



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 97310, when all of the water has been applied.

Application No. G-4606

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

I, Miller Brothers, the holder of Permit No. G-4330 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 8<sup>th</sup> day of May, 1969.

Remarks: \_\_\_\_\_  
\_\_\_\_\_

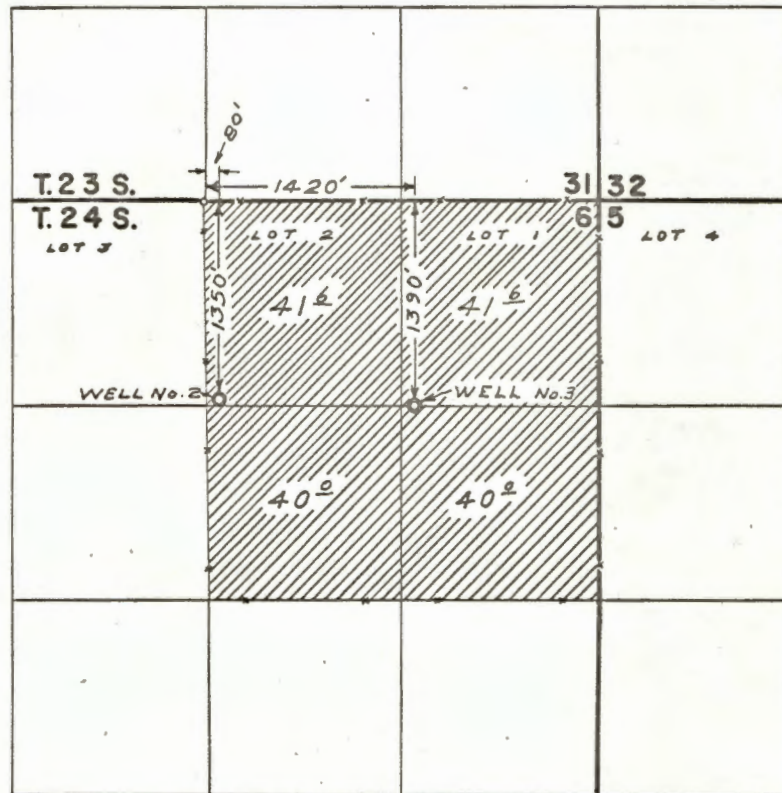
IN WITNESS WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of May, 1969.

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

Crane, Oregon 97732  
(Address)

RECEIVED  
MAY 14 1969  
STATE ENGINEER  
SALEM, OREGON

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



## FINAL PROOF SURVEY UNDER

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

MILLER BROS.

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



# Oregon

Kate Brown, Governor

G-4606

## 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](http://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](mailto: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	41.9
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.

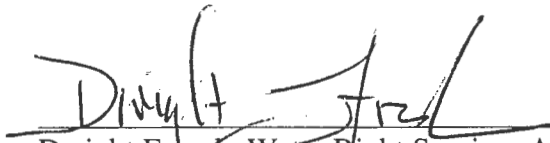
10. Water use measurement conditions:

- 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  
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 \_\_\_\_\_.



\_\_\_\_\_  
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.

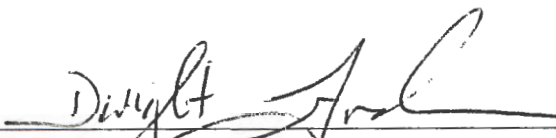
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.



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



# Oregon

Kate Brown, Governor

G-4606

## 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

September 2, 2015

TV LAND AND CATTLE LLC  
68281 CRANE BUCHANAN RD  
BURNS, OR 97720

Reference: Application T- 12150

On August 31, 2015, we received your water right Transfer application. The application was accompanied by \$4875.00. Our receipt number 117051, 117229 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

