, WA 98625-9719

Prop Class 550 MA SA NH Unit
RMV Class 550 05 00 162 10756-1

Situs Address(s) Situs City

		Value Summary			
Code Area	AV	RMV	MAV	RMV Exception	CPR %
1620 Land		235,550		Land	0
Impr.		0		Impr.	0
Code Area Total	17,659	235,550	77,200		0
Grand Total	17,659	235,550	77,200		0

Code Area	ID#	RFD	Ex	Plan Zone	Value Source	Land Breakdown					Trended RMV
						TD%	LS	Size	Land Class	LUC	
1620	1	R		EFRU-1	Farm Use Zoned	100	A	368.00	5	006*	184,000
1620	2	R		EFRU-1	Farm Use Zoned	100	A	36.00	6	006*	10,800
1620	3	R		EFRU-1	Farm Use Zoned	100	A	163.40	7A	006*	40,750
Grand Total								567.40			235,550

Improvement Breakdown										
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex% MS	Acct #		Trended RMV
Grand Total									0	0

CF Landowner Cert ~~91402~~ 91403

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Harney)

I/We (or authorized agent), Robert T. and Carla M. Sanders,
residing at 342 Matson Road, Kalama, WA 98625,
telephone number 360-431-2212, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 1103,
within the NW & SW 1/4 NE 1/4, Section 29, Township 32 N S Range 32 E W, of the
Willamette Meridian, in Harney County, Oregon, as shown on the
attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right certificate number 11584 issued to Melvin H. Kundert,
with a date of priority of January 6, 1922 for use of 1.25 cubic foot per second of water
from Dry Creek and Dry Creek Reservoir (sources) for the
purpose of Irrigation (uses) is appurtenant to
my/our property;

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water
improvement, or water control district, or federal reclamation project (if the right is located within a district
or reclamation project, name it here:
Not Applicable);

4. If the water right is issued in the name of an irrigation district, then the affiant must have the
concurrence of the district to the diminishment of the portion of the water right. (Signature of district
manager on the line below documents concurrence of the district.)

	<u>Not Applicable</u>	<u>Not Applicable</u>
Signature of district manager	Printed Name	Date

5. I/We have obtained a better (e.g., better, more economical) source
of water for the primary irrigation of the portion of this water right shown on the attached map and
described as follows: The right to the use of 0.24 cubic foot per second from
Dry Creek and Dry Creek Reservoir for the irrigation of 18.9 acres located:

<u>NW 1/4</u>	<u>NE 1/4</u>	<u>4.1</u> Acres
<u>SW 1/4</u>	<u>NE 1/4</u>	<u>14.8</u> Acres
<u>1/4</u>	<u>1/4</u>	<u> </u> Acres

Section 29
Township 32 N S Range 32 E W, WM;

6. I/we request the water right be diminished from a right for primary irrigation to a right for
supplemental irrigation of the lands described above in item #5;

RECEIVED BY OWRD

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from
Dry Creek and Dry Creek Reservoir (source) cannot be changed back to the primary
source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available
from the new primary source, I am/we are not entitled to use any water from
Dry Creek and Dry Creek Reservoir (source) for primary irrigation of these lands.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

1/4/2016

Date

[Signature]
Signature of legal co-owner as listed on deed
(if applicable)

1/4/2016

Date

Subscribed and sworn to before Me this 4th day of January, 2016.



[Signature]
Notary Public for ~~Oregon~~ Washington

My Commission Expires

8/10/17

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

RECEIVED BY OWRD

JAN 06 2016

SALEM, OR

20100766

State of California)
 County of Tulare)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On June 24, 2010 before me, Diana Lynne Cox
(here insert name and title of the officer)
 personally appeared Kerry Thompson Shultz and Linda Phipps

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Diana Lynne Cox



(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Statutory Warranty Deed
Escrow No. BU0019764
 containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
☐ Attorney-in-Fact
☐ Corporate Officer(s)

Title(s)

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing:

Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:
 Page # _____ Entry # _____

Notary contact: _____

Other

☐ Additional Signer(s) ☐ Signer(s) Thumbprint(s)

RECEIVED BY OWRD

JAN 06 2016

SALEM, OR

20100766

After recording return to:

ROBERT T. SANDERS

342 MATSON RD.

KALAMA, WA 98625

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

ROBERT T. SANDERS

342 MATSON RD.

KALAMA, WA 98625

Escrow No. BU0019764

Title No. 0019764

SWD r.012910

STATE OF OREGON }
County of Harney } ss

I certify that the instrument identified herein was
recorded on the 7th day of July
2010 at 9:47 o'clock A.M. in the
County Clerk's Records of Harney County, Oregon.
Maria Ibarra, County Clerk

By: [Signature] Deputy

STATUTORY WARRANTY DEED

KERRY THOMPSON SHULTZ and LINDA PHIPPS, as tenants in common, Grantor(s) hereby convey and warrant to ROBERT T. SANDERS and CARLA M. SANDERS, as tenants by the entirety, 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:

Two parcels of land located in Sections 19, 20, 29 and 30, Twp. 32 S., R. 32 E., W.M., Harney County Oregon, more particularly described as follows:

**Parcel 2 and Parcel 3 of Partition Plat No. 01-06-137, recorded June 4, 2001,
Instrument No. 20010992, Harney County, Plat Records. SAVE & EXCEPT that portion of
the SE1/4NW1/4 and the S1/2NE1/4, lying Westerly of State Highway 205.**

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

CODE # 16-2 ACCT. # 92721

MAP# 32S 32E TL 1102

CODE # 16-2 ACCT # 92722

MAP# 32S 32E TL 1103

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 \$150,000.00.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

