



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

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: N/A
First Last

Mailing Address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: K & P Enterprises LLC.

Name and Title of Person Applying: Kenneth J Post

Mailing Address or Organization: 67719 Hwy 78

BURNS OREGON 97720
City State Zip

Phone: (541-589-0001) 541-573-2166
Day Evening

*Fax: _____ *Email Address: Ken-post@live.com

*Optional

File # 20,573.6775 TUC

For Department Use

App. No. _____ Permit No. _____ Date _____

Last Updated: 3/31/2009

WR

Ground Water/1

2. PROPERTY OWNERSHIP

☐ Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

☒ There are no encumbrances

☐ This land is encumbered by easements, rights of way, roads or other encumbrances
(please provide a copy of the recorded deed(s))

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

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

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

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 3

Name of nearest surface water body: MALheur lake

Distance from well(s) to nearest stream or lake:

1) ± 10 mi. 2) ± 10 mi. 3) ± 10 mi. 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) _____ 2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

<u>Tim Riley</u>

Mailing Address: P.O. Box 751

Hines OR 97738
City State Zip

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Completion Date: 3yrs. after issue of permit

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	12"	12" Steel	120'	60'	50'	30'	20'	1 1/2" P.P.C.	± 250'
2	14"	14" Steel	120'	60'	50'	30'	20'	1 1/2" P.P.C.	± 250'
3	12"	12" Steel	120'	60'	50'	30'	20'	1 1/2" P.P.C.	± 250'

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

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

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

NA

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	Sand, Sandstone	IRR	450	54,000 Gal	700
2	Sand & Sandstone	IRR	900	108,000 Gal	1000
3	Sand & Sandstone	IRR	450	54,000 Gal	700

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 4.9255 CFS
(The fees for your application will be based on this amount.)

D. Period of Use

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

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 394.04

(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

☒ Pump (give horsepower and pump type): #1 40 HP Turbin #2 60 HP Turbin #3 40 HP Turbin

☐ other means (describe): _____

B. Transport

How will you transport water to your place of use?

☐ Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

☒ Pipe (give diameter and total length):

Diameter 6" Length 6050

☐ other, describe: _____

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C. Application/Distribution Method

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

Irrigation or land application method (check all that apply):

- | | | |
|--|--|---|
| ☐ Flood | ☐ High pressure sprinkler | ☐ Low pressure sprinkler |
| ☐ Drip | ☐ Water Cannons | ☒ Center pivot system |
| ☐ Hand Lines | ☒ Wheel Lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☐ other, describe: _____ | | |

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Distribution method

- | | | |
|---|---|-------------------------------------|
| ☒ Direct pipe from source | ☐ In-line storage (tank or pond) | ☐ Open Canal |
|---|---|-------------------------------------|

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Using Low Pressure drop Sprinklers to Cutdown
Evaporation.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: After Permit is Issued.

Proposed date construction will be completed: 3 years after Permit is Issued.

Proposed date beneficial water use will begin: After Completion of 1st Well.

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

8. MAP REQUIREMENTS

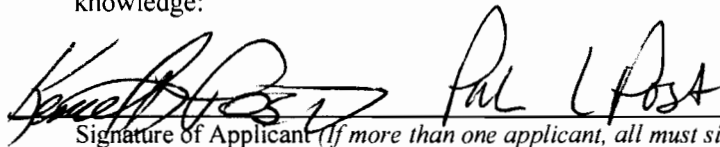
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:


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

2-2-2010
Date

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Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:

www.wrd.state.or.us

Oregon Water Resources Department

FORM I
FOR IRRIGATION USE

1. Please indicate whether you are requesting a primary or supplemental water right, as well as the number of acres that will be irrigated for each type. The acreages must match those shown on the map submitted with your application.

☒ Primary: 394.04 Acres

☐ Supplemental: _____ Acres (supplemental irrigation can be used only when the primary right is not available, and must match the season of the primary right)

List the permit or certificate number of the primary water right that underlies each supplemental right.

Circle one

Season Allowed

Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____

2. Indicate the maximum number of acre-feet of water you expect to use in an irrigation season:

1182.12 acre-feet (typically 2.5 or 3.0 acre-feet per acre)
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons)

3. **For Limited License applications proposing to use water for irrigation.** If for use of stored water, a limited license may be issued for up to one year with a valid contract for stored water per ORS 537.143(9). A limited license may also be issued for irrigation from live flow or groundwater, if the sole purpose is to establish a crop for which no further irrigation will be required after the crop is established per ORS 537.143(6)(a). Please describe the proposed project and indicate if stored water, live flow, or groundwater is to be used. When irrigation is needed to establish a crop, you must justify why more than one year is required.

