

Application for a Permit to Use Ground Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Rattlesnake Creek Land & Cattle		PHONE (HM) 541-589-0107	
PHONE (WK) SAME	CELL SAME		FAX
ADDRESS 524 HWY 20 NORTH			
CITY HINES	STATE OR	ZIP 97738	E-MAIL

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

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

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

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Note: Attach multiple copies as needed

MAR 10 2011

WATER RESOURCES DEPT
SALEM, OREGON

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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


Applicant Signature

Andy J Root member
Print Name and title if applicable

3-1-11
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17452</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

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

Yes

There are no encumbrances.

This land is encumbered by easements, rights of way, roads or other encumbrances.

No

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 irrigation and/or domestic use only (ORS 274.040).

Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
9	Harney Lake		
15	Harney Lake		
16	Harney Lake		
18	Harney Lake		
21	Harney Lake		

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

Well Logs Attached

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SALEM, OREGON

G-17452

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____ Volcanics & Alluvials

Total maximum rate requested: _____ 3260 gpm (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

2547-D

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 51146	<input type="checkbox"/>	16" & 14"	+2' - 105'	NA	0 - 105'		Volcanics / Basalt	130'		
15	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 51445	<input type="checkbox"/>	14"	+1' - 59'	NA	0 - 35'		Alluvial Fill	280'		
16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 51448	<input type="checkbox"/>	14"	+2' - 92'	NA	0 - 20'		Volcanics	200'		
18	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 51760	<input type="checkbox"/>	14"	+2' - 102'	NA	0 - 24'		Volcanics	198'		
21	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HARN 51765	<input type="checkbox"/>	14"	+1.5' - 60'	NA	0 - 18'		Volcanics	167'		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 – October 31	1303.86

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

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

Primary: 434.62 Acres Supplemental: Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1303.86

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 200 HP Turbine

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Turbine pumps, buried mainline, & center pivots w/ drop tubes

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Low Pressure Sprinklers w/ drop tubes on center pivots

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C. Conservation

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

The amount of water requested is what is required to meet peak evapotranspiration rates of crops produced.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: January 2011

Date construction will be completed: Fall 2011

Date beneficial water use will begin: When permit is approved

SECTION 9: REMARKS

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

A rate of 1/60th of one cfs / acre is requested as that is the rate required to meet peak evapotranspiration rates of crops produced.

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 SALEM, OREGON

G-17452

Land Use

Information Form



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

Applicant: Rattlesnake Creek Land & Cattle
First Last

Mailing Address: 524 Hwy 20 N

Hines OR 97738 Daytime Phone: 5415890107
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:
25 S	30 E	33&34				<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
26 S	30 E	3,4				<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
		9,10				<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

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
 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: 3260
 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:

Proposed water use is intended to irrigate agricultural crops

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 SALEM, OREGON

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.

G-17452

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFR 1-2 (3.020)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: Brandon McMillon Title: Planning Director
 Signature: [Signature] Phone: 541-573-6655 Date: 3-1-2011
 Government Entity: Harney County Planning

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: _____ **RECEIVED**
 City or County: _____ Staff contact: _____ MAR 10 2011
 Signature: _____ Phone: _____ WATER RESOURCES DEPT
SALEM, OREGON

G-17452

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

02-18-2011

WELL LABEL # L 102536

START CARD # 1012414

(1) LAND OWNER Owner Well I.D. well 21

First Name Andy Last Name Root
Company ACW
Address PO Box 3
City Burns State OR Zip 97720

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion [] Alteration (repair/recondition) [] Abandonment

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

(4) PROPOSED USE [] Domestic [X] Irrigation [] Community [] Industrial/ Commercial [] Livestock [] Dewatering [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION Special Standard [] (Attach copy) Depth of Completed Well 167.00 ft.

Table with columns: Dia, From, To, Material, SEAL, Amt, lbs. Row 1: 18, 0, 18, Bentonite Chips, 0, 18, 90, S.