RECEIVED BY OWRD

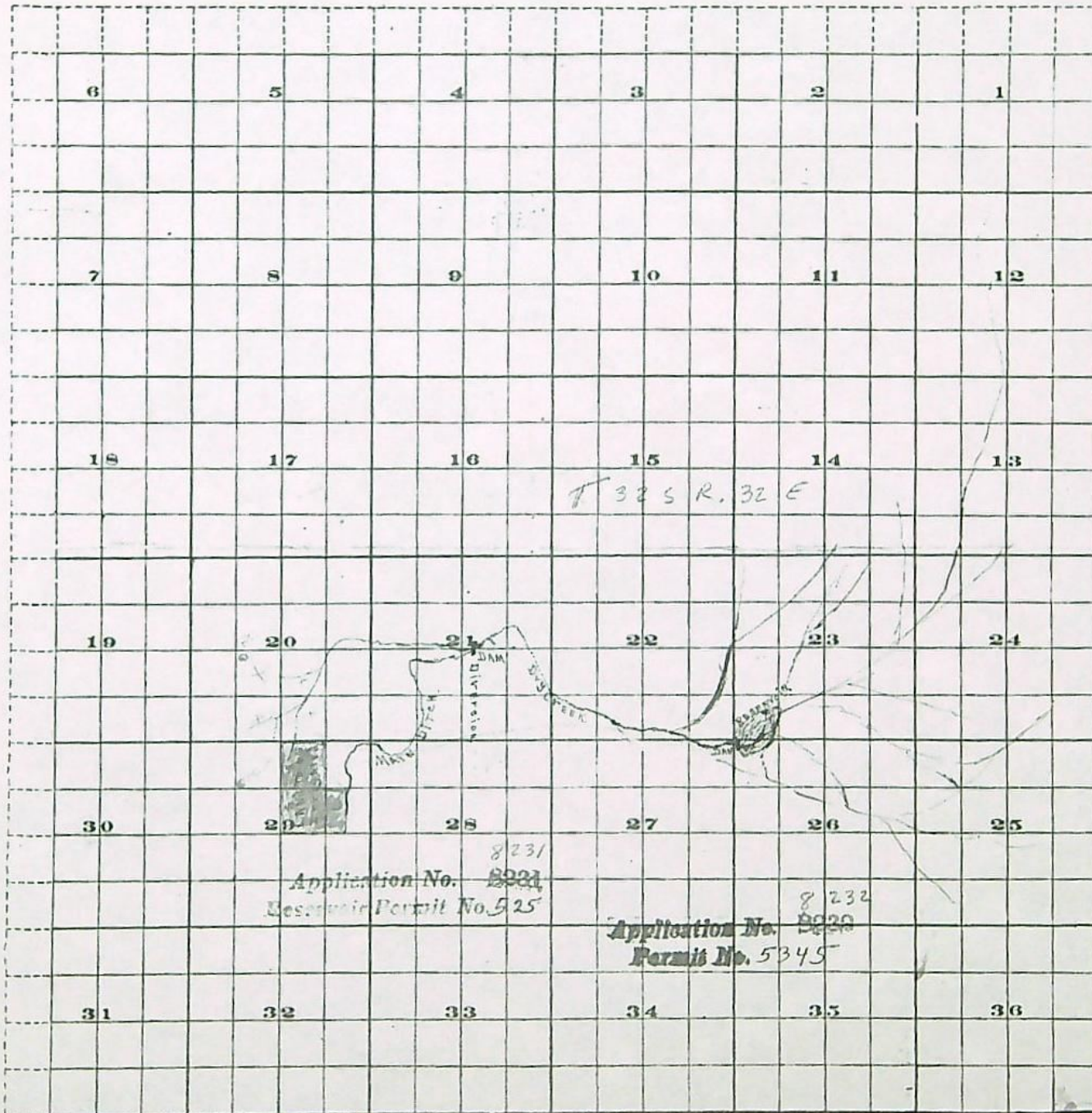
Dated this _____ day of _____, _____.

[Signature]
KERRY THOMPSON SHULTZ

JAN 06 2016

SALEM, OR

Township 32 S, Range 32 E.



