



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

*Malheur River Deed*

# Certificate of Water Right Ownership Update

## NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

*Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.*

### PROPERTY SELLER INFORMATION

**RECEIVED**

Applicant(s): Tom and Kathleen B. Turner  
First Last  
 Mailing address: P.O. Box 238  
Drewsey Oregon 97901  
City State Zip  
 Phone: 541-493-2755  
Home Work Other

**JAN 18 2008**

**WATER RESOURCES DEPT  
SALEM, OREGON**

### PROPERTY BUYER INFORMATION

Applicant(s): JSM Trust John Leonard Moon & Suzanne Gilbert Moon, Trustees  
First Last  
 Mailing address: P. O. Box 221231  
Carmel CA 93922  
City State Zip  
 Phone: 831-625-2096  
Home Work Other

### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Harney Township: 19 and 20 Range: 36 Section: See attached Deed  
 Tax lot number(s): 500, 700, and 1700

**Attach a copy of your property deed or legal description of the property.**

Street address of water right property: \_\_\_\_\_

Water Right Information (attach copy of water right permit or certificate & final proof map if available):

Application #: See attached list Permit #: \_\_\_\_\_ Certificate or page #: 6847

Will all the lands associated with this water right be owned by the buyer?  Yes  No

Name of individual completing this form: Carol DeHaven Skerjanec Phone: 541-473-3141  
Print

Signature: Tom Turner Kathleen B. Turner Date: 11-21-07  
Tom Turner Kathleen B. Turner  
 Ownership Update

Attachment to OWRD Ownership Update  
Turner to JSM Trust

Application #	Permit #	Certificate #
	G-11293	
	G-12844	
		6847
		26367
		71846
	51626	

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WATER RESOURCES DEPT  
SALEM, OREGON

## STATE OF OREGON

COUNTY OF MALHEUR

## CERTIFICATE OF WATER RIGHT

This is to Certify, That ALBERT ALTHOW

of Drewsey, State of Oregon has a right to the use of

the waters of Warm Spring Creek, a tributary of Malheur River for Tract #1; Cottonwood Creek, a tributary of Malheur River, for Tract #2; for the purpose of Irrigation and Storage for Tract #1; Irrigation for Tract #2; and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 8, at page 228; that the priority of the right thereby confirmed dates from July 5, 1883 for Tract #1; March 13, 1885 for Tract #2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3.75 cubic feet per second for Tract #1; and 1 1/8 acre feet per acre in any 30-day period prior to June 1st, 1 acre foot per acre in any 30-day period after June 1st, of each year, or three acre feet per acre during any season diverted at a rate not to exceed one-twentieth of a cubic foot per second per acre, for Tract #2; A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract #1: 25 acres in the SW 1/4 NE 1/4, 20 acres in the SE 1/4 NE 1/4, 25 acres in the NE 1/4 SW 1/4, 35 acres in the SE 1/4 SW 1/4, 20 acres in the NE 1/4 SE 1/4, 30 acres in the NW 1/4 SE 1/4, and 5 acres in the SE 1/4 SE 1/4 of Section 4, T. 20 S. R. 36 E. W. M., being a total of 160 acres.

(NOTE: No water to be taken for storage between May 15th and November 1st of each year. See Finding No. 13.)

Tract #2: 18 acres in the NW 1/4 NW 1/4, 37 acres in the SW 1/4 NW 1/4, 20 acres in the SE 1/4 NW 1/4, 15 acres in the NE 1/4 SW 1/4, 40 acres in the NW 1/4 SW 1/4, 35 acres in the SW 1/4 SW 1/4 of Section 4, T. 20 S. R. 36 E. W. M., being a total of 165 acres.

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WATER RESOURCES DEPT  
SALEM OREGON

And said right shall be subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this 1st day

of February, 1927.

RHEA LUPER  
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6847.

STATE OF OREGON  
COUNTY OF HARNEY  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** JOS. W. ALTNOW of  
A. H. ALTNOW & SON

of Juntura, 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 2 wells a tributary of \_\_\_\_\_ for the purpose of primary irrigation of 58.3 acres and supplemental irrigation of 101.7 acres,

under Permit No. U-176 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 February 11, 1946,

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 3.00 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 NW $\frac{1}{4}$  NE $\frac{1}{4}$  & NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4, Township 20 South, Range 36 East, 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-twentieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 $\frac{1}{2}$  acre feet per acre for each acre irrigated in any 30-day period prior to June 1st, 1 acre foot per acre for each acre irrigated in any 30-day period after June 1st and shall be further limited to a total diversion of not to exceed 3 acre feet per acre for each acre irrigated during any irrigation season,

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:

Primary irrigation

11.4 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
1.1 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
32.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
0.8 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
12.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$

Section 4

Township 20 South, Range 36 East, W.M.

