

Name Miller Brothers
By % Howard M. Miller
Crane
Address Lawen, Oregon 97732

Date filed January 14, 1963
Priority January 14, 1963
Action suspended until OK Cert
Returned to applicant _____
Date of approval April 10, 1963

CONSTRUCTION

Date for beginning April 10, 1964
Date for completion October 1, 1964
Extended to _____
Date for application of water October 1, 1965
Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed Sept. 19, 1963

FINAL PROOF
FEBRUARY 9 1970

Blank mailed _____
Proof received _____
Date certificate issued MARCH 30 1970
Cert # 94574 issued 9/20/2019

Application No. G 2528

Permit No. G 2313

Certificate No. ~~36688~~ 94574

Stream Index, Page No. 12-31

FEES PAID

| Date | Amount | Receipt No. |
|----------------|----------------------|--------------|
| <u>1/14/63</u> | <u>28.50</u> | <u>36745</u> |
| <u>2/17/70</u> | <u>\$1 Cert. Fee</u> | <u>17793</u> |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
|------|--------|-----------|

ASSIGNMENTS

| Date | To Whom | Address | Volume | Page |
|------|---------|---------|--------|------|
|------|---------|---------|--------|------|

REMARKS

1.70 c.f.s. from well No. 3 (Harney Basin) for irrigation of 160 acres.

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.
Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. G-2528

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Miller Bros., the holder of Permit No. G2343

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 1st day of May, 1963.

Remarks: Irrigation by sprinkling has been applied to 160 acres described in permit during present irrigation season.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 19_____.

Miller Bros. by Howard N. Miller
(Signature of Applicant)

Laven, Oregon
(Address)

RECEIVED
SEP 10 1963
STATE ENGINEER

OK



Oregon

Kate Brown, Governor

6-2528

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

December 8, 2016

BADGER VENTURES LLC
68281 CRANE BUCHANAN RD
BURNS, OR 97720

REFERENCE: Transfer Application T-12150

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Sarah Henderson, by telephone at (503) 986-0890 or by e-mail at Sarah.A.Henderson@oregon.gov.

Sincerely,

Marissa Andrews

Water Right Services Support

cc: J R. Johnson, Watermaster Dist. #10 (via email)
John A. Short, Agent
Landowners (other or receiving)
Irrigation Districts

Enclosure



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

| | | |
|---------------------------------------|---|--------------------------------|
| In the Matter of Transfer Application |) | FINAL ORDER APPROVING |
| T-12150, Harney County |) | CHANGES IN POINTS OF |
| |) | APPROPRIATION, ADDITIONAL |
| |) | POINTS OF APPROPRIATION, |
| |) | CHANGES IN PLACE OF USE, AND A |
| |) | RE-DESCRIPTION OF TWO WATER |
| |) | RIGHTS |

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BADGER VENTURES, LLC
68281 CRANE-BUCHANAN RD
BURNS, OR 97720-9506

Findings of Fact

1. On August 31, 2015, TV LAND & CATTLE, LLC, KENNETH W. BENTZ, and MARK OWENS filed an application for additional points of appropriation and to change the place of use under Certificates 36638, 36639, 46552, 50978, 82709, and 82710. The Department assigned the application number T-12150.
2. Notice of the application for transfer was published on September 15, 2015, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 8, 2016, the Department contacted the applicant and agent by written correspondence to notify them of deficiencies in the application and possible injury to other water right holders.
4. On April 19, 2016, the Department approved an assignment of the Transfer Application to Badger Ventures, LLC.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. The Department has identified that groundwater withdrawals at the proposed location would result in increased interference with existing water rights. The applicant would have to consent to the subordination of priority dates of the junior water right holders and consent to injury on Application G-17771 which they own, in order to prevent injury.
6. On April 6, 2016 and May 31, 2016, the applicant's agent submitted amended application pages resolving deficiencies in the application, including amending the type of changes and a re-description map. Also submitting the required affidavits consenting to injury to their water right (Application G-17771) and a statement consenting to the subordination of the priority dates to resolve the injury to other junior water right holders (Applications G-17032, G-15817, and G-2595).
7. On July 26, 2016, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12150 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 25, 2016, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On July 27, 2016, the applicant's agent requested that the completion date for this transfer application be extended to 2020.
9. On October 21, 2016, the Department issued a Preliminary Determination proposing to approve Transfer T-12150 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on October 25, 2016, and in the Burns Times Herald newspaper on October 26, 2016 and November 2, 2016, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
10. During the initial review of the application the Department determined that the descriptions of the authorized place of use, as listed on Certificates 36638 and 36639 were inconsistent with the actual location of historic water use.
11. Current and historic Google Earth images show the irrigated lands as described in the re-description below, and on the transfer application map submitted by the applicant's agent. The re-description also agrees with tax lot boundaries.
12. Based on historic images, information provided by the Certified Water Right Examiner, improved mapping technology, and tax lot boundaries, the place of use for water right Certificates 36638 and 36639 have always been located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 23 S | 34 E | WM | 31 | SW SE | 6.2 |
| 23 S | 34 E | WM | 31 | SE SE | 6.5 |
| 23 S | 34 E | WM | 32 | SW SW | 0.4 |
| 24 S | 34 E | WM | 5 | NW NW | 2.6 |
| 24 S | 34 E | WM | 5 | SW NW | 2.1 |
| 24 S | 34 E | WM | 6 | NE NE | 41.0 |
| 24 S | 34 E | WM | 6 | NW NE | 37.9 |