1892

8231

8232
8231

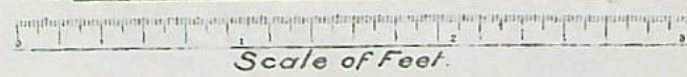
RECEIVED BY OWRD

JAN 06 2016

SALEM, OR

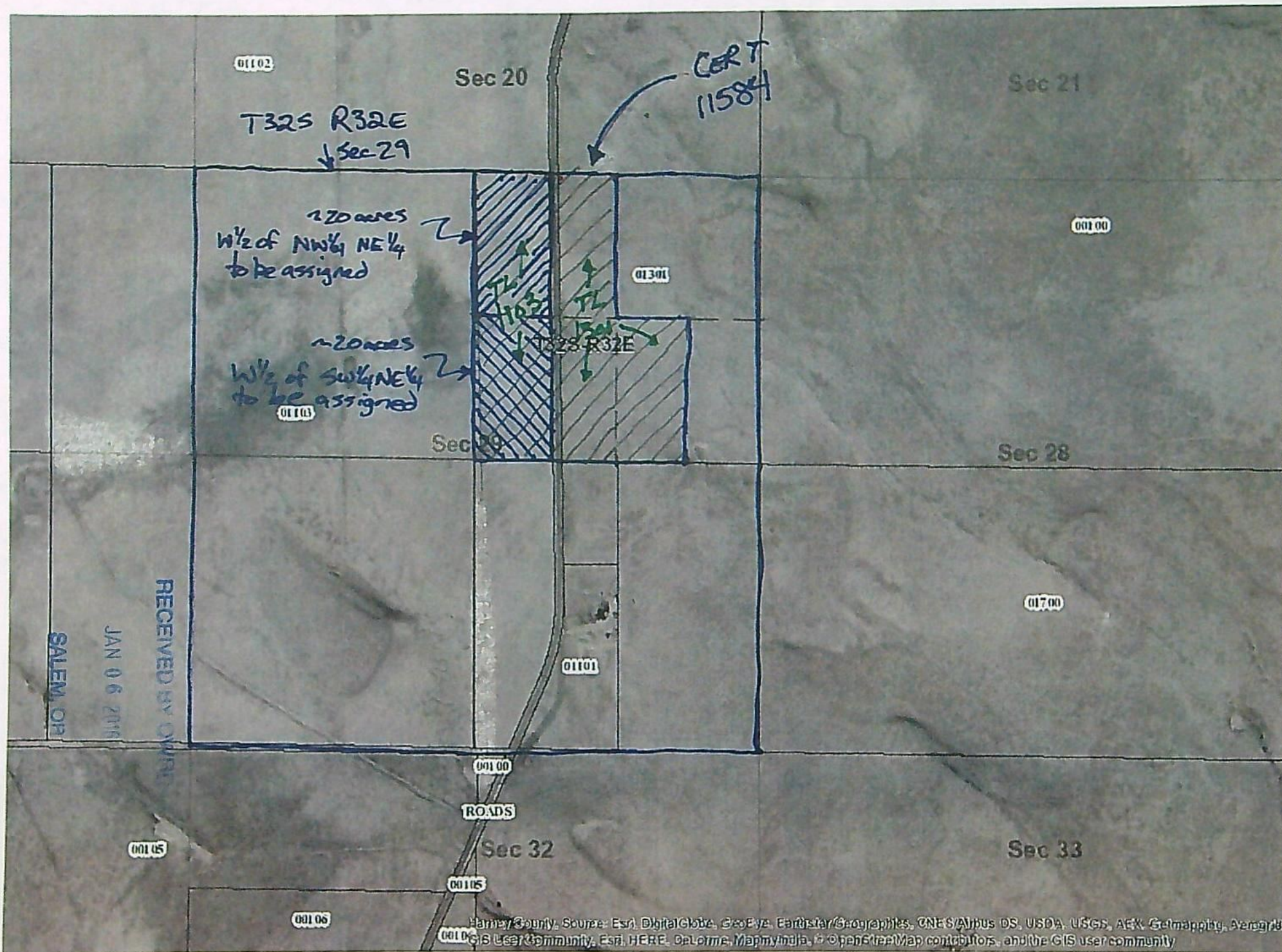
8231

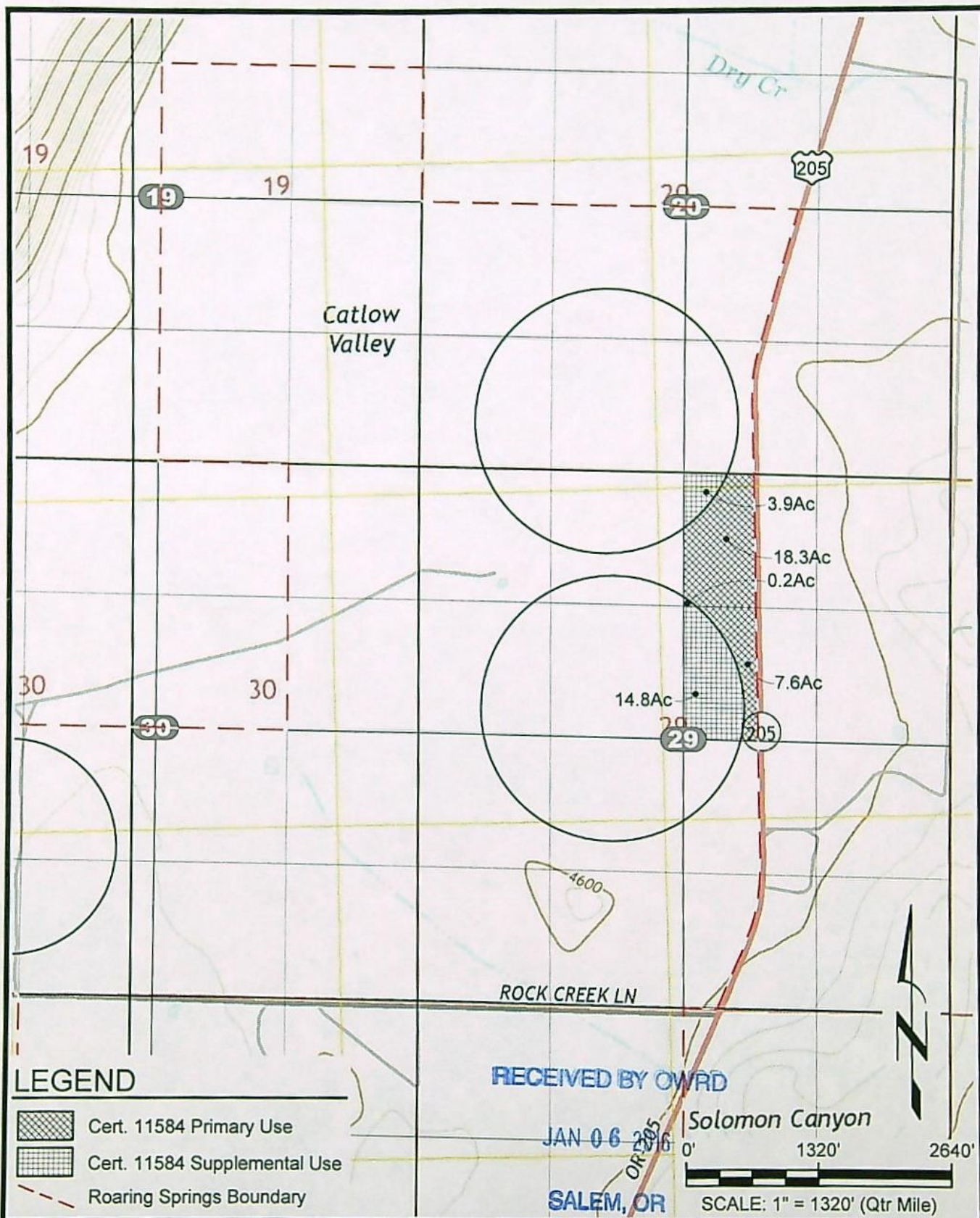
8232



FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

8232
8231





NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
Ph: 541 504-9960 Fax: 541 504-9961



Certificate 11584 Diminution
Roaring Springs Ranch
Harney County, Oregon

DESIGNED BY:
S. Yankey

DRAWN BY:
S. Schenck

DATE:
DEC 2015

PROJECT NO.
1172-101

FIGURE 1



Oregon

Kate Brown, Governor

December 23, 2015

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

Andrew and Jenna Shields
31437 Highway 205
Frenchglen, Oregon 97736

Reference: Application S-34507, Permit S-27104, Certificate 36760
Application S-8232, Permit S-5345, Certificate 11584

The requested assignments cannot be made. Once a water right is perfected as evidenced by the issuance of a Certificate of Water Right, Oregon Water Law views it as a property right that goes with the land when ownership changes. Therefore, there is no provision for changing the name on a certificate.

I am returning your requests and checks.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Requests and checks

cc: files



11584

COUNTYHarney.....

8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use. In the blank column on the right, headed "No. acres actually irrigated," fill in the number of acres you have irrigated in each of the tracts described:

This column must be filled in if water is used for irrigation

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 20 ft.; length on top, 120 ft.; length on bottom 60 ft.; material used and character of construction, Dirt

(b) Give description of headgate: Width, 18 in.; depth, 18 in.; material used and character of construction, Steel and Cement

(c) Size of canal: Width on top (at waterline) 2 ft.; width on bottom, 16 in.; depth of water, 6 in.; grade, 1 ft. fall per 1,000 ft. Actual capacity, sec.-ft. Give general description:

(d) Pipe line: Description of intake,
Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size at place of use, in. Difference in elevation between intake and place of use, ft. Is grade uniform? Actual capacity of pipe line, sec.-ft. Give general description:

(Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump,
Suction lift, ft.; discharge lift, ft. Type of motor used
Horse power rating, H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used?

11. State character of soil Sandy

Kind of crops raised Grain

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? Yes

13. If not, wherein is such map in error?

14. Domestic use: Give number of families actually using water at this time One

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Harney

ss.

I, M. H. Kunder, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 4 day of Sept, 1936.

Subscribed and sworn to before me this 4 day of Sept, 1936.

[NOTARIAL SEAL]

My commission expires Apr 11-1938

Notary Public for Oregon

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of Harney

ss.

We, Hubert Wenzel, and C. A. Downs of Burns, Harney County, Oregon, being first duly sworn, depose and say that

we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No.; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this 22 day of Sept, 1936.

[NOTARIAL SEAL]

My commission expires Apr 11-1938

Notary Public for Oregon

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I,, do hereby certify that I have made an inspection of the works described herein and in Permit No....., on the day of, 193....., and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of a water right certificate for this amount.

NOTE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

.....
(Name)

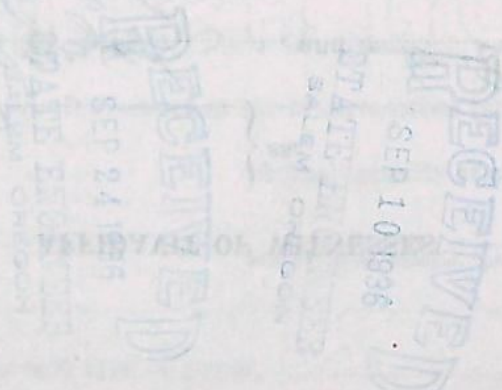
.....
(Title)

PROOF OF APPROPRIATION

Permit No.....

Recording fee paid

Receipt No.....