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INST. #2005 1808

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32 E., W.M.:
Sec. 3: Lots 4 and 5.
Sec. 4: Lots 1 and 5.

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WATER RESOURCES DEPT
SALEM, OREGON

After recording return to:

KENNETH J. POST

67714 HWY 78

BURNS, OR 97720

20051808

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

KENNETH J. POST

67714 HWY 78

BURNS, OR 97720

Escrow No. BU0017367

Title No. 0017367

SWD

STATE OF OREGON } ss
County of Harney

I certify that the within instrument was received
for record on the 21st day of September
2005 at 4:22 o'clock P.M. and
recorded Microfilm number 20051808

Deed Records of said County
Paula Inurriaga, County Clerk
By: D. Robman Deputy

STATUTORY WARRANTY DEED

GARY WAYNE CLARK and PATRICIA SCHAAP CLARK, as tenants by the entirety, Grantor(s)
hereby convey and warrant to KENNETH J. POST and PAULA A. POST, 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:

SEE EXHIBIT "A" CONSISTING OF ONE PAGE ATTACHED HERETO.

ACCT# 5560; CODE# 1-2

MAP 24S 32E LOT 700

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 \$46,000.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN
VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS
30.930.

Dated this 21st day of Sept., 2005.

Gary Wayne Clark
GARY WAYNE CLARK

Patricia Schaap Clark
PATRICIA SCHAAP CLARK

State of Oregon
County of HARNEY

This instrument was acknowledged before me on September 21, 2005 by GARY WAYNE CLARK and PATRICIA
SCHAAP CLARK.

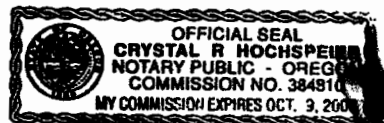
Crystal R. Hochspeier
(Notary Public for Oregon)

My commission expires Oct 9, 2008

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WATER RESOURCES DEPT
SALEM, OREGON



20070456

After recording return to:

KENNETH J. POST

67719 HWY. 78

BURNS, OR 97720

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

KENNETH J. POST

67719 HWY. 78

BURNS, OR 97720

Escrow No. BU0018088

Title No. 0018088

SWD

STATE OF OREGON

County of Harney

I certify that the within instrument was received
for record on the 21st day of February
2007 at 1:52 P.M. and
recorded Microfilm number 20070456
in the records of said County.

By: Angela F. Manary Deputy

STATUTORY WARRANTY DEED

DAVID BUCK and SHANNON BUCK, Grantor(s) hereby convey and warrant to KENNETH J. POST and PAULA A. POST, 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:

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32 E., W.M.:

Sec. 4: Lots 2 and 3.

ACCT# 5564; CODE# 1-2

MAP:24S 32E 04 LOT 100

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 \$42,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 21st day of February, 2007

David Buck
DAVID BUCK

Shannon Buck
SHANNON BUCK

State of Oregon
County of HARNEY

This instrument was acknowledged before me on February 21, 2007 by DAVID BUCK and SHANNON BUCK.



Angela F. Manary
(Notary Public for Oregon)

My commission expires 4-2-07

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WATER RESOURCES DEPT
SALEM, OREGON

20030770

WARRANTY DEED

HELEN S. WEBB, Trustee, or her successors in trust, under the HELEN S. WEBB LIVING TRUST, Grantor(s) hereby grant, bargain, sell, warrant and convey to: KENNETH J. POST and PAULA A. POST, husband and wife, Grantee(s) and grantee's heirs, successors and assigns the following Described real property, free of encumbrances except as specifically set forth herein in the County of HARNEY and State of Oregon, to wit:

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32 E., W.M.:
Sec. 3: SE1/4NW1/4

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any:

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

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$5,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 67719 HWY. 78, BURNS, OR 97720

Dated this 30TH day of APRIL, 2003.

HELEN S. WEBB LIVING TRUST

BY: John Roe Thomas
JOHN ROE THOMAS, Successor Trustee

State of Oregon
County of HARNEY

This instrument was acknowledged before me on APRIL 30, 2003 by JOHN ROE THOMAS AS TRUSTEE OF THE HELEN S. WEBB LIVING TRUST.