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 24 S | 34 E | WM | 6 | SW NE | 30.6 |
| 24 S | 34 E | WM | 6 | SE NE | 32.7 |
| Total | | | | | 160.0 |

13. The following table lists the place of use as described in the existing Certificates 36638 and 36639 and the proposed re-description based on the above findings:

| Twp | Rng | Mer | Sec | Original Description | | Proposed Re-Description | |
|--------|------|-----|-----|----------------------|-------|-------------------------|-------|
| | | | | Q-Q | Acres | Q-Q | Acres |
| 23 S | 34 E | WM | 31 | SW SE | - | SW SE | 6.2 |
| 23 S | 34 E | WM | 31 | SE SE | - | SE SE | 6.5 |
| 23 S | 34 E | WM | 32 | SW SW | - | SW SW | 0.4 |
| 24 S | 34 E | WM | 5 | NW NW | - | NW NW | 2.6 |
| 24 S | 34 E | WM | 5 | SW NW | - | SW NW | 2.1 |
| 24 S | 34 E | WM | 6 | NE NE | 40.0 | NE NE | 41.0 |
| 24 S | 34 E | WM | 6 | NW NE | 40.0 | NW NE | 37.9 |
| 24 S | 34 E | WM | 6 | SW NE | 40.0 | SW NE | 30.6 |
| 24 S | 34 E | WM | 6 | SE NE | 40.0 | SE NE | 32.7 |
| Total: | | | | | 160.0 | Total: | 160.0 |

14. Both the original place of use and the re-described place of use depict the same irrigated land. The actual location of the place of use, as found on the ground, remains unchanged.

15. The first right to be transferred is as follows:

Certificate: 36638 in the name of MILLER BROTHERS C/O HOWARD M. MILLER (perfected under Permit G-2343)

Use: IRRIGATION of 160.0 ACRES

Priority Date: JANUARY 14, 1963

Rate: 1.0 CUBIC FOOT PER SECOND

Limit/Duty: 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.

Source: WELL No. 3 within the CROW CAMP CREEK (HARNEY BASIN)

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|------|------|-----|-----|-------|------|---|
| 24 S | 34 E | WM | 6 | NE NE | 1 | * WELL No. 3 - 1390 FEET SOUTH AND 1420 FEET EAST FROM THE N1/4 CORNER OF SECTION 6 |

*Also known as Bentz Well 3

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 23 S | 34 E | WM | 31 | SW SE | 6.2 |
| 23 S | 34 E | WM | 31 | SE SE | 6.5 |

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 23 S | 34 E | WM | 32 | SW SW | 0.4 |
| 24 S | 34 E | WM | 5 | NW NW | 2.6 |
| 24 S | 34 E | WM | 5 | SW NW | 2.1 |
| 24 S | 34 E | WM | 6 | NE NE | 41.0 |
| 24 S | 34 E | WM | 6 | NW NE | 37.9 |
| 24 S | 34 E | WM | 6 | SW NE | 30.6 |
| 24 S | 34 E | WM | 6 | SE NE | 32.7 |
| Total | | | | | 160.0 |

16. Transfer Application T-12150 proposes additional points of appropriation with approximate distances from the existing point of appropriation identified as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances | ~ Distance |
|------|------|-----|-----|-------|------|---|------------|
| 22 S | 33 E | WM | 34 | SE NW | | K & A WELL 2 – 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 | 7.6 miles |
| 24 S | 34 E | WM | 6 | NW NE | 2 | BENTZ WELL 2 – 1350 FEET SOUTH AND 80 FEET EAST FROM THE N1/4 CORNER OF SECTION 6 | 0.3 mile |
| 24 S | 34 E | WM | 6 | SW NE | | BENTZ WELL 4 – 10 FEET NORTH AND 1220 FEET EAST FROM THE CENTER CORNER OF SECTION 6 | 0.2 mile |

17. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Well | Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
|---------------------|------|------|-----|-----|-------|------|-------|
| K & A Well 2 | 22 S | 33 E | WM | 34 | SW NE | | 3.2 |
| K & A Well 2 | 22 S | 33 E | WM | 34 | SE NW | | 31.2 |
| Bentz Wells 2, 3, 4 | 23 S | 34 E | WM | 31 | SW SE | | 1.8 |
| Bentz Wells 2, 3, 4 | 23 S | 34 E | WM | 31 | SE SE | | 2.4 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 5 | NW NW | | 1.1 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 5 | SW NW | | 0.3 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | NE NE | 1 | 37.7 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | NW NE | 2 | 33.5 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | SW NE | | 22.4 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | SE NE | | 26.4 |
| Total | | | | | | | 160.0 |

18. The second right to be transferred is as follows:

Certificate: 36639 in the name of MILLER BROTHERS C/O HOWARD M. MILLER (perfected under Permit G-4330)

Use: SUPPLEMENTAL IRRIGATION of 160.0 ACRES

Priority Date: SEPTEMBER 23, 1968

Rate: 1.0 CUBIC FOOT PER SECOND

Limit/Duty: 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.

Source: WELL No. 2 within the CROW CAMP CREEK (MALHEUR LAKE BASIN)

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|------|------|-----|-----|-------|------|--|
| 24 S | 34 E | WM | 6 | NW NE | 2 | *WELL No. 2 - 1350 FEET SOUTH AND 80 FEET EAST FROM THE N1/4 CORNER OF SECTION 6 |

*Also known as Bentz Well 2

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 23 S | 34 E | WM | 31 | SW SE | 6.2 |
| 23 S | 34 E | WM | 31 | SE SE | 6.5 |
| 23 S | 34 E | WM | 32 | SW SW | 0.4 |
| 24 S | 34 E | WM | 5 | NW NW | 2.6 |
| 24 S | 34 E | WM | 5 | SW NW | 2.1 |
| 24 S | 34 E | WM | 6 | NE NE | 41.0 |
| 24 S | 34 E | WM | 6 | NW NE | 37.9 |
| 24 S | 34 E | WM | 6 | SW NE | 30.6 |
| 24 S | 34 E | WM | 6 | SE NE | 32.7 |
| Total | | | | | 160.0 |

19. Transfer Application T-12150 proposes additional points of appropriation with approximate distances from the existing point of appropriation identified as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances | ~ Distance |
|------|------|-----|-----|-------|------|---|------------|
| 22 S | 33 E | WM | 34 | SE NW | | K & A WELL 2 - 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 | 7.5 miles |
| 24 S | 34 E | WM | 6 | NE NE | 1 | BENTZ WELL 3 - 1390 FEET SOUTH AND 1420 FEET EAST FROM THE N1/4 CORNER OF SECTION 6 | 0.3 mile |
| 24 S | 34 E | WM | 6 | SW NE | | BENTZ WELL 4 - 10 FEET NORTH AND 1220 FEET EAST FROM THE CENTER CORNER OF SECTION 6 | 0.3 mile |

20. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Well | Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
|---------------------|------|------|-----|-----|-------|------|-------|
| K & A Well 2 | 22 S | 33 E | WM | 34 | SW NE | | 3.2 |
| K & A Well 2 | 22 S | 33 E | WM | 34 | SE NW | | 31.2 |
| Bentz Wells 2, 3, 4 | 23 S | 34 E | WM | 31 | SW SE | | 1.8 |
| Bentz Wells 2, 3, 4 | 23 S | 34 E | WM | 31 | SE SE | | 2.4 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 5 | NW NW | | 1.1 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 5 | SW NW | | 0.3 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | NE NE | 1 | 37.7 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | NW NE | 2 | 33.5 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | SW NE | | 22.4 |
| Bentz Wells 2, 3, 4 | 24 S | 34 E | WM | 6 | SE NE | | 26.4 |
| Total | | | | | | | 160.0 |

21. The portion of the third right to be transferred is as follows:

Certificate: 46552 in the name of JOHN T. RANKIN (perfected under Permit G-6374)
Use: IRRIGATION of 19.0 ACRES
Priority Date: DECEMBER 5, 1975
Rate: 0.24 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 33 E | WM | 11 | NW NW | *1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

*Also known as Owens Well 3

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NE NW | 1.0 |
| 25 S | 33 E | WM | 11 | NW NW | 9.8 |
| 25 S | 33 E | WM | 11 | SW NW | 7.9 |
| 25 S | 33 E | WM | 11 | SE NW | 0.3 |
| Total | | | | | 19.0 |

22. Transfer Application T-12150 proposes to move the authorized point of appropriation approximately 13.9 miles from the existing point of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 22 S | 33 E | WM | 34 | SE NW | K & A WELL 2 - 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 |

23. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 22 S | 33 E | WM | 34 | NE NW | 19.0 |

24. The portion of the fourth right to be transferred is as follows:

Certificate: 50978 in the name of KENNETH G. ROSSBERG (perfected under Permit G-7024)
Use: IRRIGATION of 19.8 ACRES
Priority Date: OCTOBER 25, 1976
Rate: 0.25 CUBIC FOOT PER SECOND
Limit/Duty: 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.

