

Name Betty Jean & Walter J. Hoyt III
By
Address Route 1, Box 70
Burns, Oregon 97720

Application No. G 8145
Permit No. G 7612
Certificate No. 83994
DVA Notification
Stream Index, Page No. 12-37

FEES PAID		
Date	Amount	Receipt No.
<u>5-19-77</u>	<u>45.00</u>	<u>60643</u>
<u>3-28-05</u>	<u>25.00</u>	<u>73602</u>
<u>4-11-05</u>	<u>35.00</u>	<u>73902</u>
<u>8-29-05</u>	<u>50.00</u>	<u>76941</u>
	Cert. Fee	

Date filed 19 May 1977
Priority May 19, 1977
Action suspended until Sun
Return to applicant
Date of approval DEC 2 1977

FEES REFUNDED		
Date	Amount	Check No.
<u>9/14/05</u>	<u>25.00</u>	<u>9104237</u>

CONSTRUCTION
Date for beginning DEC 2 1978
Date for completion OCT 1 1979
Extended to

ASSIGNED		ASSIGNMENTS		
Date	To Whom	Address	Volume	Page
<u>4-11-05</u>	<u>Curtis J. Blackburn</u>	<u>707 Ponderosa Village, Burns OR</u>	<u>97720</u>	
<u>8/30/05</u>	<u>NW Farm Credit Services, FLCA</u>	<u>PO Box 2515, Spc Kane, WA</u>	<u>99220</u>	
<u>and</u>	<u>Curtis + Kaeko Blackburn,</u>	<u>32055 Hwy 20, Burns, OR</u>	<u>97720</u>	

Date for application of water OCT 1 1980
Extended to

REMARKS
Corr to B OCT 25 1979
4/01/02 field form to June Miller for survey

PROSECUTION OF WORK
Form "A" filed Started
Form "B" filed 12-5-79
Form "C" filed 12-5-79

FINAL PROOF
Blank mailed
Proof received
Date certificate issued MAR 21 2008

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director 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 Water Resources Department 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 Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 9-8145

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, WALTER J. HOUST III, the holder of Permit No. 67042

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 5TH day of MAY, 1979.

Remarks: None

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of DEC, 1979

Walter J. Hust III
(Signature of Applicant)

RTI Box 70 Burns OR
(Address)

Form B (690-9-77)

Application No. _____

NOTICE OF COMPLETION OF CONSTRUCTION

I, WALTER J. HOUST III, the holder of Permit No. 67042

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 20 day of OCT, 1978.

Remarks: _____

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of DEC, 1979

Walter J. Hust III
(Signature of Applicant)

RTI Box 70 Burns OR
(Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Kurt Blackburn

✓ 541-973-7206

6-7642 Permit

6-8145 ARP

RECEIVED

RECEIVED

OK
CMT

OK
CMT



Oregon

Kate Brown, Governor

G-8145

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

April 12, 2016

CURT BLACKBURN
32055 HWY 20E
BURNS, OR 97720

REFERENCE: Transfer Application T-11906

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, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@ wrd.state.or.us.

Sincerely,

Marissa Andrews
Water Right Services Support

cc: J R. Johnson, Watermaster Dist. #10 (via email)
Scott D. Montgomery, 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
T-11906, Harney County) APPROVING A CHANGE IN POINTS
) OF APPROPRIATION AND
) ADDITIONAL POINTS OF
) APPROPRIATION

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

CURT BLACKBURN
32055 HWY 20E
BURNS, OR 97720
curtjettblackburn@centurytel.net

Findings of Fact

1. On October 17, 2014, CURT BLACKBURN filed an application to change the points of appropriation and add additional points of appropriation under Certificates 35135, 36880, 49683, 83994, and 89445. The Department assigned the application number T-11906.
2. Notice of the application for transfer was published on October 28, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 4, 2014, the Department emailed the agent notifying them of the deficiencies in the application.
4. On November 19, 2014, the agent submitted a revised application and map correcting the deficiencies.
5. On July 21, 2015, the Department emailed the agent notifying them of the deficiencies in the application.

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.

6. On July 22, 2015, the agent submitted a revised application and map correcting the deficiencies.
7. On December 2, 2015, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-11906 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 4, 2016, for the applicant to respond. The applicant requested that the completion date be extended to October 1, 2022 and for 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 February 17, 2015, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11906 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on February 23, 2016, and in the Burns Times Herald newspaper on February 24 and March 2, 2016, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
9. The portion of the first right to be transferred is as follows:

Certificate: 35135 in the name of BURTT and JOSEPHINE SCRODER; (perfected under Permit G-2316)

Use: SUPPLEMENTAL IRRIGATION OF 108.5 ACRES

Priority Date: DECEMBER 19, 1962

Rate: 1.3 CUBIC FEET 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, is limited to ONE-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: SCHRODER WELL 1 within the POISON CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q
22 S	31 E	WM	34	SW SW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	34	SW SW	32.0
22 S	31 E	WM	34	SE SW	39.0
22 S	31 E	WM	34	SW SE	37.5
Total					108.5

10. The proposed additional points of appropriation are described in the table below with the measured distances from the original (authorized) point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well location
22 S	31 E	WM	33	SW SW	WELL #14 (HARN 129) - 530 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33	4200 ft.
22 S	31 E	WM	34	SE SW	WELL B (HARN 132) - 969.6 FEET NORTH AND 2641.7 FEET WEST FROM THE SE CORNER OF SECTION 34	2500 ft.
22 S	31 E	WM	33	SE SE	WELL C - 1165 FEET NORTH AND 145 FEET WEST FROM THE SE CORNER OF SECTION 33	260 ft.

