

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 WILLIAM AND LORI PEILA		PHONE (HM)	
PHONE (WK)	CELL 541-589-0130	FAX	
ADDRESS PO BOX 723			
CITY HINES	STATE OR	ZIP 97738	E-MAIL* PEILAB@HIGHDESERTAIR.COM

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MAY 28 2013

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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 DENNIS R. GLENDER DBA GLENDER'S HYDRO TECH SERVICES		PHONE		FAX
ADDRESS 8664 SW SAND RIDGE RD				CELL 541-219-0806
CITY CROOKED RIVER RANCH	STATE OR	ZIP 97760	E-MAIL* DJGLENDER@MSN.COM	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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.

William Peila
Applicant Signature

Lori Peila
Applicant Signature

William Peila - Owner
Print Name and title if applicable

Lori Peila - Owner
Print Name and title if applicable

5/12/13
Date

5-12-13
Date

For Department Use		
App. No. <u>G-17677</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*).

RECEIVED BY: [unclear]

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SECTION 3: WELL DEVELOPMENT

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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
1	FAYYE CANYON CREEK	1700'±	5' ±
2	FAYYE CANYON CREEK	1200'±	5' ±
3	FAYYE CANYON CREEK	1400'±	5' ±
4	FAYYE CANYON CREEK	900'±	5' ±
5	Silver Creek	1 Mile ±	5' ±
6	Silver Creek	1.25 Miles ±	5' ±
7	Tyler Lake	1 Mile +	15'±

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*).

Faye Canyon Creek for wells 1-4 appears to flow intermittently and end near the center of the SE ¼ of Section 29. Wells 1-4 will be used in any combination not to exceed the maximum rate requested and volume in acft requested. Wells 3 and 4 are new wells. ---- Wells 5 & 6 will be new wells. Well 5 is the main well in the project. Well 6 will only be constructed if Well 5 does not produce adequate water to irrigate the lands described in the application – maximum rate requested is 1,197 gpm/ 480 acft in any combination of Wells 5 & 6. Well 7 is a new well.

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: alluvium

Total maximum rate requested: _____ (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.

6-17677

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)
1		X	Harn 1085		12"		?	20'		See Well Log		3,578	1,435.2
2		X	Harn 1084		16"		See Well Log	25'		See Well Log		"	"
3	X <input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	14	20'	Industry Standards	70'		alluvium	400'	"	"
4	X <input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	14	20'	Industry Standards	70'		alluvium	400'	"	"
5	X <input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	14"	20'	Industry standard	0-40'±		alluvium	400'	1,197	480
6	X <input type="checkbox"/>	<input type="checkbox"/>	backup	<input type="checkbox"/>	14"	20'	Industry standard	0-40'		alluvium	400'	"	"
7	X <input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	14"	20'	Industry standard	0-40'		alluvium	400'	766	273.1
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* 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.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation & supplemental irrigation	April 1 – October 31 annually	2,188.3

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: 2273.1 Acres Supplemental: 467.7 Acres

List the Permit or Certificate number of the underlying primary water right(s): 14041, 36761, 32388, 39770 & 46179

Indicate the maximum total number of acre-feet you expect to use in an irrigation season 2,173.5

- 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): 40 HP Turbine

Other means (describe): _____

For Wells 1-4, center pivot irrigations systems and flood irrigation to the corners. For T 26 S, R 29 E, Se ¼, Section 18 – Wells 5 & 6 , Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Pump water into existing ditches to irrigate corners, pump water directly into a center pivot irrigation system for the supplemental watering of Certificate 14041. For Well 7 – flood irrigation for the new primary and also for the supplemental application.

B. Application Method

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

Low Pressure Center pivot irrigation equipment.

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.

Waters from this application will only be used to as a primary source for 4.8 acres. The supplemental acres will only be irrigated from this source when surface waters are unavailable.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

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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(s): William and Lori Peila

Mailing Address: PO Box 723

City: Hines

State: OR

Zip Code: 97738

Daytime Phone: 541-5890130

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:
<u>25 S</u>	<u>29 E</u>	<u>20</u>	_____	<u>900</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>25S</u>	<u>29E</u>	<u>29</u>	_____	<u>900,</u> <u>2400,</u> <u>2500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>25 S</u>	<u>29 E</u>	<u>28</u>	_____	<u>2300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>25 S</u>	<u>29 E</u>	<u>32</u>	_____	<u>3000,</u> <u>3100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>

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

See additional page 2 for additional locations.

HARNEY COUNTY, 450 BUENA VISTA #11, BURNS, OREGON 97720

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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: 5.33 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:

Applicant is applying for primary and supplemental water rights for the tax lots described.

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(s): William and Lori Peila - page 2

Mailing Address: _____

City: _____ State: _____ Zip Code: _____ Daytime Phone: _____

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:
<u>26 S</u>	<u>29 E</u>	<u>5</u>	_____	<u>1600</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>26 S</u>	<u>29 E</u>	<u>18</u>	_____	<u>1600</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, 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:

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 Page 3. →

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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): EF20-2 / AC20 3020

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: Brendon McMullen Title: Planning Director

Signature: [Signature] Phone: 511-573-6655 Date: 5/14/2013

Government Entity: Harney County Planning Department

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: _____

RE-RECORDING COVER SHEET ORS 205.244
Any errors in this cover sheet DO NOT affect the transactions(s) contained in the instrument itself.