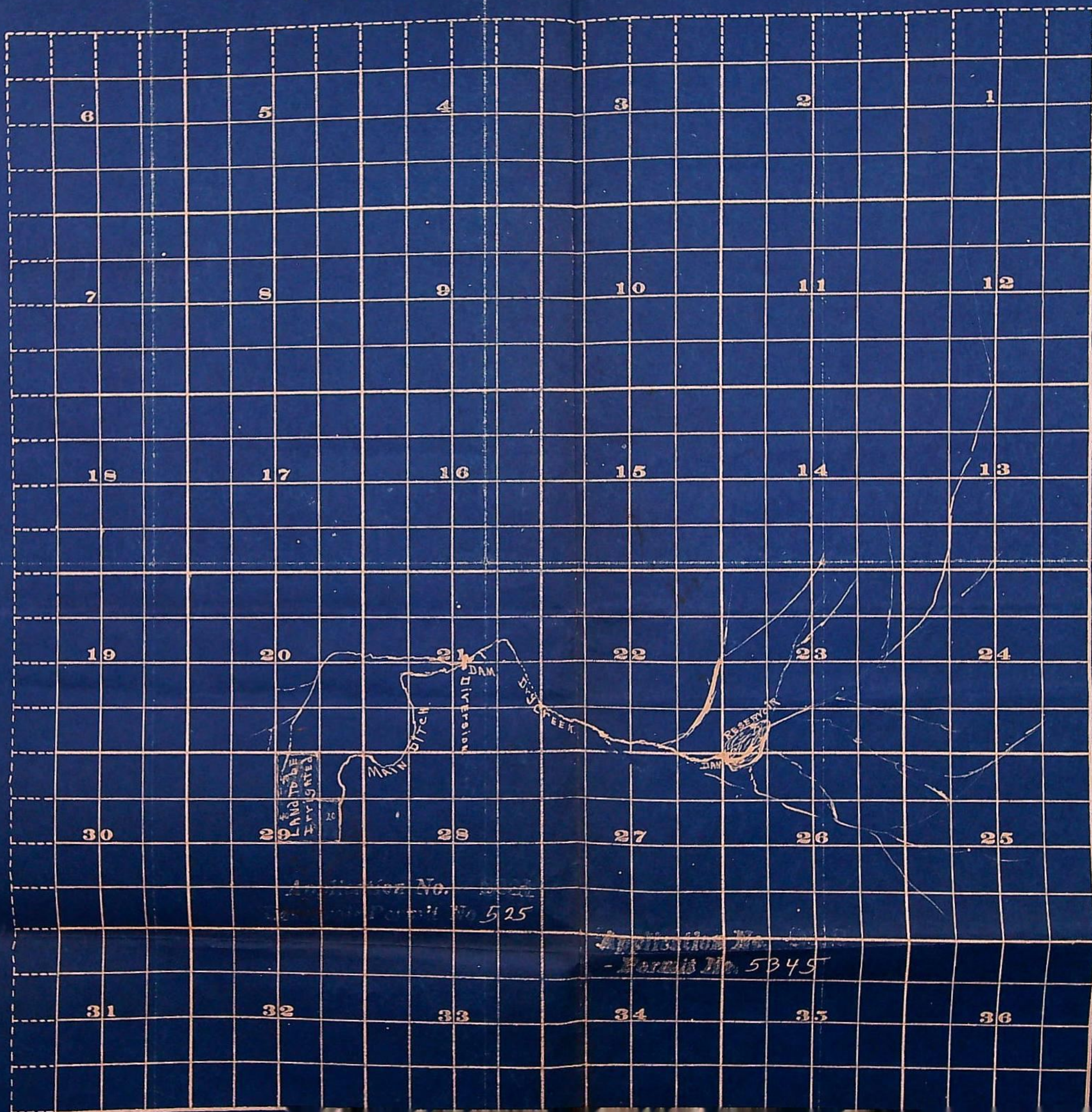


STATE OF OREGON

DEPARTMENT OF AGRICULTURE

Township 32 S,

Range 32 E.





Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

R 54784, R 8231,
R 8232, R 34506,
R 34507

December 12, 1977

Bureau of Land Management
74 S. Alvord Street
Burns, Oregon 97720

ATTENTION: Don Holder

Dear Mr. Holder:

As you have requested, I am enclosing copies of the water right certificates and appropriate final proof survey maps regarding the existing water rights on Dry Creek (Kundert Reservoir).

You will notice that there is a reservoir located upstream from Kundert Reservoir and a right for storage of water and the release of stored water to irrigate lands downstream from Kundert Reservoir. It will be necessary that a suitable outlet pipe be installed in Kundert Reservoir to pass any direct flow of Dry Creek or the upstream stored water through Kundert Reservoir to serve the downstream lands.

I have discussed the type of outlet pipe required with Gary Oberholtzer, our dam safety engineer.

Gary advises that a galvanized corrugated metal pipe with asbestos-bonded bituminous coating is acceptable for use as outlet conduit. The gage of the pipe is determined by imposed loads. Normally 14 to 16 gage is adequate. Pipe joints must be water tight, normally using gasketed connecting bands. The outlet conduit should be sized to allow complete evacuation of the reservoir in 30 days with no inflow.

Should you have further questions regarding the existing rights or design requirements, please do not hesitate to contact this office.

Sincerely,

Vestal R. Garner
Water Rights Engineer

VRG:slk
Enclosures



WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-8453

ROBERT W. STRAUB
GOVERNOR

May 25, 1976

Mr. Bill Bright
Bureau of Land Management
74 S. Alvord
Burns, Oregon 97720

Dear Sir:

On May 19, 1976, I inspected the Kundert Reservoir site located in Section 26, Township 32 South, Range 32 East. The dam is presently breached and storage is limited to an apparent borrow area directly upstream of the dam.

It is my understanding that the Bureau proposes to rebuild and enlarge the dam. I have reviewed the files and note that Mr. Trevor Jones has provided appropriate information concerning existing water rights.

For structures of this size, Oregon law requires that, together with applications for water right, the owner provide for our review and approval plans and specifications for the proposed project. These plans and specifications must be prepared by an engineer licensed to practice in the State of Oregon or by a qualified representative of the Federal Government.

It appears that field investigations will be required to determine if portions of the existing structure could be incorporated in the new construction. The existence of a cutoff or core trench, the degree of compaction obtained in the existing fill, and the serviceability of the existing outlet conduit should be investigated.