Terri Jo Morfman
(Notary Public for Oregon)
My commission expires 12-19-06

ESCROW NO. BU0016310

Return to:
KENNETH J. POST
67719 HWY. 78
BURNS, OR 97720

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
County of Harney
I certify that the foregoing instrument was received
for record on April 30 2003 at 10:00 A.M. and
recorded in Book 2003-0110 Page 1
of said County.
By: Debra J. Brown Deputy

NR

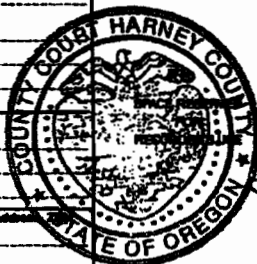
20030429

William E. Richards, et al
c/o 30359 Butte Cr. Rd.
Lebanon, OR 97355

Kenneth J. & Paula A. Post
67719 Highway 78
Burns, OR 97720

After recording, return to (Name, Address, Zip):
Kenneth J. & Paula A. Post
67719 Highway 78
Burns, OR 97720

Until requested otherwise, mail all tax statements to (Name, Address, Zip):
Kenneth J. & Paula A. Post
67719 Highway 78
Burns, OR 97720

STATE OF OREGON, *Harney* ss.

County of

I certify that the within instrument was
received for recording on *March 16, 2003*
at *4:16* o'clock *P.*M., and recorded in
book/reel/volume No. _____ on page _____
and/or as fee/file/instrument/microfilm/reception
No. *102016*, Records of this County.

Witness my hand and seal of County affixed.

Martha A. Meng, Co. Clerk
By *Don Robinson*, Deputy.

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that WILLIAM E. RICHARDS, CHARLOTTE JOAN MONTANO, nka
CHARLOTTE JOAN MONTANO WADE, W. D. RICHARDS and EDNA RICHARDS

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by KENNETH J. POST and
PAULA A. POST, husband and wife

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

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 32 E., W.M.:
Sec. 3: Lot 3.

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WATER RESOURCES DEPT
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized
in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state): Easement,
including the terms and provisions thereof, to Dale A. Barnes and Dianna F. Barnes,
recorded June 4, 1997 in Instrument No. 971163, Deed Records

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 4,508.00
~~and the grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):~~
~~including the terms and provisions thereof, to Dale A. Barnes and Dianna F. Barnes, recorded June 4, 1997 in Instrument No. 971163, Deed Records~~
(The sentence between the symbols ~~and~~, if not applicable, should be deleted. See ORS 93.030.)

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

In witness whereof, the grantor has executed this instrument on February 25, 2003; if grantor
is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so
by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRI-
ATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES
AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

Charlotte Joan Montano Wade
William E. Richards
W.D. Richards Edna Richards

STATE OF OREGON, County of Linn ss.This instrument was acknowledged before me on February 25, 2003by William E. Richards, Charlotte Joan Montano Wade, W. D. Richards &This instrument was acknowledged before me on Edna Richards

by

as

of

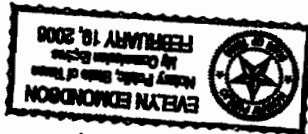


Martha A. Meng
Notary Public for Oregon
My commission expires 2/5/06

INSTRUMENT # 2003 419

STATE OF TEXAS)
) ss.
County of Travis)

This instrument was acknowledged before me on 18th February, 2003,
by Charlotte Joan Montano Wade.



Evelyn Edmondson
Notary Public for Texas
My commission expires: February 19, 2006



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WATER RESOURCES DEPT
SALEM, OREGON

WARRANTY DEED

DALE A. BARNES and DIANNA F. BARNES, Grantor(s) hereby grant, bargain, sell warrant and convey to: KENNETH J. POST and PAULA A. POST as tenants by the entirety
Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of HARNEY and State of Oregon, to wit:

In Twp. 24 S., R. 32 E., W.M.:
Sec. 3: W½ of Lot 2.

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any:

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

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$5,500.00

TAX STATEMENTS ARE TO GO TO:
KEN AND POLLY POST

67719 HWY 78
BURNS, OR 97720

Dated this 8th day of June, 2006.

Dale A Barnes
DALE A. BARNES

Dianna F. Barnes
DIANNA F. BARNES

STATE OF OREGON } ss
County of Harney

I certify that the within instrument was received
for record on the 8 day of June,
2006 at 2:55 o'clock P.M. and
recorded Microfilm number 20061168.