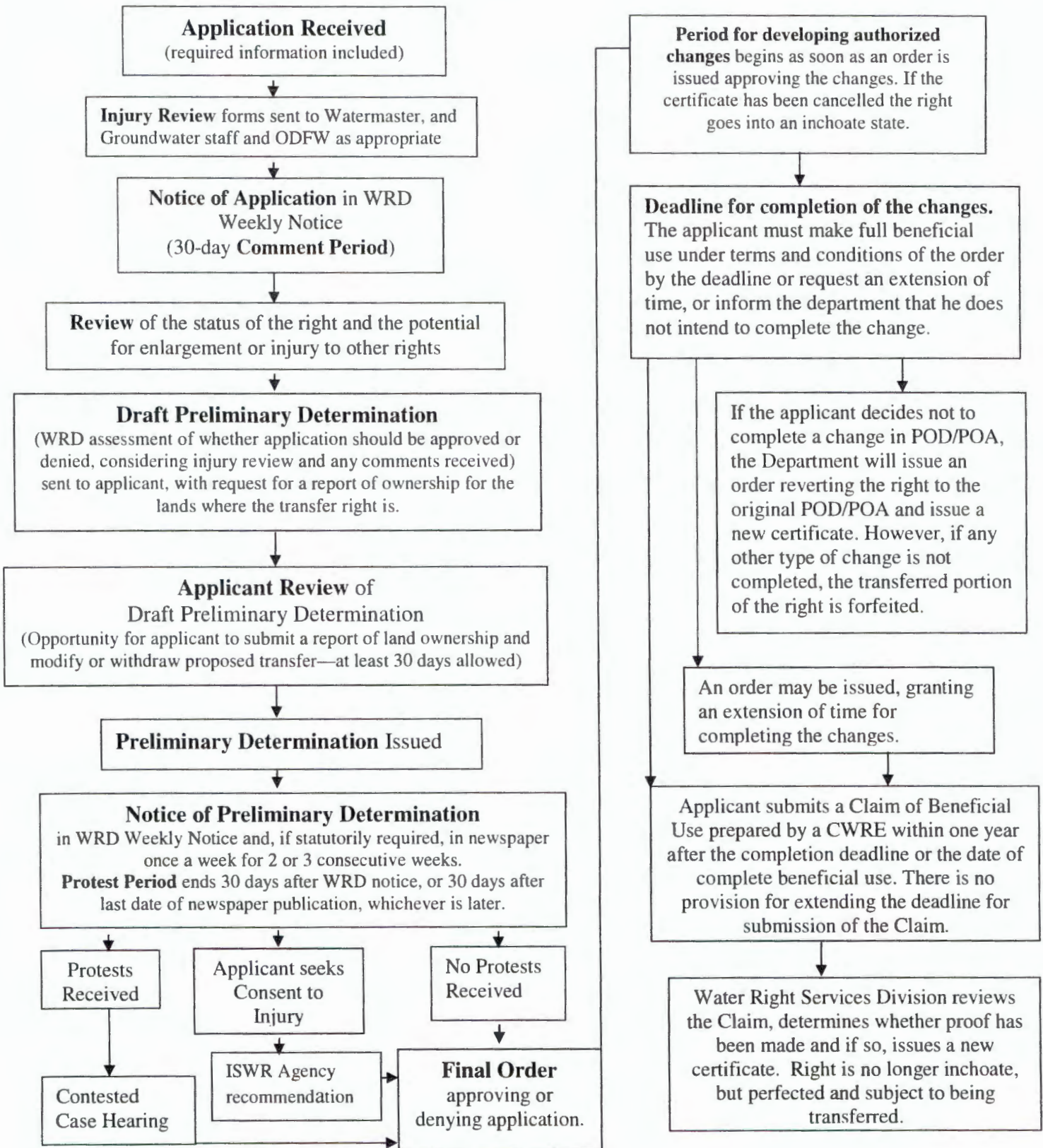
Cc: Watermaster Dist. #10 (via email)  
John A. Short, Agent

Enclosure



# Regular Transfer Process (including “Proving Up” on the changes)

OAR 690 Division 380



## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before October 15, 2015. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<u>T 12150</u>
Water Right	Cert: 46552, 82709, 82710, 50978, 36638, 36639
County/Basin	Harney / Malheur Lake (12)
Applicant Name	BENTZ, KENNETH W. T V LAND AND CATTLE LLC 68281 CRANE BUCHANAN RD BURNS, OR 97720
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > MALHEUR LAKE / 25.00S 33.00E 11 NWNW A WELL > MALHEUR SLOUGH / 25.00S 33.00E 11 SWNE A WELL > MALHEUR SLOUGH / 25.00S 33.00E 11 NWNW WELL 10 > MALHEUR L BASIN / 25.00S 33.00E 12 NWNE WELL 2 > CROW CAMP CREEK / 24.00S 34.00E 6 NWNE WELL 3 > CROW CAMP CREEK / 24.00S 34.00E 6 NENE
Use/Quantity	IRRIGATION / 1.400 CFS IRRIGATION / 0.940 CFS IRRIGATION / 1.500 CFS IRRIGATION / 1.730 CFS IRRIGATION / 1.000 CFS SUPPLEMENTAL IRRIGATION / 1.000 CFS
Priority Date	12/05/1975, 01/18/1977, 06/06/1980, 10/25/1976, 01/14/1963, 09/23/1968