Very truly yours,

G. L. Oberholtzer
Engineer

GLO:cjw

8231
8232
R-34506
34507

February 10, 1976

Mr. Don Holder
Bureau of Land Management
74 S. Alvord
Burns, Oregon 97720

Dear Mr. Holder:

Questions from your office regarding Dry Creek Reservoir have been answered by different people here so I'm not sure what information you have and if you have enough. We have discussed the reservoir in Sections 23 and 26, Township 32 South, Range 32 East, W.M. There is a right of record for a reservoir in Section 36, Township 32 South, Range 32 East, and use under another for irrigation of lands in Sections 20 and 29. These may be a factor in your planning for construction of the reservoir in Sections 23 and 26.

I am enclosing copies of final proof maps for rights perfected under permits Nos. R 2573 and 27104. Certificate No. 36759 is for the construction of a reservoir and storage of 178.0 acre feet of water from Dry Creek. Certificate No. 36760 describes the appropriation of 176.0 acre feet of water from the reservoir for irrigation of 173.2 acres and supplemental irrigation of 30.0 acres and 2.0 acre feet of water for stock use.

Mr. Philip Hiibel, our Watermaster in Burns, has complete instructions regarding petitions for cancellation of existing rights which include an outline of the form of petition. I believe you intended to contact him for inspection of the old reservoir so he could give you the needed information then.

Sincerely,

Trevor Jones, Administrator
Water Rights Division

TJ:whh
Enclosures

August 23, 1960

Mr. Melvin Kundert
Burns
Oregon

Dear Mr. Kundert:

Enclosed are three applications and a copy of the Rules and Regulations of the State Engineer.

As we discussed on Thursday, August 18, to cover your project it will be necessary to file three applications. Application No. 1 will be for a permit to construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon. This application would cover the enlargement of the present Kundert reservoir and will cover only the waters stored as a direct result of this enlargement. Application No. 2 is for a permit to construct a reservoir and would cover the proposed dam located above Kundert reservoir. The items on the two applications are self-explanatory. The third application will be for a permit to appropriate the public waters of the State of Oregon and will cover the use of the water stored in the upstream reservoir and the enlargement of the present Kundert reservoir. Item 1 of this application would cover the new reservoir and the enlargement. Item 3 would be for irrigation of new lands and supplemental irrigation of lands covered by Certificate No. 11584. The point of diversion would be the lower dam or that point where you take water from the creek. Clarence Young, water master at Burns, is aware of how these applications should be made out and also the computation of fees as shown on pages 11 and 12 of the Rules and Regulations.

In the event you wish to sell or trade water with the Kasers' they will be required to show documentary evidence that an agreement has been entered into with you for a permanent and sufficient interest in the reservoir to impound enough water for the purposes set forth in the application. When beneficial use has been completed and perfected under this secondary permit the State Engineer shall take the proof of the water user under the permit. The final certificate of appropriation will refer to both the ditch described in the secondary permit and the reservoir described in the primary permit.

Mr. Melvin Kundert

- 2 -

August 23, 1960

Oregon Revised Statute 672.040, Subsection 3 states that a professional engineer registered in any other State or Foreign Country may practice in this State not to exceed 30 days per year if he has first given notice in writing to the Board of Engineering Examiners of his intention to practice in Oregon. The address is 717 Board of Trade Building, 310 S.E. Fourth Avenue, Portland, Oregon.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
A. M. Petska
Engineer

AMP:mb
enc

August 11, 1960

Mr. Melvin H. Kundert
Burns,
Oregon

Dear Mr. Kundert:

We have received an application from Sam V. and Bill F. Kaser to the effect that they are going to appropriate water from your reservoir as covered by Permit numbered R-525, Certificate numbered 11583 for the storage of 240 acre feet in Kundert reservoir. This application was filed April 21, 1960. On August 6 of this year I received a letter from them stating that they planned an enlargement of that reservoir and intended to initiate construction soon after my inspection. When you were in the office this spring I was under the impression that I was to accompany you on an inspection of your holdings in the Frenchglen area to look at the proposed reservoir site. I was not aware that you had selected the reservoir site and therefore I had delayed the inspection trip until a time when current work was at a minimum.

On Monday August 15 I shall go to Lakeview. I shall be there through the 16 and the morning of the 17. I can travel from Lakeview to the Frenchglen Hotel arriving there the night of the 17 and would be available to inspect your project the 18 or 19. In the event I am delayed and cannot arrive there on the 17 I will definitely be there the 18.

May I point out to you that Kundert Reservoir, at present, stores 240 acre feet and is 20 feet high, any enlargement of this structure will require plans and specifications covering the enlargement. Messrs. Kaser are under the impression that you have made an application for this enlargement, I can find no record of this application in our files.

In the event you will not be available for the inspection you may reach me at the office or my home. While in Lakeview I can be reached through Mr. Glen Tyler, Lake County Watermaster.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
A. M. Petska
Engineer

AMP:nb

June 6, 1960

Mr. Melvin Kundert
~~Voltage~~ *Burns*
Oregon

Dear Mr. Kundert:

I plan to be in your area some time during early July and will at that time accompany you on an inspection of your holdings in the Frenchglen area to look at proposed reservoir sites. I will advise you as to a definite date.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
A. M. Petska
Engineer

AMP:mb

March 22, 1960

Sam V. & Bill F. Kaser
Frenchglen,
Oregon

Gentlemen:

This will acknowledge receipt of your letter dated March 17, 1960, regarding the appropriation of water from Kundert Reservoir for the irrigation of lands under a desert land entry application.