11. The portion of the second right to be transferred is as follows:

Certificate: 36880 in the name of HARRY PON C/O BRADEEN BROTHERS
(perfected under Permit G-2880)

Use: SUPPLEMENTAL IRRIGATION OF 86.3 ACRES

Priority Date: APRIL 21, 1965

Rate: 1.08 CUBIC FEET 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: PON WELL NO. 20 within the FOLEY SLOUGH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	31 E	WM	33	NE NW	PON WELL NO. 20 (HARN 106): 230 FEET SOUTH AND 860 FEET EAST FROM THE NW CORNER OF NENW OF SECTION 33

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	33	NE SW	1.0
22 S	31 E	WM	33	SW SW	4.0
22 S	31 E	WM	33	SE SW	29.0
22 S	31 E	WM	33	NW SE	0.5
22 S	31 E	WM	33	SW SE	32.4
22 S	31 E	WM	33	SE SE	19.4
Total					86.3

12. The proposed points of appropriation are described in the table below with the measured distances from the original (authorized) point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well location
22 S	31 E	WM	33	SW SW	WELL #14 (HARN 129) - 530 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33	4400 ft.
22 S	31 E	WM	34	SW SW	WELL A (HARN 130) - 1120 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 34	5000 ft.
22 S	31 E	WM	34	SE SW	WELL B (HARN 132) - 969.6 FEET NORTH AND 2641.7 FEET WEST FROM THE SW CORNER OF SECTION 34	7000 ft.
22 S	31 E	WM	33	SE SE	WELL C - 1165 FEET NORTH AND 145 FEET WEST FROM THE SE CORNER OF SECTION 33	4800 ft.

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

Certificate: 49683 in the name of HARRY PON (perfected under Permit G-1808)

Use: SUPPLEMENTAL IRRIGATION OF 167.3 ACRES

Priority Date: APRIL 3, 1961

Rate: 2.09 CUBIC FEET PER SECOND (CFS), BEING 1.06 CFS FROM WELL 5 AND 1.03 CFS FROM WELL 14

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.

Sources: WELLS 5 AND 14, within the FOLEY SLOUGH BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	31 E	WM	28	SE SE	WELL #5 (HARN 107) - 100 FEET SOUTH AND 620 FEET WEST FROM THE NE CORNER OF THE SESE OF SECTION 28
22 S	31 E	WM	33	SW SW	WELL #14 (HARN 129) - 530 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION WELL 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	33	NE SW	4.0
22 S	31 E	WM	33	SE SW	7.0
22 S	31 E	WM	33	NE SE	22.1
22 S	31 E	WM	33	NW SE	28.5
22 S	31 E	WM	33	SW SE	5.2
22 S	31 E	WM	33	SE SE	18.2
Total					85.0

SUPPLEMENTAL IRRIGATION WELL 14					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	33	NE SW	1.0
22 S	31 E	WM	33	SE SW	29.0
22 S	31 E	WM	33	NW SE	0.5
22 S	31 E	WM	33	SW SE	32.4
22 S	31 E	WM	33	SE SE	19.4
Total					82.3

14. The proposed points of appropriation and additional points of appropriation are described in the table below with the measured distances from the original (authorized) points of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well location	
						Well 5	Well 14
22 S	31 E	WM	34	SW SW	WELL A (HARN 130) - 1120 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 34	5400 ft.	4200 ft.
22 S	31 E	WM	34	SE SW	WELL B (HARN 132) - 969.6 FEET NORTH AND 2641.7 FEET WEST FROM THE SW CORNER OF SECTION 34	6400 ft.	6750 ft.
22 S	31 E	WM	33	SE SE	WELL C - 1165 FEET NORTH AND 145 FEET WEST FROM THE SE CORNER OF SECTION 33	5300 ft.	4000 ft.

Supplemental Irrigation Location and Proposed Wells						
Twp	Rng	Mer	Sec	Q-Q	Acres	Well No.
22 S	31 E	WM	33	NE SW	4.0	A, B, C
22 S	31 E	WM	33	NE SW	1.0	14, A, B, C
22 S	31 E	WM	33	SE SW	29.0	14, A, B, C
22 S	31 E	WM	33	SE SW	7.0	A, B, C
22 S	31 E	WM	33	NE SE	22.1	A, B, C
22 S	31 E	WM	33	NW SE	28.5	A, B, C
22 S	31 E	WM	33	NW SE	0.5	14, A, B, C
22 S	31 E	WM	33	SW SE	32.4	14, A, B, C
22 S	31 E	WM	33	SW SE	5.2	A, B, C
22 S	31 E	WM	33	SE SE	19.4	14, A, B, C
22 S	31 E	WM	33	SE SE	18.2	A, B, C

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

Certificate: 83994 in the name of CURTIS AND KAEKO BLACKBURN AND NORTHWEST FARM CREDIT SERVICES FLCA (perfected under Permit G-7642)

Use: SUPPLEMENTAL IRRIGATION OF 77.9 ACRES

Priority Date: MAY 19, 1977

Rate: 0.97 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, is limited to a diversion of ONE-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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.