Source: WELL 10 within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 12 | NW NE | *WELL 10 - 990 FEET SOUTH AND 2150 FEET WEST FROM THE NE CORNER OF SECTION 12 |

*Also known as Hwy Well 10

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 12 | NE NE | 4.0 |
| 25 S | 33 E | WM | 12 | NW NE | 2.9 |
| 25 S | 33 E | WM | 12 | SW NE | 6.4 |
| 25 S | 33 E | WM | 12 | SE NE | 6.5 |
| Total | | | | | 19.8 |

25. Transfer Application T-12150 proposes to move the authorized point of appropriation approximately 13.9 miles from the existing point of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 22 S | 33 E | WM | 34 | SE NW | K & A WELL 2 - 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 |

26. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Well | Twp | Rng | Mer | Sec | Q-Q | Acres |
|--------------|------|------|-----|-----|-------|-------|
| HWY WELL 10 | 25 S | 33 E | WM | 12 | NW NE | 2.8 |
| K & A WELL 2 | 22 S | 33 E | WM | 34 | SW NE | 17.0 |
| Total | | | | | | 19.8 |

27. The portion of the fifth right to be transferred is as follows:

Certificate: 82709 in the name of DEPARTMENT OF VETERANS' AFFAIRS
(perfected under Permit G-7076)

Use: IRRIGATION of 31.3 ACRES

Priority Date: JANUARY 18, 1977

Rate: 0.39 CUBIC FOOT PER SECOND

Limit/Duty: 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.

Source: TWO WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 11 | SW NE | *EAST WELL - 1300 FEET NORTH AND 690 FEET EAST FROM THE C1/4 CORNER OF SECTION 11 |
| 25 S | 33 E | WM | 11 | NW NW | **WEST WELL 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

*Also known as Owens Well 2

**Also known as Owens Well 3

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NW NE | 6.4 |
| 25 S | 33 E | WM | 11 | SW NE | 8.0 |
| 25 S | 33 E | WM | 11 | NE NW | 7.0 |
| 25 S | 33 E | WM | 11 | SW NW | 1.9 |
| 25 S | 33 E | WM | 11 | SE NW | 8.0 |
| Total | | | | | 31.3 |

28. Transfer Application T-12150 proposes to move the authorized point of appropriation approximately 13.9 miles from the existing points of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 22 S | 33 E | WM | 34 | SE NW | K & A WELL 2 - 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 |

29. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 22 S | 33 E | WM | 34 | NE NW | 12.6 |
| 22 S | 33 E | WM | 34 | NW NE | 18.7 |
| Total | | | | | 31.3 |

30. The portion of the sixth right to be transferred is as follows:

Certificate: 82710 in the name of DEPARTMENT OF VETERANS AFFAIRS
(perfected under Permit G-8980)

Use: IRRIGATION of 18.1 ACRES

Priority Date: JUNE 6, 1980

Rate: 0.23 CUBIC FOOT PER SECOND

Limit/Duty: 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.

Source: TWO WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 11 | SW NE | *EAST WELL - 1300 FEET NORTH AND 690 FEET EAST FROM THE C1/4 CORNER OF SECTION 11 |
| 25 S | 33 E | WM | 11 | NW NW | **WEST WELL - 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

*Also known as Owens Well 2

**Also known as Owens Well 3

Authorized Place of Use:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NE NE | 8.0 |
| 25 S | 33 E | WM | 11 | NW NE | 0.9 |
| 25 S | 33 E | WM | 11 | SW NE | 1.4 |
| 25 S | 33 E | WM | 11 | SE NE | 7.8 |
| Total | | | | | 18.1 |

31. Transfer Application T-12150 proposes to move the authorized point of appropriation approximately 13.9 miles from the existing points of appropriation to:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 22 S | 33 E | WM | 34 | SE NW | K & A WELL 2 - 3076 FEET NORTH AND 1710 FEET EAST FROM THE SW CORNER OF SECTION 34 |

32. Transfer Application T-12150 also proposes to change the place of use of the right to:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-------|------|-----|-----|-------|-------|
| 22 S | 33 E | WM | 34 | NW NE | 12.4 |
| 22 S | 33 E | WM | 34 | SW NE | 5.7 |
| Total | | | | | 18.1 |

Transfer Review Criteria (OAR 690-380-4010)

33. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
34. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12150.
35. The proposed changes would not result in enlargement of the rights.
36. The proposed changes would potentially interfere substantially with other existing groundwater rights, resulting in injury to those rights. The groundwater rights potentially being injured are Applications G-17771, G-17032, G-15817, and G-2595, unless additional conditions are placed upon the use. Therefore, as conditioned below, describing the subordination of the water rights for Applications G-17032, G-15817, and G-2595, and with

the signed affidavit of agreement to the consent to injury for Application G-17771, the proposed changes would not result in injury.