Supplemental irrigation

14.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
37.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
20.0 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
10.3 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
20.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$

Section 4

Township 20 South, Range 36 East, W.M.

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 8 1960

.....LEWIS A. STANLEY.....

State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 26367

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WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
COUNTY OF Malheur

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

TOM TURNER  
TURNER BRANGUS RANCH

DREWSEY, OR 97904

confirms the right to store the waters of  
SIX RESERVOIRS AND STORE THE WATERS OF UNNAMED STREAMS, A SPRING AND  
RUNOFF, TRIBUTARIES OF MALHEUR RIVER  
for LIVESTOCK.

The right to store and use these waters was perfected under Reservoir Application R-80255.  
The date of priority is January 1, 1993. The amount of water entitled to be stored and  
used each year under this right is not more than 6.5 ACRE-FEET, BEING  
0.8 AF IN RES 1, 0.1 AF IN RES 2, 0.9 AF EACH IN RES 3,4,6 AND  
2.9 AF IN RES 5

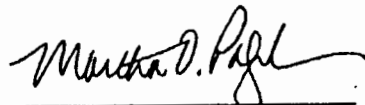
Located as follows:

NE 1/4 SE 1/4 SECTION 10, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.  
SW 1/4 NW 1/4 SECTION 14, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.  
NW 1/4 SE 1/4 SECTION 15, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.  
NE 1/4 SW 1/4 SECTION 15, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.  
NE 1/4 NE 1/4 SECTION 20, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.  
NE 1/4 SE 1/4 SECTION 12, TOWNSHIP 20 SOUTH, RANGE 36 EAST WM.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with  
a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary  
for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of  
use listed above.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 27, 1996.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 71846

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SALEM OREGON



20080004

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WATER RESOURCES DEPT  
SALEM, OREGON

After recording return to: Amerititle  
JSM Trust  
P. O. Box 221231  
Carmel, CA 93922

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

JSM Trust  
P. O. Box 221231  
Carmel, CA 93922

Escrow No. ONM04941  
Title No. 4977

SWD

STATE OF OREGON }  
County of Harney } ss

I certify that the instrument identified herein was  
recorded on the 11 day of January,  
2008 at 10:58 o'clock A.M. in the  
County Clerk's Records of Harney County, Oregon.

Maria Burraga, County Clerk  
By: [Signature] Deputy

INSTRUMENT NO. 2008 - 59  
Page 1 of 2 Pages

STATUTORY WARRANTY DEED

**Tom Turner and Kathleen B. Turner, as tenants by the entirety, Grantor(s) hereby convey and warrant to John Leonard Moon III and Suzanne Gilbert Moon, Trustees of the JSM Trust UAD February 4, 1997, as restated in its entirety UAD February 26, 2001, Grantee(s) the following described real property in the County of Harney and Malheur and State of Oregon free of encumbrances except as specifically set forth herein:**

Land in Harney County, Oregon, as follows:

In Twp. 19 S., R. 36 E., W.M.:  
Sec. 16: All.

In Twp. 20 S., R. 36 E., W.M.:  
Sec. 3: W1/2SW1/4.  
Sec. 4: Lots 1, 2, 3 and 4, S1/2N1/2, S1/2.  
Sec. 9: E1/2E1/2. Sec. 10: All.  
Sec. 11: SW1/4NW1/4, NW1/4SW1/4.  
Sec. 12: E1/2. Sec. 13: N1/2NE1/4.  
Sec. 14: SW1/4NW1/4, W1/2SW1/4.  
Sec. 15: All. Sec. 22: N1/2, N1/2S1/2, SE1/4SE1/4.  
Sec. 23: W1/2W1/2.

Inst. No. 2008-59  
I certify that the within Instrument of  
writing was received for record on  
the 4 day of January, 2008  
at 1:58 O'clock P.M. FEE 26-  
STATE OF OREGON, County of Malheur  
DEBORAH R. DeLONG  
County Clerk  
By: Sherril Childs Deputy

Acct. #18206                      Map 19S 36E/Lot 700  
Acct. #18163                      Map 20S 36E/Lot 500  
Acct. #18160                      Map 20S 36E/Lot 1700

Land in Malheur County, Oregon, as follows:  
In Twp. 19 S., R. 37 E., W.M.:  
Sec. 19: NE1/4NW1/4.  
Sec. 20: E1/2SW1/4. Sec. 30: SW1/4SE1/4.

Land in Malheur County, Oregon, as follows:  
In Twp. 20 S., R. 37 E., W.M.:  
Sec. 6: Government Lot 5.