Source: A WELL within the MALHEUR LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	31 E	WM	34	SW SE	WELL B (HARN 132) - 969.6 FEET NORTH AND 2641.7 FEET WEST FROM THE SW CORNER OF SECTION 34

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	34	NW SW	39.7
22 S	31 E	WM	34	SE SW	38.2
Total					77.9

16. The proposed points of appropriation are described in the table below with the measured distances from the original (authorized) point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well location
22 S	31 E	WM	33	SW SW	WELL #14 (HARN 129) - 530 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33	6800 ft.
22 S	31 E	WM	34	SW SW	WELL A (HARN 130) - 1120 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 34	2500 ft.
22 S	31 E	WM	33	SE SE	WELL C - 1165 FEET NORTH AND 145 FEET WEST FROM THE SE CORNER OF SECTION 33	2800 ft.

17. The fifth right to be transferred is as follows:

Certificate: 89445 in the name of CURT BLACKBURN (perfected under Permit G-1808)

Use: IRRIGATION OF 8.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 26.0 ACRES

Priority Date: APRIL 3, 1961

Rate: 0.43 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 14 within the FOLEY SLOUGH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	31 E	WM	33	SW SW	Well 14 (HARN 129): 530 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	33	NE SW	8.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	33	NE SE	10.0
22 S	31 E	WM	33	NW SE	16.0
Total					26.0

18. The proposed points of appropriation are described in the table below with the measured distances from the original (authorized) point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well location
22 S	31 E	WM	34	SW SW	WELL A (HARN 130) - 1120 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 34	4200 ft.
22 S	31 E	WM	34	SE SW	WELL B (HARN 132) - 969.6 FEET NORTH AND 2641.7 FEET WEST FROM THE SW CORNER OF SECTION 34	6750 ft.
22 S	31 E	WM	33	SE SE	WELL C - 325 FEET SOUTH AND 4704 FEET WEST FROM THE SE CORNER OF SECTION 33	4000 ft.

Transfer Review Criteria (OAR 690-380-4010)

19. 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.
20. 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-11906.
21. The proposed change would not result in enlargement of the rights.
22. The proposed change would not result in injury to other water rights
23. All other application requirements are met.

Conclusions of Law

The change in points of appropriation and additional points of appropriation proposed in Transfer Application T-11906 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

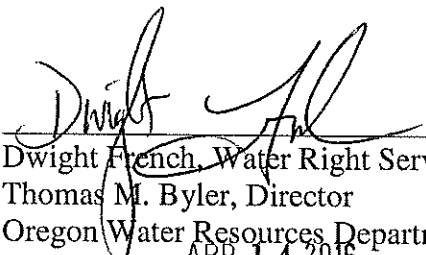
Now, therefore, it is ORDERED:

1. The change in points of appropriation and additional points of appropriation proposed in Transfer Application T-11906 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 35135, 36880, 49683, 83994, and 89445 and any related decree.
3. Water right Certificates 83994 and 89445 are cancelled.
4. Water right Certificates 35135, 36880, and 49683 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.

5. 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.
6. 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.
7. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed in this transfer, 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. If the number, location, source, or construction of any well deviates from that proposed in the transfer application or required by permit conditions, this transfer may be subject to cancellation, unless the Department authorizes the change in writing.
9. Prior to using water from any well listed in this transfer, the applicant 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 applicant shall apply for one from the Department and attach it to the well within 60 days of the date the transfer is approved. 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.
10. 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 transfer, 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.
11. Before water use may begin, the water user shall install a totalizing flow meter at each point of appropriation. The totalizing flow meter must be installed and maintained in good working order. In addition, the water user shall maintain a record of all water used each month, including the total number of hours of pumping, the total quantity pumped, and the categories of beneficial use to which the water is applied. During the period of the limited license, the record of use shall be submitted to the Department annually, or more frequently as may be required by the Director, and shall be submitted to the Watermaster upon request.

12. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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.
14. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 7 day of April, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department
APR 14 2016

Mailing date: _____

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARRY PON
 c/o BRADEEN BROTHERS
 PO BOX 1113
 BURNS, OR 97720

confirms the right to use the waters of PON WELL NO. 20 in the FOLEY SLOUGH (SILVIES RIVER) BASIN for SUPPLEMENTAL IRRIGATION OF 30.2 ACRES.

This right was perfected under Permit G-2880. The date of priority is APRIL 21, 1965. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.38 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
22 S	31 E	WM	33	NE NW	230 FEET SOUTH AND 860 FEET EAST FROM THE NW CORNER OF THE NE ¹ / ₄ NW ¹ / ₄ OF SECTION 33

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 to which this right is appurtenant is as follows:

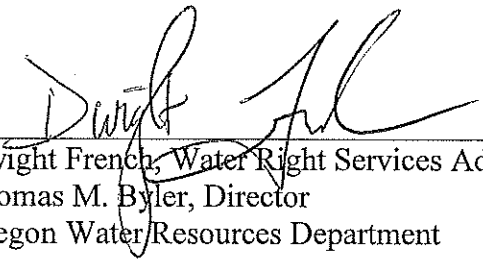
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	32	SE SE	3.2
22 S	31 E	WM	33	SW SW	27.0
Total					30.2

This certificate describes that portion of the water right confirmed by Certificate 36880, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 07 2016, approving Transfer Application T-11906.