How was seal placed: Method [] A [] B [] C [] D [] E [X] Other poured dr & tamped
Backfill placed from 0 ft. to 167 ft. Material
Filter pack from 0 ft. to 167 ft. Material Size
Explosives used: [] Yes Type Amount

(6) CASING/LINER Table with columns: Casing, Liner, Dia, Gauge, Stl, Plstc, Wld, Thrd. Row 1: 14, 1.5, 60, .250.

Shoe [] Inside [] Outside [] Other Location of shoe(s)
Temp casing [] Yes Dia From To

(7) PERFORATIONS/SCREENS Perforations Method Screens Type Material

Table with columns: Perf/S, Casing/Screen, Dia, From, To, Sern/slot width, Slot length, # of slots, Tele/pipe size.

(8) WELL TESTS: Minimum testing time is 1 hour

Table with columns: Pump, Bailer, Air, Flowing Artesian, Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Row 1: 2,800, 2, 145, 6.

Temperature 60 F Lab analysis [] Yes By
Water quality concerns? [] Yes (describe below)
Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)

County Harney Twp 26.00 S N/S Range 30.00 E E/W WM
Sec 3 NW 1/4 of the NW 1/4 Tax Lot 800
Tax Map Number Lot
Lat or DMS or DD
Long or DMS or DD
[] Street address of well [] Nearest address
29062 Weaver Spring Road

(10) STATIC WATER LEVEL

Table with columns: Date, SWL(psi), SWL(ft). Row 1: 02-11-2011, 104.

Flowing Artesian? [] Dry Hole? []

WATER BEARING ZONES Depth water was first found

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Row 1: 02-11-2011, 104, 167, 3,000, 104.

(11) WELL LOG Ground Elevation

Table with columns: Material, From, To. Rows include Topsoil sand loam, Sand cinders, Clay cinders, Rock boulders, Cinders, Rock basalt black, Void, Cinders multi colored, Rock broken loose and caving.

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SALEM OREGON

Date Started 02-03-2011 Completed 02-11-2011

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date
Electronically Filed
Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1424 Date 02-18-2011
Electronically Filed
Signed TIMOTHY K RILEY (E-filed)
Contact Info (optional)

G-17452

02-02-2011

WELL LABEL # L 102534

START CARD # 1012337

(1) LAND OWNER Owner Well I.D. 18

First Name Andy Last Name Root
 Company ACW
 Address 524 N Hwy 20 PO Box 3
 City Burns State Or Zip 97720

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 195.00 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
18	0	24	Bentonite	0	24	80	S
14	24	145					
12	145	198					

How was seal placed: Method A B C D E
 Other Poured dry & tamp
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	<input checked="" type="checkbox"/>	2	102	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

Perf/S	Casing/	Screen	Dia	From	To	Scrn/slot	Slot	# of	Tele/
creen	Liner					width	length	slots	pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
2,800	5	145	6

Temperature 60 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Harney Twp 26.00 S N/S Range 30.00 E E/W WM
 Sec 3 NW 1/4 of the NW 1/4 Tax Lot 800
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address

29062 Weaver Springs Road

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL(psi)	+ SWL(ft)
Completed Well	<u>01-28-2011</u>		<input checked="" type="checkbox"/> <u>104</u>

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 104

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
<u>01-28-2011</u>	<u>104</u>	<u>198</u>	<u>3,000</u>		<input checked="" type="checkbox"/> <u>104</u>

(11) WELL LOG Ground Elevation _____

Material	From	To
Topsoil sandy loam	0	1
Cinders sand	1	6
Cinders	6	12
Clay cinders	12	100
Cinders fine	100	121
Rock black	121	155
Cinders multi colored	155	180
Rock black	180	187
Cinders multi colored	187	195
Cobbles caving	195	198

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SALEM, OREGON

Date Started 01-21-2011 Completed 01-28-2011

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Electronically Filed
 Signed _____

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1424 Date 02-02-2011
 Electronically Filed
 Signed TIMOTHY K RILEY (E-filed)
 Contact Info (optional)

G-17452

HARN 51448

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

WELL I.D. # L 93552

START CARD # 197372

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number _____
Name RATTLESNAKE CR LAND & CATTLE CO
Address 524 HWY 20 N.
City HINES State OR Zip 97138