Reference #9043                      Map 193700/Lot 1000  
Reference #9047                      Map 193700/Lot 1100  
Reference #9057                      Map 193700/Lot 1700  
Reference #9084                      Map 203700/Lot 400

#26<sup>W</sup>

2008 0004

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 **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 21 day of November, 2007

INSTRUMENT NO. 2008 -59  
Page 2 of 2 Pages

Tom Turner  
Tom Turner

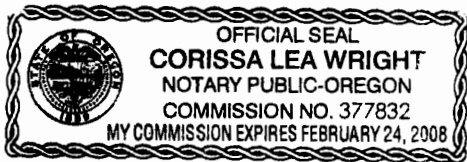
Kathleen B. Turner  
Kathleen B. Turner

State of Oregon  
County of Harney

This instrument was acknowledged before me on Nov. 21<sup>st</sup>, 2007 by Tom Turner and Kathleen B. Turner .

Corissa Lea Wright  
(Notary Public for Oregon)

My commission expires Feb. 24, 2008



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WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MALHEUR BASIN WATER USERS ASSOCIATION  
P.O. Box 237  
DREWSEY, OREGON 97904

503-493-2311

to use the waters of the Middle Fork Malheur River tributary to the Snake River, for irrigation of 721.0 acres.

This permit is issued approving Application 69433. The date of priority is July 1, 1991. The use is limited to not more than 9.01 cubic feet per second, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 SW 1/4, Section 11, Township 20 South, Range 34 East, WM; NE 1/4 SW 1/4, Section 23, and SW 1/4 NE 1/4, Section 25, Township 20 South, Range 35 East, WM.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 1.5 acre-feet for each acre. The use of water for irrigation under this permit is limited to the period of April and May of each year.

Operating measuring devices capable of measuring the rate of appropriation and measuring and recording total volume of water appropriated during the irrigation season shall be installed at all diversion points identified under this permit. Installation shall be completed under the supervision of the watermaster on a schedule to be established by the watermaster. Measuring devices shall meet the requirements of the Water Resources Department (Department). The Department shall consult with Oregon Department of Fish and Wildlife in establishing requirements for the measuring devices.

All diversions shall be in compliance with applicable laws requiring fish screening prior to any diversion under this permit.

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

A description of the proposed place of use under this permit is as follows:

PAT O'TOOLE

NE 1/4 SE 1/4 7.9 ACRES  
NW 1/4 SE 1/4 3.0 ACRES  
SECTION 21  
TOWNSHIP 20 SOUTH, RANGE 35 EAST, WM

ROTHA FRENCH

SW 1/4 SW 1/4 34.6 ACRES  
SE 1/4 SW 1/4 27.8 ACRES  
SW 1/4 SE 1/4 31.4 ACRES  
SE 1/4 SE 1/4 40.0 ACRES  
SECTION 24  
TOWNSHIP 20 SOUTH, RANGE 35 EAST, WM

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WATER RESOURCES DEPT  
SALEM, OREGON

Application 69433

Water Resources Department

PERMIT 51626



KEN ARNOLD

NE 1/4 SE 1/4 28.4 ACRES  
SECTION 24  
TOWNSHIP 20 SOUTH, RANGE 35 EAST, WM

NW 1/4 SW 1/4 35.0 ACRES  
SW 1/4 SW 1/4 27.5 ACRES

SECTION 19  
NW 1/4 NW 1/4 16.6 ACRES  
SECTION 30  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, WM

CONLEY MARSHAL

SE 1/4 NE 1/4 6.1 ACRES  
NW 1/4 SW 1/4 4.6 ACRES  
SE 1/4 SW 1/4 1.7 ACRES  
NE 1/4 SE 1/4 25.1 ACRES  
NW 1/4 SE 1/4 20.3 ACRES  
SW 1/4 SE 1/4 22.5 ACRES  
SE 1/4 SE 1/4 1.4 ACRES  
SECTION 22

NE 1/4 SW 1/4 1.8 ACRES  
NW 1/4 SW 1/4 9.0 ACRES  
SE 1/4 SW 1/4 23.2 ACRES  
NE 1/4 SE 1/4 2.0 ACRES  
NW 1/4 SE 1/4 6.0 ACRES  
SW 1/4 SE 1/4 32.3 ACRES  
SE 1/4 SE 1/4 2.0 ACRES  
SECTION 23

NE 1/4 NE 1/4 40.0 ACRES  
NW 1/4 NE 1/4 34.6 ACRES  
NE 1/4 NW 1/4 6.6 ACRES  
SECTION 26  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, WM