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 APR 07 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

HARRY PON
 PO BOX 1191
 BURNS, OR 97720

confirms the right to use the waters of WELL NO. 5 in the EAST BRANCH FOLEY SLOUGH (SILVIES RIVER) BASIN for SUPPLEMENTAL IRRIGATION OF 166.0 ACRES.

This right was perfected under Permit G-1808. The date of priority is APRIL 3, 1961. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.07 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
22 S	31 E	WM	28	SE SE	WELL NO. 5 - 100 FEET SOUTH AND 620 FEET WEST FROM THE NE CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 28

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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	31 E	WM	28	SE SE	27.2
22 S	31 E	WM	33	NE NE	38.6
22 S	31 E	WM	33	NW NE	6.0
22 S	31 E	WM	33	SW NE	27.0
22 S	31 E	WM	33	SE NE	40.0
22 S	31 E	WM	33	NE SE	17.9
22 S	31 E	WM	33	NW SE	9.3
Total					166.0

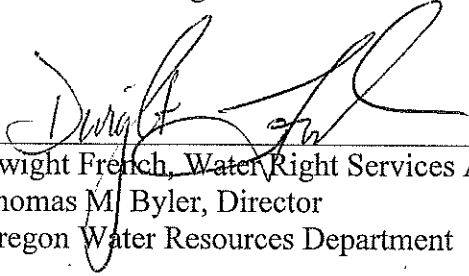
This certificate describes that portion of the water right confirmed by Certificate 49683 , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 07 2016, approving Transfer Application T-11906.

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.

APR 07 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

BURTT AND JOSEPHINE SCHRODER
BURNS, OR 97720

confirms the right to use the waters of SCHRODER WELL NO. 2 in the POISON CREEK (SILVIES RIVER) BASIN for SUPPLEMENTAL IRRIGATION OF 75.8 ACRES.

This right was perfected under Permit G-2316. The date of priority is DECEMBER 19, 1962. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.92 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
23 S	31 E	WM	3	NW NW	WELL NO. 2 - 200 FEET SOUTH AND 110 FEET EAST FROM THE NW CORNER OF SEC. 3

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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
23 S	31 E	WM	3	NE NW	3	38.0
23 S	31 E	WM	3	NW NW	4	37.8
Total						75.8

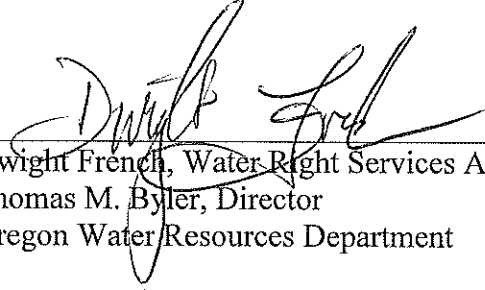
This certificate describes that portion of the water right confirmed by Certificate 35135, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 07 2016, approving Transfer Application T-11906.

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.

APR 07 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

CURTIS AND KAEKO BLACKBURN
32055 HWY 20
BURNS OR 97720

NW FARM CREDIT SERVICES, FLCA
PO BOX 2515
SPOKANE WA 99220

confirms the right to use the waters of A WELL in the Malheur Lake Basin for SUPPLEMENTAL IRRIGATION of 77.9 ACRES.

This right was perfected under Permit G-7642. The date of priority is MAY 19, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.97 CUBIC FOOT 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	GLot	DLC	Survey Coordinates
22 S	31 E	WM	34	SW SE			969.6 FEET NORTH & 2641.7 FEET EAST FROM SW CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent 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. 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.

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

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
22 S	31 E	WM	34	NW SW			39.7
22 S	31 E	WM	34	SE SW			38.2

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

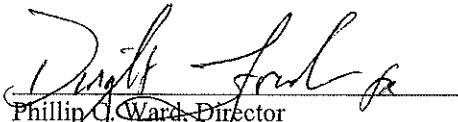
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