It will be necessary that you submit an application to this office for a permit to appropriate water from the reservoir for irrigation purposes. Unless you are now the legal owner of Kundert Reservoir which was constructed under permit numbered R-525, it will be necessary that you submit evidence of your right to divert water from the reservoir. You must also submit evidence of there being sufficient water stored in the reservoir for your proposed project.

In order to assist you we are enclosing an application form accompanied by a copy of the Rules & Regulations of the State Engineer.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:skh
Enc. 2

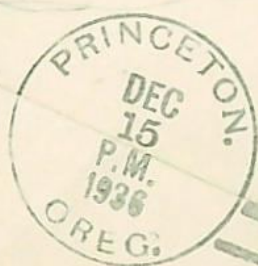
After ten days, return to
CHAS. E. STRICKLIN, State Engineer,
State Office Building,
SALEM, OREGON.



8232

Mr. Melvin H. Kundert,
Voltage, Oregon.

REASON FOR
NON-DELIVERY
CHECKED
UNCLAIMED
NO SUCH PERSON
NO SUCH ADDRESS
FOR BETTER
DELIVERY



STATE ENGINEER
SEC. BY
CLAMATION COMMISSION
CTRIC COMMISSION OF OREGON

STATE OF OREGON

OFFICE OF THE

STATE ENGINEER

WATER RESOURCES DEPARTMENT

SALEM

ADDRESS ALL COMMUNICATIONS
CHAS. E. STRICKLIN, STATE ENGINEER
SALEM, OREGON

AND REFER TO
FILE NO. _____

December 7, 1936.

Mr. Melvin H. Kundert,
Voltage, Oregon.

Dear Sir:

Water right Certificates Nos. 11583 and 11584 have been issued in confirmation of Permits Nos. R-525 and 5345 and are being forwarded to the clerk of Harney County today for recording in his records.

After recording them in his records he will forward them to you, and you should receive them within the next few days. In event that the certificates are not received within a reasonable length of time, I would suggest that you take the matter up with the County Clerk.

Very truly yours,

Chas. E. Stricklin
CHAS. E. STRICKLIN,
State Engineer.

LN

File

February 17, 1936

Mr. Melvin H. Kundert
Vantage, Oregon - or Burns, Oregon

Dear Sir:

Our records show that the final proofs of appropriation under your Permits Nos. R-525, 5345, R-560 and 6257 were sent to the watermaster but due to the fact there has not been a permanent watermaster for the past several years, the proofs were never completed. Therefore, I am sending the proofs to you for completion so that certificates can be issued.

All questions in the proofs which are applicable to your appropriations must be carefully answered. Particular attention must be given to Paragraph 8, under Permits Nos. 6257 and 5345 where you are to fill in the last column giving the number of acres actually irrigated in each forty-acre tract. Your water right certificates cannot be issued for more land than that upon which you have actually used the water. The areas irrigated should be carefully measured by stepping or chaining.

If pipe lines are used, it is very essential that you give the size and length of the pipe and if it is of varying dimensions, the diameters at each point where the pipe changes in size should be given. You should also give the amount of fall between the intake of the pipe line and place of use so that we may check by computation its capacity. If you have made an actual measurement of the quantity of water in cubic feet per second or gallons per minute which can be conveyed through the pipe line, your determination will be the best evidence of the capacity and it should be given under Paragraph 9 (d) of each proof.

If the maps filed with your applications do not show correctly the location of your diversions and other works, you should show by pencil lines on the maps the actual location of such works. Please return the maps with your proofs.

The affidavits of appropriator should be executed by you as the holder of the permits, and the affidavits of witnesses should be made by two of your neighbors or other disinterested parties who have been over the premises and are able to swear that the appropriations were completed in accordance with the statements made in the proofs.

After being fully filled out and executed, the proofs should be returned to the State Engineer with a fee of \$4.00 for recording your water right certificates in the county records.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

5345

Melvin H. Hundert-
Voltage - Arc.

App. 8232.

1.25 acft from Dry Ck & Dry Ck Res. for
irrig 100 acres

Feb 10 - 1922

June 1 - 1924

Oct 1 - 1925

A filed

B filed

10-3-25 - Card for C
1/6/26 - ~~envelope~~ or ~~cancel~~ - Reg 1

C filed & ack

Final prog mailed to R.M. 4/1/26

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 6610

INSURED PARCEL

No. _____

Return to _____

Street and Number, }
or Post Office Box, }

Post Office at _____

State _____

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.



AND DATE OF DELIVERY

c 5-6116

5345
RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Melvin H. Kinder
(Signature or name of addressee.)

Mayme Kinder
(Signature of addressee's agent.)

Date of delivery, _____, 192

Form 3811

02-6116

NOTICE OF BEGINNING OF CONSTRUCTION

I, Melvin H. Kunder, the holder of Application No. 8232, being
 Permit No. 5345, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 1.25 second-feet of the waters of Day Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein on the 3rd day of June, 1922,
 being within the time limitation as fixed in said permit for the beginning of construction work.

spaded the main ditch 2 men employed, 2 teams
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this

statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of June, 1922.

Voltage Ore
 (Present Address)

Melvin H. Kunder
 (Signature of Applicant)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

Form B

I, Melvin H. Kunder, the holder of Application No. 8232, being
 Permit No. 5345, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 1.25 second-feet of the waters of Day Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 have completed the construction of the works described therein the 27 day of June, 1922,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

Remarks:

If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described
 in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 28 day of June, 1922.

Voltage Ore
 (Present Address)

Melvin H. Kunder
 (Signature of Applicant)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been
 allowed for completion.