WRIGHT WILBER

SE 1/4 NE 1/4 19.0 ACRES  
SW 1/4 NE 1/4 14.8 ACRES  
NE 1/4 SE 1/4 14.4 ACRES  
SE 1/4 SE 1/4 0.5 ACRES  
SECTION 25  
TOWNSHIP 20 SOUTH, RANGE 35 EAST, WM

SW 1/4 NW 1/4 26.0 ACRES  
SE 1/4 NW 1/4 1.2 ACRES  
NE 1/4 SW 1/4 28.8 ACRES  
NW 1/4 SW 1/4 40.0 ACRES  
SW 1/4 SW 1/4 32.0 ACRES  
SE 1/4 SW 1/4 29.6 ACRES  
SECTION 30

NE 1/4 NW 1/4 8.0 ACRES  
NW 1/4 NW 1/4 1.3 ACRES  
SECTION 31  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, WM

ELFREDA SWORD

NE 1/4 SE 1/4 2.0 ACRES  
NW 1/4 SE 1/4 1.6 ACRES  
SE 1/4 SE 1/4 0.4 ACRES  
SECTION 23  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, WM

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WATER RESOURCES DEPT  
SALEM, OREGON

Page Three

JIM FREEMAN

NE 1/4 SW 1/4	1.1 ACRES
SE 1/4 SW 1/4	0.5 ACRE
NW 1/4 SE 1/4	5.0 ACRES
SW 1/4 SE 1/4	3.4 ACRES

SECTION 23  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, WM

Actual construction work shall begin on or before August 28, 1996, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.


By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

This permit is issued pursuant to the Final Order in the matter of protested Application 69433 in the name of Malheur Basin Water Users Association and Instream Water Right Applications 70325 and 70349 through 70352 in the name of the Oregon Department of Fish and Wildlife for use of water from the Middle Fork Malheur River and tributaries, Malheur County, Oregon, recorded in Volume 47, Pages 97 through 120, Special Order Records of the Water Resources Director.

Issued this date August 28, 1995.

  
Water Resources Department  
Martha O. Pagel  
Director

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WATER RESOURCES DEPT  
SALEM OREGON

Application 69433      Water Resources Department      PERMIT 51626  
Basin 10      Middle Fork Malheur River Volume 1      District 9

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TOM N. TURNER  
TURNER BRANGUS RANCH  
DREWSEY, OREGON 97904

503-493-2755

to use the waters of ONE WELL in the COTTONWOOD CREEK BASIN for IRRIGATION OF 10.0 ACRES.

This permit is issued approving Application G-12204. The date of priority is AUGUST 20, 1990. The use is limited to not more than 0.125 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NE 1/4, SECTION 4, T 20 S, R 36 E, W.M.; 250 FEET SOUTH AND 2500 FEET WEST FROM NE CORNER, SECTION 4.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the proposed place of use under the permit is as follows:

NE 1/4 NE 1/4 0.2 ACRE  
NW 1/4 NE 1/4 9.8 ACRES  
SECTION 4  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, W.M.

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SALEM, OREGON

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Reinstated  
4-16-96  
V50 P 208

~~Canceled Sp. Or. Vol 50 P 133~~

Application G-12204

Water Resources Department

PERMIT G-11293

Actual construction work shall begin on or before July 15, 1992, and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, JULY 15, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

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WATER RESOURCES DEPT  
SALEM, OREGON

Reinstated  
4-16-96  
V50 P208

~~Cancelled Sp. Or. Vol. 50 P. 133~~

Application G-12204 Water Resources Department PERMIT G-11293  
Basin 10 Volume 1 Cottonwood Creek near Drewsey Wells District 10  
G-12204.TES/SB

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TOM N TURNER  
TURNER BRANGUS RANCH  
DREWSEY, OREGON 97904

(541)493-2755

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-14177

SOURCE OF WATER: A WELL IN THE MALHEUR RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 7.3 ACRES

MAXIMUM RATE: 0.09 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: OCTOBER 2, 1995

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 4, T20S, R36E, W.M.;  
375 FEET SOUTH AND 200 FEET EAST FROM THE N 1/4 CORNER OF SECTION 4

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 3.3 ACRES  
NW 1/4 NE 1/4 4.0 ACRES  
SECTION 4  
TOWNSHIP 20 SOUTH, RANGE 36 EAST, W.M.

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JAN 18 2008

WATER RESOURCES DEPT  
SALEM, OREGON

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or

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PERMIT G-12844

measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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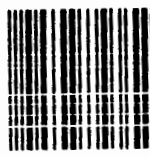




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70 S.W. THIRD AVENUE  
ONTARIO, OREGON 97914

*To:* Oregon Water Resources Dept.  
725 Summer Street NE Suite A  
Salem OR 97301-1266