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

Issued MAR 21 2008


Phillip C. Ward, Director
Water Resources Department

RECEIVED

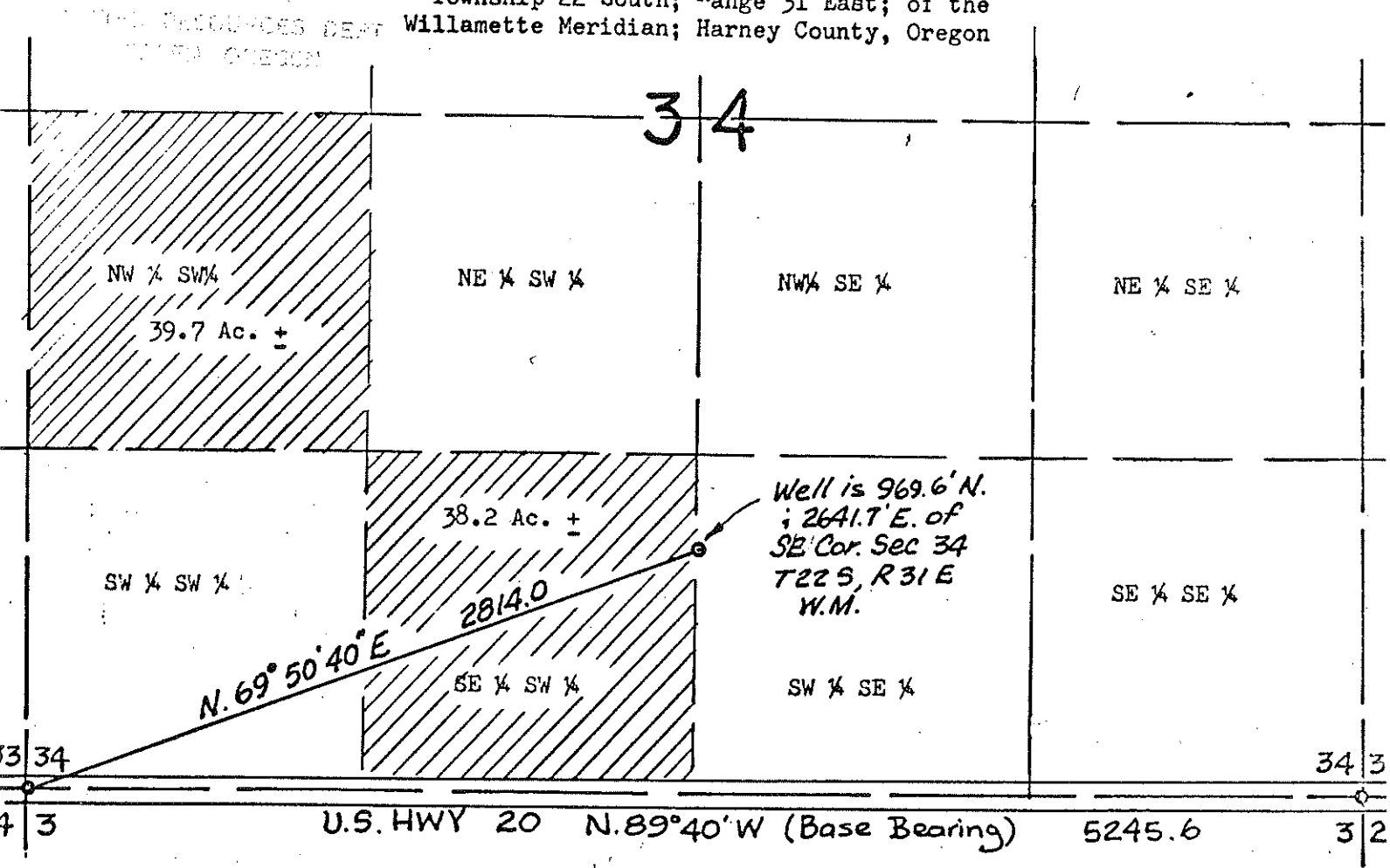
SEP 19 1977

WELL LOCATION

WATER RESOURCES DEPT

Situated in the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 34;
Township 22 South; Range 31 East; of the
Willamette Meridian; Harney County, Oregon

WATER RESOURCES DEPT

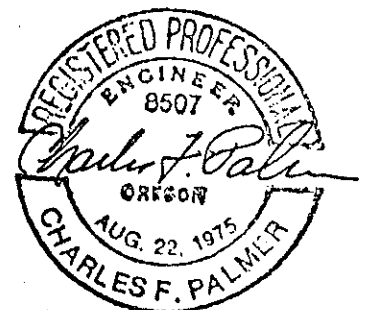


1 inch = 10 chains = 660 feet

Certification

I, C.F. Palmer, Civil Engineer registered in accordance with the laws of the State of Oregon, do hereby certify that this plat correctly shows the location of a well; that this plat was drawn from notes taken during a survey made on September 6, 1977 at the request of Betty J. and Walter J. Hoyt, III of Burns, Oregon.

Application No. G 8145
Permit No. G 7642





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: March 21, 2008

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

6/5

Mailing List for Certificate Scheduled Mailing Date:

Application: G-8145
Permit: G-7642
Certificate: 83994

Permit/Certificate Holder:

CURTIS AND KAEKO BLACKBURN ✓
32055 HWY 20
BURNS OR 97720

NW FARM CREDIT SERVICES, FLCA ✓
PO BOX 2515
SPOKANE WA 99220

Copies Mailed
by: <u>Connie Jones</u>
(STAFF)
on: <u>MAR 21 2008</u>
(DATE)

Copies of Final Certificate to be sent to:

- 1. Data Center (include copy of map) ✓
- 2. Water Availability ✓
- 3. Vault ✓
- 4. File ✓

Other persons to receive copies (proposed and/or final): (include map):

- 1. Watermaster District 10: Catie Owens ✓

re-mailed to:

G-8145
CURTIS BLACKBURN
JETT BLACKBURN REAL ESTATE
707 PONDEROSA VILLAGE
BURNS OR 97720

March 27, 2008 C.U.