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. 2

a tributary of Crow Camp Creek for the purpose of  
supplemental irrigation of 160.0 acres

under Permit No. G-4330 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 September 23, 1968

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 2 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 6, T. 24 S., R. 34 E.,  
W. M. Well located: 1350 feet South and 80 feet East from NW $\frac{1}{4}$  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 11<sup>th</sup> day of February, 1970.

1970.

Miller Brothers  
by Howard M. Miller



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.

ojs



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

REFER TO  
FILE NO. G-4606

May 15, 1969

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

Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. G4330.

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

skf

May 2, 1969

G-4606

Miller Brothers  
c/o Howard M. Miller  
Crane, Oregon 97738

blueprint.

G-4606, permit No. G-4330 with a

October 1, 1968

Miller Brothers  
# Howard M. Miller  
Crane  
Oregon 97738

Gentlemen:

This will acknowledge receipt of your application for a permit to appropriate 550 gallons of water per minute from one well for the supplemental irrigation of 160 acres, a map, and fees of \$33.50 for which our receipt No. 11533 is enclosed.

The application has been filed and numbered G-4606, and is in satisfactory form for approval by issuance of a permit.

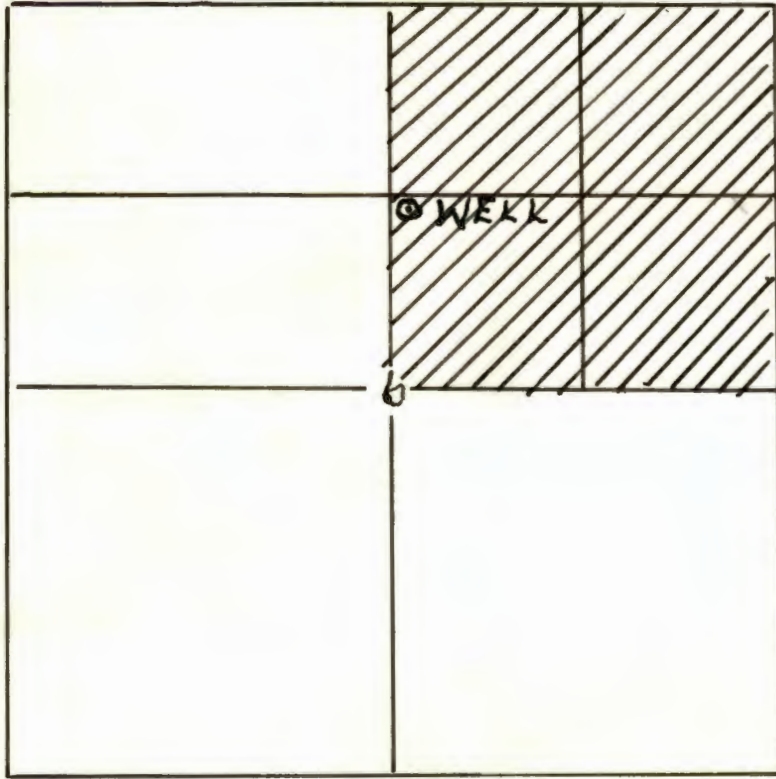
Very truly yours,

CHRIS L. WHEELER  
State Engineer

By  
Larry W. Jebousek  
Assistant

LWJ:ks  
Enclosure

MILLER, BROS.  
SUPPLEMENTAL IRRIGATION WELL No. 2  
TWP. 24 S. R. 34 E. W. M



SCALE INCHES = 1 MILE

**RECEIVED**  
SEP 23 1968  
STATE ENGINEER  
SALEM OREGON

Application No. G-4606  
Permit No. G-4330

12-12-69  
208

# Abstract of Permit No. G-4330

Application No. G-4606 Certificate No.