37. All other application requirements are met.

Conclusions of Law

The changes in points of appropriation, additional points of appropriation and places of use proposed in Transfer Application T-12150 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in points of appropriation, additional points of appropriation and places of use proposed in Transfer Application T-12150 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 36638, 36639, 46552, 50978, 82709, and 82710 and any related decree.
3. Water right Certificates 36638, 36639, 46552, 50978, 82709, and 82710 are cancelled. New certificates will be issued for 46552, 50978, 82709, and 82710, describing those portions of the rights not affected by this transfer.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. Water right Certificates 36638, 36639, 46552, 50978, 82709, and 82710, shall be subordinate to the junior water rights, being Applications G-17032, G-15817, and G-2595.
7. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed, 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.
8. Prior to using water from any well listed, the water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID). A tag showing the Well ID shall be permanently attached to the well. If a well does not have a Well ID, the water user shall apply for one from the Department and attach it to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
9. Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-

200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

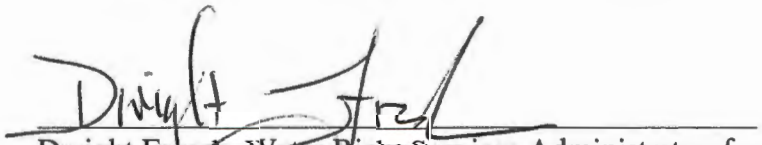
10. Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

12. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 5 day of December 2016.


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

Mailing date: DEC 09 2016

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN T. RANKIN
BOX 823
CRANE, OR 97732

confirms the right to use the waters of a WELL in the MALHEUR LAKE BASIN for IRRIGATION OF 92.6 ACRES.

This right was perfected under Permit G-6374. The date of priority is DECEMBER 5, 1975. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.16 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 11 | NW NW | 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

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, 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:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NE NW | 17.6 |
| 25 S | 33 E | WM | 11 | NW NW | 27.8 |
| 25 S | 33 E | WM | 11 | SW NW | 29.1 |
| 25 S | 33 E | WM | 11 | SE NW | 18.1 |

This certificate describes that portion of the water right confirmed by Certificate 46552, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered December 5, 2016, approving Transfer Application T-12150.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the 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 DEC 05 2016.



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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH G. ROSSBERG
STAR ROUTE 2
21 BUCHANAN ROAD
BURNS, OR 97732

confirms the right to use the waters of WELL 10, in the MALHEUR LAKE BASIN for IRRIGATION of 118.4 ACRES.

This right was perfected under Permit G-7024. The date of priority is OCTOBER 25, 1976. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.48 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 25 S | 33 E | WM | 12 | NW NE | 990 FEET SOUTH AND 2150 FEET WEST FROM THE NE CORNER OF SECTION 12 |

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 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:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 12 | NE NE | 30.9 |
| 25 S | 33 E | WM | 12 | NW NE | 25.3 |
| 25 S | 33 E | WM | 12 | SW NE | 31.6 |
| 25 S | 33 E | WM | 12 | SE NE | 30.6 |

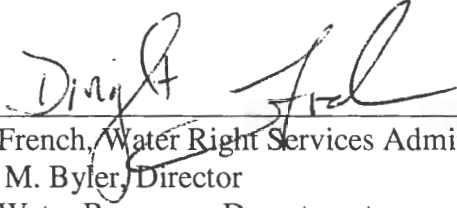
This certificate describes that portion of the water right confirmed by Certificate 50978, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 05 2016, approving Transfer Application T-12150.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

DEC 05 2016

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

A handwritten signature in cursive script, appearing to read "Dwight French", written over a horizontal line.

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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DEPARTMENT OF VETERANS' AFFAIRS LOAN P-40895
700 SUMMER STREET NE
SALEM, OREGON 97301

confirms the right to use the waters of TWO WELLS in the MALHEUR LAKE BASIN for IRRIGATION 43.8 ACRES.

This right was perfected under Permit G-7076. The date of priority is JANUARY 18, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.55 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 11 | SW NE | EAST WELL - 1300 FEET NORTH AND 690 FEET EAST FROM THE CENTER OF SECTION 11 |
| 25 S | 33 E | WM | 11 | NW NW | WEST WELL - 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

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.

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

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NW NE | 7.7 |
| 25 S | 33 E | WM | 11 | SW NE | 9.8 |
| 25 S | 33 E | WM | 11 | NE NW | 12.4 |
| 25 S | 33 E | WM | 11 | SW NW | 0.3 |
| 25 S | 33 E | WM | 11 | SE NW | 13.6 |

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a

complete record of the amount of ground water withdrawn.