RECEIVED

SEP 13 1977

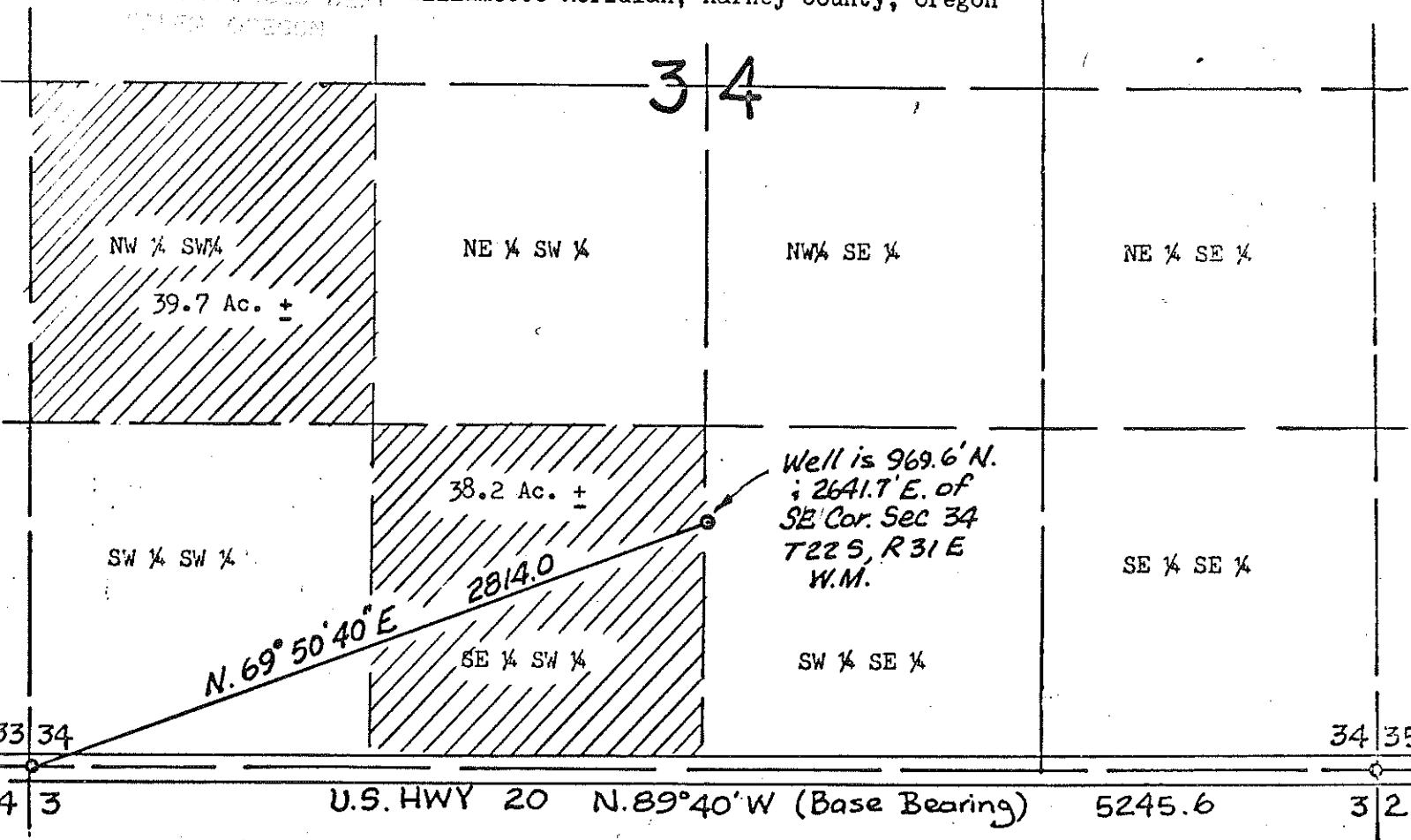
WELL LOCATION

WATER RESOURCES DEPT

Situated in the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 34;
Township 22 South; Range 31 East; of the
Willamette Meridian; Harney County, Oregon

JOHN GARDNER

WATER RESOURCES DEPT
ORIG. GARDNER

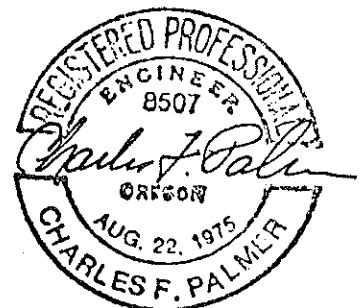


1 inch = 10 chains = 660 feet

Certification

I, C.F. Palmer, Civil Engineer registered in accordance with the laws of the State of Oregon, do hereby certify that this plat correctly shows the location of a well; that this plat was drawn from notes taken during a survey made on September 6, 1977 at the request of Betty J. and Walter J. Hoyt, III of Burns, Oregon.

Application No. G 8145
Permit No. G 7612



Pump Capacity Calculator

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50
Efficiency = 7.04
Lift = 12
PSI = 70

Results Calculated

(hp)(efficiency) = 352
Head based on psi = 177.8
Total dynamic head = 189.8
(head + lift)

Pump Capacity = 1.854 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50
Efficiency = 7.04
Lift = 12
PSI = 60

Results Calculated

(hp)(efficiency) = 352
Head based on psi = 152.4
Total dynamic head = 164.4
(head + lift)

Pump Capacity = 2.141 cubic feet per second

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON 97101
within 30 days from the date of well completion.

RECEIVED

STATE OF OREGON
(Please type or print)

(Do not write above this line)

JUL 25 1977

225/31E-34dc
132

State Well No. 225/31E-34dc

State Permit No.

(1) OWNER: WATER RESOURCES DEPT.

Name WALTER J. HOAGLAND, OREGON
Address Rt. 1 Box 70 Burns Ore.