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Form C

I, Melvin H. Kunder, the holder of Application No. 8232, being
 Permit No. 5345, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 1.25 second-feet of the waters of Day Creek
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 completely applied the water to a beneficial use, on the 1st day of October, 1925,
 being the time limitation as fixed in said permit or extended by the State Water Board for the complete
 application of water to a beneficial use.

Remarks:

If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that delinquent appropriators may
 have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of Feb, 1926.

Burns, Oregon
 (Present Address)

Melvin H. Kunder
 (Signature of Applicant)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

SALEM, OREGON
JUN 15 1922
STATE ENGINEER
RECEIVED

JUL 5 1923

FILE NO.

STATE ENGINEER
RECEIVED
FEB 16 1926
SALEM, OREGON

April 1, 1926.

Mr. A. H. Page,
Water Master,
Burns, Oregon.

Dear Sir:

I am enclosing herewith blanks for making final proof of appropriation of water under your Permits Nos. 5345 and 5525.

Please make an inspection in accordance with your usual practice and also see that the proof is properly filled out and signed before a Notary Public.

After the proof has been completed it should be returned to this office with your report and recommendation and the usual \$1.00, recording fee.

Yours very truly,

W.
Encs.

Rhea Luper,
State Engineer.

April 1, 1926.

Mr. Melvin H. Kundert,
Vantage, Oregon.

Dear Sir:

Blanks for submitting final proof of appropriation of water under your Permits Nos. 5545 and R525 have been forwarded to Mr. A. H. Page, Water Master of your District who will make an inspection and assist in completing the proof.

After the proof has been properly filled out and signed before a Notary Public, it should be returned to this office with \$1.00, the fee required by law for recording a water right certificate in the county records.

Yours very truly,

Rhea Luper,
State Engineer.

W.

PERMIT NO. 5345.

January 7, 1926.

Mr. Melvin H. Kundert,
Voltage, Harney Co.,
Oregon.

Dear Sir:-

I note from the records of this office you have not filed the notice of complete application of water under your Permit No. 5345, which covers the appropriation of 1.25 sec. ft. from Dry Creek and Dry Creek Reservoir, for the irrigation of 100 acres, although the time for the completion of this water right as fixed by the terms of the permit expired October 1st, 1925.

In view of the fact that the notice has not been filed we presume the water right has been abandoned, and if so, we would be glad to have you authorize the cancellation of the permit on the records of this office, as this will eliminate the necessity for following the regular procedure for the cancellation of the same. However, if the terms of the permit have been complied with, we would be glad to forward final proof blanks for execution upon receipt of the required notice.

As we have received no reply to our postcard notice of October 5, 1925, in regard to this matter, you are advised that unless hearing from you within sixty days from the date of this letter, the permit will be subject to cancellation in accordance with section 5774, Oregon Laws, which provides for the cancellation of permits when the holders thereof fail or refuse to complete their water rights within three months after the same should have been completed.

Yours respectfully,

Rhea Luper,
State Engineer.

This letter registered.

Voltage Area.
June 9-22.

Secretary of State Water Board
Salem, Ore.

Dear Sir.

Enclosed find enclosed
notice of my beginning
of construction work
for Water of My Creek.

Yours Truly,

Melvin H. Kunderl
Voltage,
Ore.

STATE ENGINEER
RECEIVED

JUN 15 1922

SALEM, OREGON

8232

See 8231

February 16th, 1922.

Mr. Melvin H Hundert,
Veltage, Harney Co.
Oregon.

Dear Sir:- Herewith you will find Application No. 8232, being Permit No. 5345
which has been approved and recorded in this office.

Ap- 1. 8231 & 8232

January 27th, 1922.

Mr. Melvin H. Kundert,
Voltage, Harney Co.,
Oregon.

Dear Sir:-

Enclosed please find my official receipt No. 9005 for \$20.⁰⁰, which amount was transmitted with your letter of January 22nd as balance of fees on your Applications Nos. 8231 & 8232. The applications will be taken up for approval as soon as the same can be reached and you will be further advised.

Very respectfully,

Percy A. Cupper,

State Eng-ineer

RJB-LA

Voltage Ore

Jan 25, '22

State Engineer, Salem

Dear Sir:

I am in receipt of your letter, of Jan. 6th.

In close fine for amounting to \$20 in all. \$15 for irrigation & \$5 for recoding reservoir application. Thank you.

Very respectfully
William H. Kunder
Voltage Ore.

8231-

8232

January 6th, 1922.

Mr. Melvin H. Kundert,
Vollage, Harney Co.,
Oregon.

Dear Sir:-

I am in receipt of your letter of December 30th transmitting applications for permit to construct a reservoir and to appropriate water. I am also in receipt of map. The applications have been numbered 8231 and 8232 and placed on file.

Additional fees amounting to \$15 are required for the irrigation of 100 acres and a \$5 recording fee is required on the reservoir application.

Upon receipt of the balance of fees the applications will be taken up for approval.

Very respectfully,

Percy A. Cupper,

RJS-LA

State Engineer.

P.S. Enclosed please find my receipt No. 8971 for \$6, examination fees on each of the above applications.

Voltage, Ore.
Dec. 20-21.

R 8231

+ 8232

Percy A. Cupper.
Salem, Ore.

Dear Sir: Rec'd
Jan 6-1922

Enclosed you will
find two applications for
Water also a Money-order
for \$6.00 for examining
the applications.

Hoping you will find
the applications properly
filled out.

Yours very truly.
Melvin B. Kunkert.

Voltage,
Ore.

1 map
Due for 100a 15.00
Rec 5.00