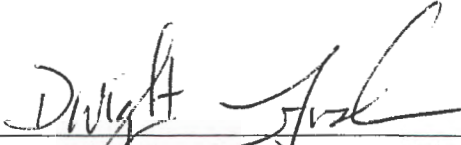
The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate describes that portion of the water right confirmed by Certificate 82709, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 05 2016, approving Transfer Application T-12150.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed DEC 05 2016.



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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DEPARTMENT OF VETERANS AFFAIRS LOAN P-40895
700 SUMMER STREET NE
SALEM, OREGON 97301

confirms the right to use the waters of TWO WELLS in the MALHEUR LAKE BASIN for IRRIGATION of 101.9 ACRES.

This right was perfected under Permit G-8980. The date of priority is JUNE 6, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.27 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|---|
| 25 S | 33 E | WM | 11 | SW NE | EAST WELL - 1300 FEET NORTH AND 690 FEET EAST FROM THE CENTER OF SECTION 11 |
| 25 S | 33 E | WM | 11 | NW NW | WEST WELL - 1300 FEET SOUTH AND 1300 FEET EAST FROM THE NW CORNER OF SECTION 11 |

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.

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

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|------|------|-----|-----|-------|-------|
| 25 S | 33 E | WM | 11 | NE NE | 29.1 |
| 25 S | 33 E | WM | 11 | NW NE | 21.3 |
| 25 S | 33 E | WM | 11 | SW NE | 20.8 |
| 25 S | 33 E | WM | 11 | SE NE | 30.7 |

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

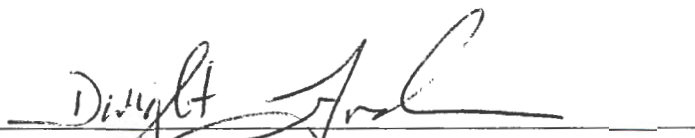
The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate describes that portion of the water right confirmed by Certificate 82710, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 05 2016, approving Transfer Application T-12150.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

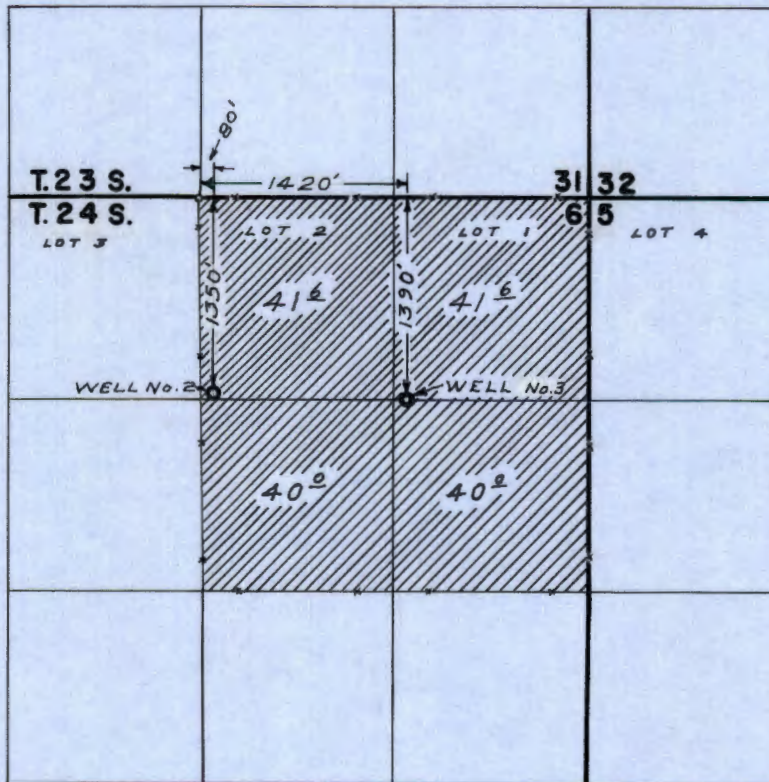
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed DEC 05 2016.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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

T. 23 & 24 S. R. 34 E. W.M.



FINAL PROOF SURVEY UNDER

G-4606 G-4330
Application No. G-2528 Permit No. G-2343
IN NAME OF

MILLER BROS.

Surveyed SEPT. 10. 1968, by W. J. RUPPERT

STATE OF OREGON
COUNTY OF HARNEY

RECEIVED
FEB 17 1970
STATE ENGINEER
SALEM, OREGON

Proof of Appropriation of Water

MILLER BROTHERS C/O HOWARD M. MILLER

of Crane, State of Oregon,
has applied beneficially the waters of
Well No. 3

a tributary of Crow Camp Creek, (Harney Basin) for the purpose of
irrigation of 160.0 acres

under Permit No. G-2343 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from January 14, 1963

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
1.00 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 Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 6, T. 24 S., R. 34 E.,
W. M. Well located: 1390 feet South and 1420 feet East from N $\frac{1}{4}$ Corner, Section
6.