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
12" Diam. from +1 ft. to 7.8 ft. Gage 1250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? Yes No.
Type of perforator used ACETYLENE TORCH
Size of perforations 5/32" in. by 3" in.
960 perforations from 31 ft. to 60 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Ballor test 40 gal./min. with 0 ft. drawdown after 2 hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 17 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County HARNEY Driller's well number
SW 1/4 Sec 34 T. 22 S. R. 31 E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 31 ft.
Static level 12 ft. below land surface. Date 7-1-77
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12"
Depth drilled 220 ft. Depth of completed well 220 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
TOP SOIL	0	4	
GRAY HARD PAN	4	28	
GRAY CLAY SANDY GRAVEL	28	31	
SAND GRAVEL WATER	31	50	
GRAVEL SANDSTONE	50	60	
SAND GRAVEL CLAY BITES OF SANDSTONE ETC.	60	73	
HARD GRAY SANDSTONE	73	156	
BLUE SHALE ROCK	156	200	
BROWN SANDSTONE	200	220	

Work started 6-23 1977 Completed 7-1 1977
Date well drilling machine moved off of well 7-1 1977

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Sherman A. White Date 7-22, 1977
(Drilling Machine Operator)

Drilling Machine Operator's License No. 554

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge, and belief.

Name HIGHLAND DRILLING
(Person, firm or corporation) (Type or print)

Address PO Box 9 LAVERNE ORE

[Signed] Sherman A. White
(Water Well Contractor)

Contractor's License No. 577 Date 7-22, 1977

NOTICE OF INTEREST IN WATER RIGHT

JUN 07 1985

RECEIVED

JUN 10 1985

WATER RESOURCES DEPT.
SALEM, OREGON

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

This is to notify you of an interest in the following described water right:

Loan Number L93528
Borrower's Name HOYT, Betty J.
Mailing Address _____

Property being served by the water:

Township <u>22 S</u>	Township _____	Township _____
Range <u>31 E</u>	Range _____	Range _____
Section <u>34</u>	Section _____	Section _____
Tract _____	Tract _____	Tract _____

Water Right Numbers: B 2507 Silvies River B 8145
 Permit Number(s) G-2316 Dec Vol 9 p 209 B 7642
 Certificate Number(s) 35135
 Irrigation District Silvies River

108.5 Ac 160 Ac 78 Ac
supp prim supp

The State of Oregon, by and through the Director of Veterans Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

DM

8-9-85

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

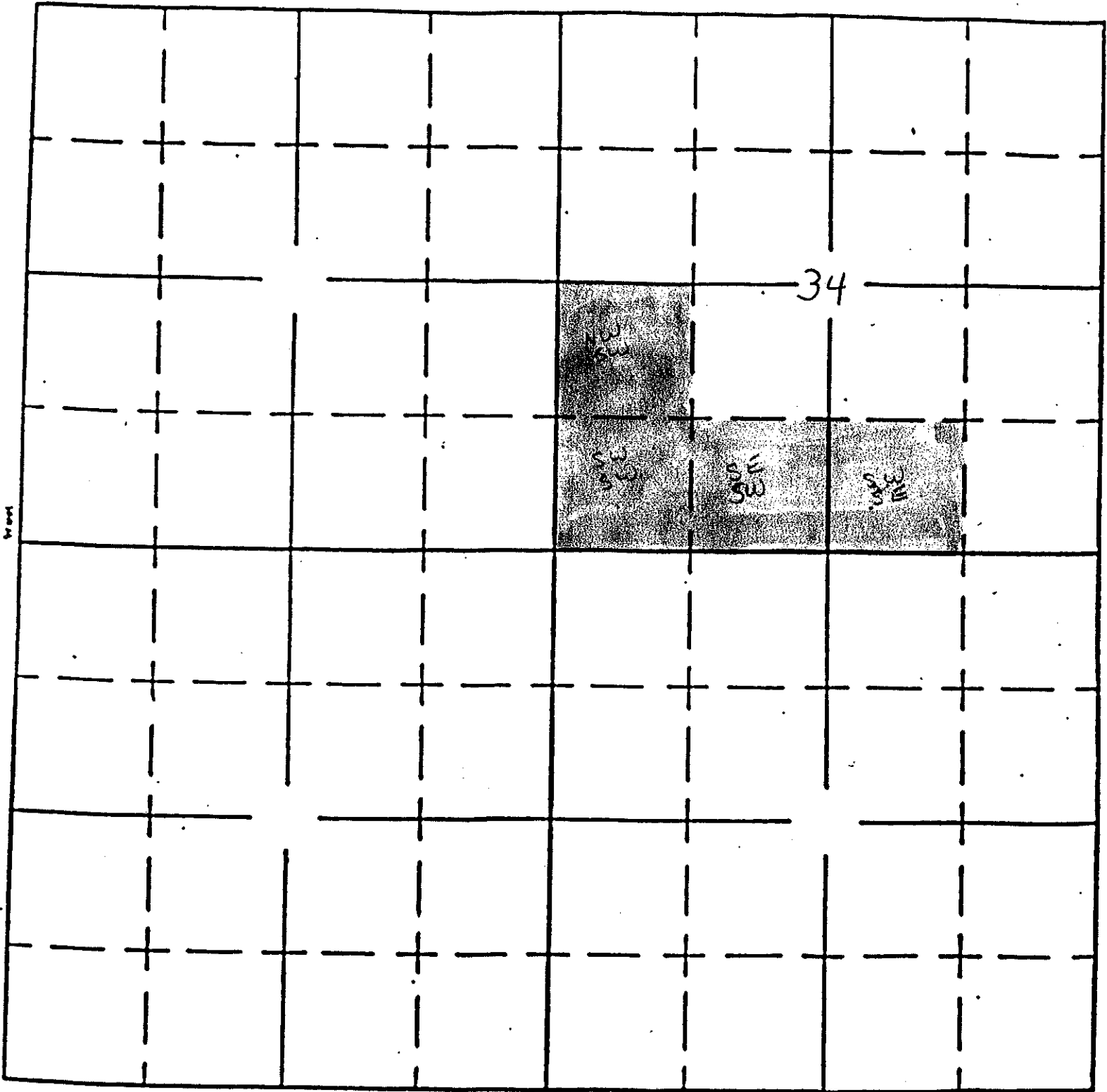
- Legal Descriptions
- Plat Map
- Please return copy to ODVA