Deed Records of said County.

Marta Iturriaga, County Clerk

By Marta Iturriaga Deputy

STATE OF Oregon } ss
COUNTY of Harney

On June 8th 2006, before me, Corissa Lea Wright a Notary Public, personally appeared DALE A. BARNES and DIANNA F. BARNES, personally known to me (or proved to me of the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s) or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

Corissa Lea Wright
Notary Public for Oregon
My commission expires: Feb. 24, 2008



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FEB 04 2010

WATER RESOURCES DEPT
SALEM, OREGON

20001053

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS THAT, KENNETH J. POST, Grantor, for and in consideration of, Creating an Estate by the Entirety, do hereby grant, bargain, sell and convey unto KENNETH J. POST AND PAULA A. POST, husband and wife, Grantees, the following tract of land, more particularly described as follows:

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

Code 1-2 Map 23-32 Tax Lot 5800 Reference No. 5529

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WATER RESOURCES DEPT
SALEM, OREGON

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

WITNESS my Hand and Seal this 31 day of May, in the year Two Thousand.

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

KENNETH J. POST

STATE OF OREGON
COUNTY OF HARNEY

BE IT REMEMBERED, that on this 31 day of May, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named KENNETH J. POST, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.



Patty McNeil
Notary Public for the State of OREGON
My Commission Expires: 6-27-03

--SPACE BELOW FOR RECORDERS USE--

Until a change is requested all tax statements should be sent to the following address:
KENNETH J. & PAULA A. POST
P. O. BOX 22
HINES, OR 97738

After Recording Please Return to:

STATE OF OREGON
County of Harney

I certify that the within instrument was received for record on the 1st day of May 2000 at 1:27 PM.



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: K & P Enterprises LLC
Mailing Address: 67719 Highway 78
City: Burns State: OR Zip: 97720 Day Phone: 541-573-2166

A. Land and Location

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

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23-S	32-E	34	5 1/2 SW 1/4	5800	EFRL	☒ Diverted	☒ Conveyed	☒ Used	IRR
24-S	32-E	3	W 1/4 NW 1/4	700		☒ Diverted	☒ Conveyed	☒ Used	IRR
24-S	32-E	4	E 1/2 NW 1/4	700		☒ Diverted	☒ Conveyed	☒ Used	IRR
24-S	32-E	4	NW NE NE NW	100		☒ Diverted	☒ Conveyed	☒ Used	IRR

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 4.9255 3.73 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe: 3 wells, Turbin Pumps, Sprinkler IRRIGATION

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water
Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266



Oregon Water Resources Department Land Use Information Form

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WATER RESOURCES DEPT
SALEM, OREGON

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- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) only the place of use is proposed for change;
 - b) there are no structural changes;
 - c) the use of water is for irrigation; and
 - d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant: K: P Enterprises LLC
First Last

Mailing Address: 67719 Hwy 78

Burns OR 97720 Daytime Phone: 541-573-2166
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
23s	32E	34		5800	EFRL	☐ Diverted	☐ Conveyed	☒ Used	irrigation
24s	32E	3		300	"	☐ Diverted	☐ Conveyed	☒ Used	"
				400	"	☐ Diverted	☐ Conveyed	☒ Used	"
				500	"	☐ Diverted	☐ Conveyed	☒ Used	"

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 4.9255 ☒ cubic feet per second
☐ gallons per minute
☐ acre-feet

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

Briefly describe:

3 wells - Turbin Pumps - irrigation

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of next page. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- g Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFM-2 3.010.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

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

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WATER RESOURCES DEPT
SALEM, OREGON

Name: Darmon Johnson Sr. Title: Assistant Planning Director
 Signature: [Signature] Phone: (541) 573-8174 Date: 2 FEB 2010
 Government Entity: Harney County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



Oregon Water Resources Department Land Use Information Form

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WATER RESOURCES DEPT
SALEM, OREGON

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 - a) only the place of use is proposed for change;
 - b) there are no structural changes;
 - c) the use of water is for irrigation; and
 - d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant: KIP Enterprises LLC
First Last

Mailing Address: _____

City State Zip Daytime Phone: 2

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
24S	32E	4		700	EFRL	☐ Diverted	☐ Conveyed	☒ Used	irrigation
				100	"	☐ Diverted	☐ Conveyed	☒ Used	"
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: _____ ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

See page #1

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