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 acre feet per acre for each acre irrigated
during the irrigation season of each year;

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, and to which such right is appurtenant, is
as follows:

40.0 acres Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
40.0 acres Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 6
T. 24 S., R. 34 E., W. M.

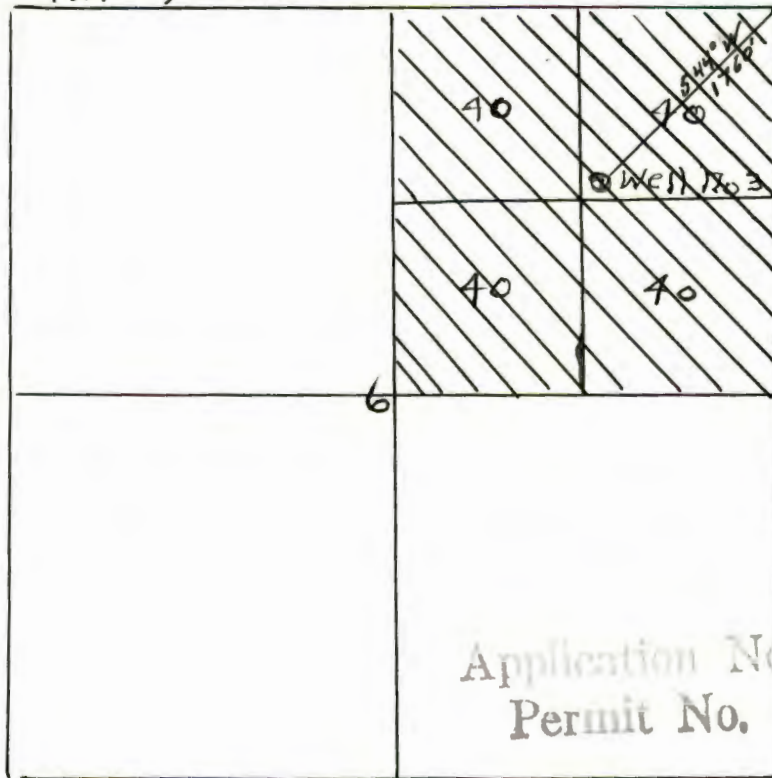
I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of February,

1970....

Miller Brothers
by Howard M. Miller

TWP. 24 S. R. 34 E.



RECEIVED
JAN 11 1903
STATE ENGINEER
CALIFORNIA

SCALE 4" = 1 MILE
APPLICATION OF MILLER BROS
TO APPROPRIATE UNDERGROUND
WATER, MAP AND APPLICATION
PREPARED BY C.N. YOUNG

C. N. Young COUNTY SURVEYOR



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

G-4606
REFER TO
FILE NO. G-2528

February 9, 1970

Miller Brothers
c/o Howard M. Miller
Crane, Oregon 97732

Dear Sir:

Enclosed is the final proof in connection with the incomplete water right represented by your permit No. G-2343, and G-4330.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your permit. The proof should be dated and signed by you and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

Please submit \$1.00 for each permit.

cjs

STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO
FILE NO. G-2528

September 26, 1963

Miller Brothers

Lawen, Oregon

Gentlemen:

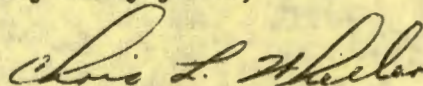
This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. G-2343.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 128

mks

G-2528

May 24, 1963

Miller Brothers
Laven
Oregon

G-2528, permit No. G-2343 with blueprint.

February 8, 1963

Miller Brothers
Lawen,
Oregon

Gentlemen:

This will acknowledge receipt of your application for a permit to appropriate 764 gallons of water per minute from a well for the irrigation of 160 acres, a tracing, and fees in the sum of \$28.50 for which our receipt numbered 36745 is enclosed.

The application, which has been examined and filed under application number G-2528, appears to be in satisfactory form to be considered for approval by issuance of a permit with the next group.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

WNP/gcc

Enc: Receipt #36745

9-10-68
1968-N
w.p.

9V-198
5U-189

Abstract of Permit No. 0-2343

Application No. 0-2528 Certificate No.