AFTER RECORDING RETURN TO: ORS 205.234(1)(c)
Name William S. and Lon K Peila
Address: P.O. Box 723
City/State/Zip Hines, OR 97738



I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Clerk records.
Derrin E. Robinson, Harney County Clerk

RE-RECORDED TO CORRECT Legal Description
AT THE REQUEST OF AmeriTitle / Harney County Assessor
PREVIOUSLY RECORDED AS MICROFILM # 2013-0208
OR BOOK # _____ PAGE # _____

The undersigned hereby certifies the above information to be true and correct.
Conissa Wright
SIGNATURE
Conissa Wright, Escrow Officer
PRINTED NAME & TITLE

SEND TAX STATEMENTS TO: ORS 205.234(1)(e)
No change

DOCUMENT TITLE: Warranty Deed ORS 205.234(1)(a)

NAME(S) AND ADDRESS(ES) of DIRECT party(s): ORS 205.234(1)(b)
(i.e. DEEDS: Seller/Grantor - MORTGAGES: Beneficiary/Lender - LIENS: Creditor/Plaintiff)
1. Hurlburt Ranches, Inc., P.O. Box 257, Burns, OR 97720
2. _____
3. _____
4. _____

NAME(S) AND ADDRESS(ES) of INDIRECT party(s): ORS 205.234(1)(b)
(i.e. DEEDS: Buyer/Grantee - MORTGAGES: Grantor - LIENS: Debtor/Defendant)
1. William S. Peila, P.O. Box 723 Hines, OR 97738
2. Lon K. Peila, P.O. Box 723, Hines, OR, 97738
3. _____
4. _____

LIEN DOCUMENTS: Amount of lien \$ Ø ORS 205.234(1)(f)

ALL DOCUMENTS REQUIRING A REFERENCE NUMBER: ORS 205.160(6)(7)(j)

Original recording information: Book _____ Page _____ Instrument # 2013-0208

G-17677

After Recording Return to:
William S & Lori K Peila
PO Box 723
Hines, OR 97738

Until a change is requested
tax statements should be sent to:
William S & Lori K Peila
PO Box 723
Hines, OR 97738

WARRANTY DEED

HURLBURT RANCHES, INC., an Oregon Corporation, PO Box 257, Burns, OR Grantor, hereby conveys to **WILLIAM S PEILA AND LORI K PEILA, HUSBAND AND WIFE**, PO Box, 723, Hines, OR, Grantee, the real property which is more particularly described in Exhibit A attached hereto and by this reference incorporated herein;

together with all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appertaining, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property;

and covenants that grantor is the owner of the above described property free of all encumbrances except and subject to those reservations and easements of record.

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 consideration paid for this transfer, is \$1,400,000.00

DATED: 28 December, 2012.

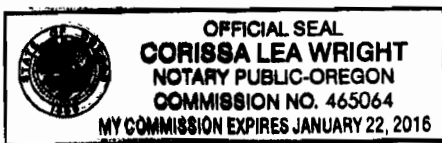
HURLBURT RANCHES, INC.

Steven R Hurlburt
By: Steven R Hurlburt, President

Susan Hurlburt
By: Susan Hurlburt, Secretary

STATE OF OREGON, County of Harney) ss.

This instrument was acknowledged before me on Dec. 28, 2012, by Steven R Hurlburt and Susan Hurlburt in their authorized capacity as president and secretary of Hurlburt Ranches, Inc., an Oregon Corporation.



Corissa Lea Wright
Notary Public for Oregon
My Commission Expires: Jan 22, 2016

EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Township 25 South, Range 28 East, W. M.

Section 36: That portion of the S1/2NE1/4 and the SE1/4 lying Northeasterly of the county road, as said road was located April 27, 1967

In Township 25 South, Range 29 East, W. M. Tax lots 600, 900, 2300,2400,2500,2700,3000 & 3100

- Section 18: S1/2SE1/4
- Section 19: E1/2NE1/4
- Section 20: SW1/4NW1/4; W1/2SW1/4
- Section 28: SW1/4NW1/4; SW1/4
- Section 29: NW1/4; N1/2SW1/4; SE1/4; SW1/4NE1/4
- Section 31: All that portion of Lots 3 & 4 and the E1/2SW1/4 lying Northeasterly of the county road, as said road was located April 27, 1967
- Section 32: N1/2NE1/4; SW1/4NE1/4; NW1/4SE1/4; SE1/4NW1/4; SW1/4; SW1/4SE1/4