(2) TYPE OF WORK New Well
 Deepening Alteration (repair/recondition) Abandonment Conversion

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Other _____

(4) PROPOSED USE
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION Special Construction: Yes No
Depth of Completed Well 200 ft.
Explosives used: Yes No Type _____ Amount _____

BORE HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or Pounds
20"	0'	20'	BENTONITE	0	20	56
16"	20'	92'				
14"	92'	200'				

How was seal placed: Method A B C D E
 Other POURED DRY
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER

Casing:	Diameter	From	To	Gauge	Steel				Welded		Threaded
					Plastic	Plastic	Plastic	Plastic	Welded	Threaded	
	14"	+2'	92'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
<u>4000+</u>	<u>10'</u>		<u>2 hr.</u>

Temperature of water 63° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL (legal description)
County HARNEY
Tax Lot 3100 Lot _____
Township 25 N of S Range 30 E of W WM
Section 33 SW 1/4 SE 1/4
Lat _____ or _____ (degrees or decimal)
Long _____ or _____ (degrees or decimal)
Street Address of Well (or nearest address) WEAVER SPRINGS RD
END OF PAVEMENT

(10) STATIC WATER LEVEL
86 ft. below land surface. Date 5-02-08
_____ ft. below land surface. Date _____
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES

Depth at which water was first found 107

From	To	Estimated Flow Rate	SWL'
<u>107</u>	<u>182</u>	<u>4000+</u>	<u>86'</u>

(12) WELL LOG

Material	Ground Elevation		SWL
	From	To	
TOPSOIL	0	3	
BROWN CLAY	3	12	
SOFT BLACK LAY	12	46	
SOFT RED LAVA	46	107	
FRACT. BRN. BASALT	107	148	86'
FRACT. YELLOW SANDSTONE	148	164	86'
" BROWN SANDSTONE	164	182	86'
BROWN SANDSTONE	182	200	

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SALEM, OREGON

Date Started 4-24-08 Completed 5-01-08

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

WWC Number 1739 Date 5-02-08
Signed Cherry Jeff

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1355 Date 5-02-08
Signed Arthur J. Jay

MAY 07 2008

STATE OF OREGON
 WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

WELL I.D. # L 26615
 START CARD # 155763

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Name: Andy Root Well Number _____
 Address: PO Box 946
 City: Burns State: OR Zip: 97720

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 125 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
20	0	38	Bent	0	38	27 Sacks
16	38	105	Cement	25	105	105 lbs
14	105	125				

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

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 16	42	38	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14	25	105	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1000+	51	125	3 hr.

Temperature of water 63 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use?
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County Harney Latitude _____ Longitude _____
 Township 25S N or S Range 30E E or W. WM.
 Section 33 SW 1/4 NE 1/4
 Tax Lot 3609 of _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 1 Mi west of End of Warden Springs Burns, OR.

(10) STATIC WATER LEVEL:
74 ft. below land surface, Date 1-18-05
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
117	125	100 gpm	74
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(12) WELL LOG: WATER RESOURCES DEPT SALEM, OREGON
 Ground Elevation _____

Material	From	To	SWL
Top Soil	0	8	-
Brown Sand			
stone	8	21	-
Brown Clay	21	90	-
stone			
Brown Fractured Basalt	90	100	-
Hard Gray Basalt	100	117	-
Red Brown w/ Grey cinders w/ white clay (w/d)	117	125	74
Hard Brown Basalt	125	130	77

Date started 1-12-05 Completed 1-18-05

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 1521
 Signed Donald H. Reed Date 1-18-05

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G-17452

20032521

WARRANTY DEED

DENNY LAND & CATTLE CO., L.L.C., Grantor(s) hereby grant, bargain, sell, warrant and convey to: RATTLESNAKE CREEK LAND & CATTLE COMPANY, LLC, 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:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TAX: SEE ATTACHED EXHIBIT B

Grantor is lawfully seized in fee simple on the above granted premises and 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 \$1,200,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: PO BOX 946, BURNS, OR 97720

Dated this 4th day of March, 2003

DENNY LAND & CATTLE CO., L.L.C., a California Limited Liability Company, by its Member-Managers:

By: GEORGE P. DENNY, III TRUST dated June 11, 1981, MEMBER

By: [Signature] George P. Denny, III, Trustee of the George P. Denny III Trust

By: DENNY TRUCKING CORP., a California Corporation, MEMBER

By: [Signature] George P. Denny, III, as its President

State of Massachusetts County of Essex

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This instrument was acknowledged before me on 12 4, 2003 by George P. Denny, III, as Trustee of the George P. Denny, III Trust dated June 11, 1981 as a MEMBER of DENNY LAND & CATTLE CO., L.L.C. and President of DENNY TRUCKING CORP., a California Corporation, as a MEMBER of DENNY LAND & CATTLE CO., L.L.C.

[Signature] (Notary Public)

My commission expires 12/2/05

INSTRUMENT # 2003 1521

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

TITLE "A"

In Twp. 25 S., R. 30 E., W.M.:

Sec. 28: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 29: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

Sec. 32: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 33: W $\frac{1}{2}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 34: A parcel of land located in the S $\frac{1}{2}$ of Sec. 34, more particularly described as follows:

Parcel No. 1 of Partition Plat No. 90-09-08, recorded September 6, 1990, Instrument No. 901262, Harney County, Plat Records.
SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, EXCEPTING THEREFROM right of way over the N $\frac{1}{2}$ NW $\frac{1}{4}$ conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 355, Deed Records.

In Twp. 26 S., R. 30 E., W.M.:

Sec. 3: Government Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 4: Government Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Sec. 5: Government Lots 1, 2 and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 8: E $\frac{1}{2}$ E $\frac{1}{4}$.

Sec. 9: All.

Sec. 10: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

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INSTRUMENT # 2003 2521

EXHIBIT "B"

ACCOUNT #	CODE #	MAP #	LOT #
59238	4-2	25S 30E	2002
23029	4-2	25S 30E	2500
23024	4-2	25S 30E	2600
23025	4-2	25S 30E	2700
23022	4-2	25S 30E	3200
23027	4-2	25S 30E	3300
23596	4-2	25S 30E	3400
23597	4-2	25S 30E	3500
23023	4-2	25S 30E	3600
23637	4-2	25S 30E	3700
45031	4-2	26S 30NE	700
45033	4-2	26S 30NE	800
45090	4-2	26S 30NE	900
47576	4-2	26S 30NE	1000
45035	4-2	26S 30NE	1200
45034	4-2	26S 30NE	1300
45046	4-2	26S 30NE	2200
47596	4-2	26S 30NE	2500

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WATER RESOURCES DEPT
SALEM, OREGON

G-17452

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	OWNER: ▶ CLIFFORD FINE BOX 846 BURNS, OR 97720	G5345	G5287	46262				NC
Select	OWNER: ▶ RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 N HINES, OR 97738	G10268	G9419	82846				NC
Select	OWNER: ▶ JOSEPH BUERMAN PO BOX 292 BURNS, OR 97720	G16599	G16257					NC
Select	OWNER: ▶ JOSEPH BUERMANN PO BOX 292 BURNS, OR 97720	G14135	G12760				▶ T10068	NC

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6-29-12

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	OWNER: ▷ RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 N HINES, OR 97738	G14136	G12841					NC
Select	OWNER: ▷ DOUG STILLS PO BOX 247 CULVER, OR 97734	G1627	G1530	65752			▷ T6473 (Remaining)	NC
Select	OWNER: ▷ NORTHWEST FARM CREDIT SERVICES DOUGLAS H STILLS PO BOX 247 CULVER, OR 97734	G12396	G11242	72361				NC
Select	OWNER: ▷ RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 N HINES, OR 97738	G16460	G16165				▷ T10376	NC
Select	OWNER: ▷ ANDY ROOT 524 HWY 20 N HINES, OR 97738	G16983	G16461					NC
Select	OWNER: ▷ RATTLESNAKE LAND AND CATTLE CO. LLC ANDY ROOT 524 HWY 20 N HINES, OR 97738	G16626	G16150				▷ T10723	NC
Select	OWNER: ▷ RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 N HINES, OR 97738	G17146	G16829					NC

25421-9

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