Name Miller Bros. % Howard M. Miller
 Address Lewis Crane Oregon
 Source of water supply Well No. 3, a trib. of Crow Camp Creek, a trib. of (Harney Basin)
 Use Irrigation of 160⁰ acres
 Point of diversion S. 1/4 W. 1760' from the NE corner of Section 6, being within the NE 1/4, NE 1/4 of Section 6, T. 24 S., R. 34 E., W.M., in the county of Harney.
 Number of acres 160

Well located 1390 S & 1420 E from NE cor. sec. 6
DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

| Twp. | Range | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | | |
|------|-------|------|------------------------|--------|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|------------------|-----------------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | | |
| 24S | 34E | 6 | 40 | 40 | 40 | 40 | | | | | | | | | | | | Allowed | Found | |
| | | | Lot 1 (NE 1/4, NE 1/4) | | | | | | | | | | | | | | | | 40 ⁰ | 41 ⁰ |
| | | | Lot 2 (NW 1/4, NE 1/4) | | | | | | | | | | | | | | | | 40 ⁰ | 41 ⁰ |
| | | | | | SW 1/4, NE 1/4 | | | | | | | | | | | | | | 40 ⁰ | 40 ⁰ |
| | | | | | SE 1/4, NE 1/4 | | | | | | | | | | | | | | 40 ⁰ | 40 ⁰ |
| | | | | | | | | | | | | | | | | | | 160 ⁰ | 163 ² | |

Priority date January 14, 1963
 Amount of water 1.00 ~~1.30~~ 1.70 c.f.s., measured at the point of diversion
 Time limit to begin construction April 10, 1964
 Time limit to complete construction 10/1/64 extended to _____ extended to _____
 Time limit to completely apply water 10/1/65 extended to _____ extended to _____

Remarks: This appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated 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; and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

Basin 12 Vol. _____

Neil Miller -

Well - SWH. Batho. well log depth 40'
 10" casing. SWH 20'
 6" pump column. TEST 9 gpm for 20 hr with 35' drawd.

Motor - 1800 RPM US Motors 50 HP. 3φ $\frac{50 \times 6.85}{170} = 1.49$ c/s

Western - Serial # 16787 Direct Drive Turbine
 6" Discharge - 50hp @ 75% eff w/145' hd = 1030 gpm
 = 2.3 c/s

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

| | | | |
|--------|----------|-------------|---------------------|
| Pipe - | 1/2 mile | 4" dia | w/200 hd. = 250 gpm |
| | 1/2 mile | 3" al steel | 1.30 = 1.67 c/s |

Runs 68 Max this well is manifolded

Head - ~~to~~ To another well also also in on pts.
 about 1/2 of the water comes
 from each well according to owner.
 said to operate heads at 45-50 psi.

Model # 30 ~~EX~~ 1 1/4 x 7/64
 pump on second well same as on old well
 30 hp on new well.

Tie - 1/4 corners.

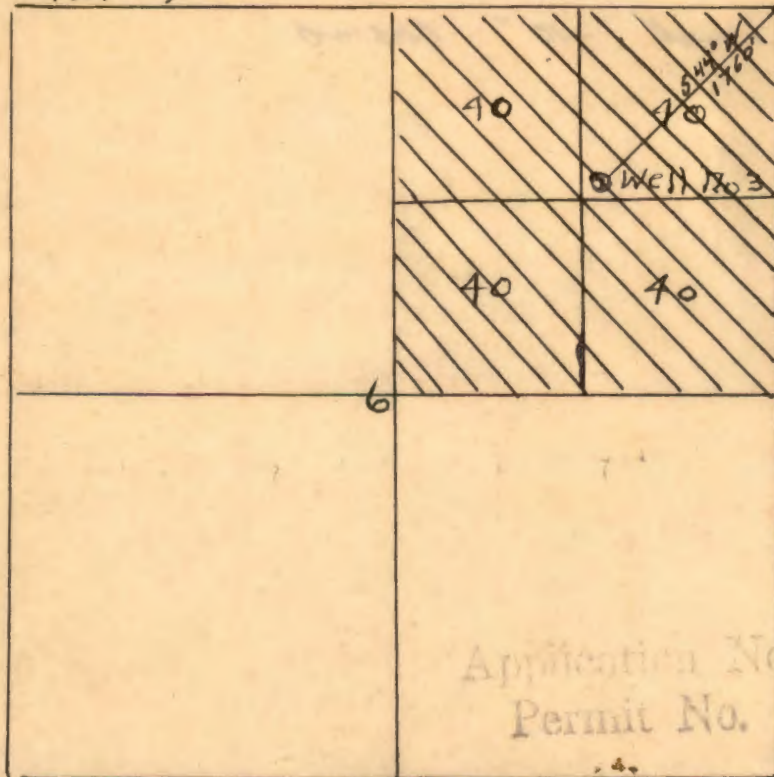
crop - pasture.

with - 1 1/2 ft from top of well

Neil does not know if new well had
 been file on get.

9-10-27 April

TWP. 24 S. R. 34 E.



SCALE 4" = 1 MILE

APPLICATION OF MILLER BROS
TO APPROPRIATE UNDERGROUND
WATER, MAP AND APPLICATION
PREPARED BY C.N. YOUNG

C. N. Young COUNTY SURVEYOR