In Township 26 South, Range 29 East, W.M. tax lots 1500 thru 1800

- Section 5: Lot 3 and 4; S1/2NW1/4; NW1/4SW1/4
- Section 6: Lots 1 & 2; S1/2NE1/4; SE1/4 and that portion of Lots 3 & 4 and the SE1/4NW1/4 lying Northeasterly of the county road, as said road was located April 27, 1967 - Save & except road right of way conveyed to Harney County, Oregon, by deed recorded August 6, 1958 in Book 65, Page 267, Deeds.
- Section 7: E1/2NW1/4; NE1/4SW1/4;E1/2 - Save & except the following two parcels:
 - Parcel #1: Road right of way conveyed to Harney County, Oregon, by deed recorded August 6, 1958, in Book 65, Page 267;
 - Parcel #2 Beginning a a point which is North [Mag. Var. 20*10'], 500 feet from the Southeast corner of the NE1/4SE1/4of said Section 7;
 - Thence: North 687.0 feet,
 - Thence: West 469.38 feet,
 - Thence: South 23*56' East, 751.57 feet;
 - Thence: East 164.4 feet to the point of beginning.
- Section 17: W1/2SW1/4
- Section 18: E1/2

In Township 27 South, Range 29 East, W.M. Tax lots 700 &1200

- Section 3: W1/2SW1/4
- Section 4: SE1/4 - Save & except county road right of way
- Section 7: Lots 1 Thru 4; E1/2W1/2
- Section: 18: Lots 1 & 2; E1/2NW1/4; W1/2NE1/4

STATE OF OREGON
 COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. A. & DONNA R. HURLBURT
 97720

of **Box 569, Burns**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Fay Canyon Dam Reservoir** constructed under application number **R-43735**, permit number **R-5115** a tributary of **Silver Creek** for the purpose of **supplemental irrigation of 142.7 acres**

under Permit No. **33061** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **June 19, 1967**

that 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 **180.0 acre feet stored water only**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW¹/₄ SW¹/₄, Section 20, T. 25 S., R. 29 E., W. M., 5260 feet North and 1070 feet East from W¹/₄ Corner, Section 29.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ~~of one cubic foot per second~~ **per acre, a diversion of 3 acre feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,**

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

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

- 12.6 acres SW¹/₄ SW¹/₄
Section 20
- 5.4 acres SW¹/₄ NE¹/₄
- 2.6 acres NE¹/₄ NW¹/₄
- 16.5 acres NW¹/₄ NW¹/₄
- 28.8 acres SW¹/₄ NW¹/₄
- 32.4 acres SE¹/₄ NW¹/₄
- 4.8 acres NE¹/₄ SW¹/₄
- 3.4 acres NW¹/₄ SW¹/₄
- 26.4 acres NE¹/₄ SE¹/₄
- 5.0 acres SW¹/₄ SE¹/₄
- 4.8 acres SE¹/₄ SE¹/₄
- Section 29
- T. 25 S., R. 29 E., W. M.

RECORDED
 MAY 28 1973
 SALMON, OR.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. **January 30, 1974**

.....**Chris L. Wheeler**.....

State Engineer

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. A. HURLBURT

of Box 1193, Burns, State of Oregon, 97720, has made proof to the satisfaction of the Water Resources Director of a right to the use of the waters of Faye Canyon Creek and reservoir constructed under Permit No. R-1747

a tributary of _____ for the purpose of irrigation of 35.0 acres

under Permit No. 23572 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 19, 1952 that 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 0.58 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, T. 25 S., R. 29 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-sixtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1747

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

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

35.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29

T. 25 S., R. 29 E., W. M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered January 13, 1965 and together with certificate of water right recorded on page 32388, Volume 24, State Record of Water Right Certificates supersedes certificate of water right recorded on page 28848, Volume 21, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. August 10, 1978


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 46179

G-17677

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STATE OF OREGON
COUNTY OF HARMONY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. A. HURLBURT & ALVIN HURLBURT

of Burns, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Fays Canyon Creek and reservoir constructed under Application No. R-29764, Permit No. R-1747 a tributary of irrigation of 181.5 acres for the purpose of

under Permit No. 23572 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 19, 1952

that 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 3.03 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SW 1/4, Section 20, T. 25 S., R. 29 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-sixtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1747;

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

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

12.6 acres SW 1/4 SW 1/4	4.8 acres NE 1/4 SW 1/4
Section 20	3.4 acres NW 1/4 SW 1/4
5.4 acres SW 1/4 NE 1/4	26.4 acres NE 1/4 SE 1/4
2.6 acres NE 1/4 NW 1/4	38.8 acres NW 1/4 SE 1/4
16.5 acres NW 1/4 NW 1/4	5.0 acres SW 1/4 SE 1/4
28.8 acres SW 1/4 NW 1/4	4.8 acres SE 1/4 SE 1/4
32.4 acres SE 1/4 NW 1/4	Section 29
	T. 25 S., R. 29 E., W. M.

Certificate of water right issued to A. A. Hurlburt & Alvin Hurlburt and recorded at page 28648, Volume 21, State Record of Water Right Certificates, confirms a right to the use of water for irrigation of 251.7 acres. Subsequently, the right to the use of water appurtenant to 70.2 acres was transferred by order of the State Engineer entered January 13, 1965. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to A. A. Hurlburt and Alvin Hurlburt.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. August 9, 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32388.

RECORDED BY 1000
MAY 28 1965

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SACRAMENTO, OR