Name Miller Brothers c/o Howard K. Miller

Address Crane, Oregon

Source of water supply Well No. 2, TRIB. CROW CAMP CREEK

Use Supplemental irrigation of 160<sup>0</sup> ac

Point of diversion 1355' S. & 80' E. from NW cor. Sec. 6, being within <sup>LOT 2 (NW 1/4 NE 1/4)</sup> SW 1/4 NE 1/4, Sec. 6, T. 24 S., R. 34 E., W. M., county of Harney

Number of acres ~~160~~ WELL LOCATED 1350 FT. S. E 80 FT. E. FROM N 1/4 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												Allow	Found	
			LOT 1 (NE 1/4 NE 1/4)																40°	41.6
			LOT 2 (NW 1/4 NE 1/4)																40°	41.6
			SW 1/4 NE 1/4																40°	40.0
			SE 1/4 NE 1/4																40°	40.0

Priority date September 23, 1968

Amount of water 1.00 c.f.s. 1.23 c.f.s.

Time limit to begin construction April 9, 1970

Time limit to complete construction 10-1-70 extended to extended to

Time limit to completely apply water 10-1-71 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; 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 be subject to such reasonable rotation system as may be ordered by the proper state officer.

DEKALB 14, VOL. 1

Well - SWH 30 ft. Well log depth 70'  
 10" casing SWL 20'  
 6" pump column Test 764 gpm for 20 hr with 35' draw

Motor - 1800 RPM US Motors 50 HP 39  $\frac{50 \times .85}{170} = 1.47$  cfs  
 western - serial # 16787 Direct Drive Turbine 80% eff 50 P  
 6" Discharge -

Pipe - 1/2 mile 4" el  
 1/2 mile 3" at wheel line  
 $6.8 \times 8.6 = 1.30$  @ 50 psi  
 Runs 68 Max this well is max depth

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

1.00 cfs  
each well

Model # 30 Edo 1 1/4 x 7/8  
 pump on second well same as on old well  
 30 hp on new well.  
 30 hp @ 75% eff w/160' hd = 550 gpm = 1.23 cfs

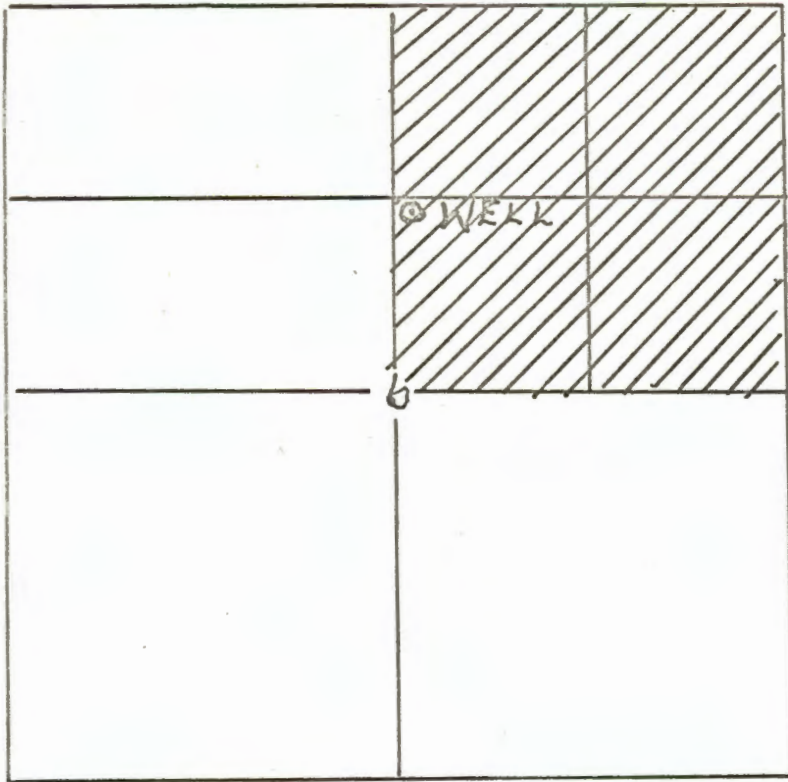
Tie - 1/4 corners

crop - pasture.

riff - ± 5 ft from top of well  
 Not does not know if new well had  
 been file on yet. (G-4606)

9-10-2014

MILLER, BROS.  
SUPPLEMENTAL IRRIGATION WELL No. 2  
TWP. 24 S. R. 34 E. W. M



SCALE INCHES = 1 MILE

**RECEIVED**  
SEP 23 1968  
STATE ENGINEER  
SALEM OREGON

Application No. G-4606  
Permit No. G-4330