SECTION

34

TOWNSHIP 22S, RANGE 31E, W. M.

North



South

APPLICATION No.

PERMIT No.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

August 30, 2005

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane, Washington 99220-2515

Reference: Application G-8145, Permit G-7642

The above referenced water right permit was already in the name of Curtis J. Blackburn after an assignment dated April 11, 2005. The assignment from Curtis J. Blackburn to Northwest Farm Credit Services, FLCA, and Curtis J. Blackburn and Kaeko J. Blackburn, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 76941 covering the recording fee of \$25.00 is also enclosed.

There was an additional form and excess fees in the amount of \$25.00 submitted with this request. Enclosed please find a refund check in the amount of \$25.00.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 76941

cc: Watermaster 10
Curtis J. and Kaeko J. Blackburn
Data Center, OWRD
Mary Rohling
File



REQUEST FOR ASSIGNMENT

We, (permit holder, applicant) Walter J. Hout, III and Betty Jean Hout, husband and wife

Route 1, Box 70 Burns, OR 97720 (541) 573-7435
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application # _____, Permit # G7642 _____;

OR GR Statement # _____, GR Certificate of Registration # _____ as filed in the office of the Water Resources Director. TO:

Northwest Farm Credit Services, FLCA and Curtis J. Blackburn and Kaeko J. Blackburn, husband and wife
(name of new owner) (phone #)

PO Box 2515 Spokane, WA 99220-2515
(address) (city, state, zip)

32055 Highway 20 Burns, OR 97720
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 2/15 day of MARCH 2005

Applicant/permit holder [Signature]
Curtis J. Blackburn

Applicant/permit holder Kaeko J. Blackburn
Kaeko J. Blackburn

Vertical handwritten notes:
- Dec 10/08
- J. Blackburn
- 1/10/05
- 1/10/05

PLEASE DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
 Fee receipt # 76941
 For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-2430



1700 South Assembly Street
P.O. Box 2515
Spokane, Washington 99220
(509) 340-5300 / Fax (509) 340-5400
1-800-827-6505

August 26, 2005

Water Resourced Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

Re: Curtis Blackburn

Ladies and Gentlemen:

Enclosed please find a Request of Assignment executed by Curtis & Kaeko Blackburn.

Farm Credit Services is taking a security interest in the Assignment, and we are requesting that copies of all notices and correspondence be sent to our office at the above address.

Please sign the bottom of this letter acknowledging receipt of the assignment and return in the enclosed envelope.

If you should have any questions, please feel free to contact me at (509) 340-5684.

Sincerely,

Peggy Wolny
Financial Specialist

Acknowledge receipt of the assignment

Water Resources Department

*RECEIVED (Assignment)
From & RETURNED \$25.00
FILEd ALREADY in CURTIS
Blackburn's Name - 1
[Signature]*

RECEIVED
AUG 29 2005
WATER RESOURCES DEPT
SALEM, OREGON



1700 South Assembly Street
P.O. Box 2515
Spokane, Washington 99220
(509) 340-5300 / Fax (509) 340-5400
1-800-827-6505

August 26, 2005

Water Resourced Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

Re: Curtis Blackburn

Ladies and Gentlemen:

Enclosed please find a Request of Assignment executed by Curtis & Kaeko Blackburn.

Farm Credit Services is taking a security interest in the Assignment, and we are requesting that copies of all notices and correspondence be sent to our office at the above address.

Please sign the bottom of this letter acknowledging receipt of the assignment and return in the enclosed envelope.

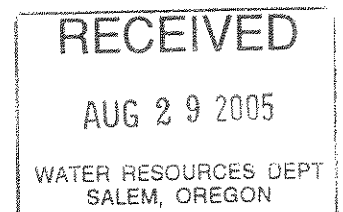
If you should have any questions, please feel free to contact me at (509) 340-5684.

Sincerely,

Peggy Wolny
Financial Specialist

Acknowledge receipt of the assignment

Water Resources Department



STATE OF OREGON REMITTANCE ADVICE

TO SIGN UP FOR DIRECT DEPOSIT PAYMENT SERVICE AND RECEIVE CONVENIENT, ELECTRONIC PAYMENTS, LOG-ON TO <http://egov.oregon.gov/DAS/SCD/SFMS/ach.shtml> ON THE INTERNET. CLICK ON: FORMS AND BROCHURES THEN SELECT DIRECT DEPOSIT (ACH) AUTHORIZATION FORM.

WARRANT NO.
119104237

WATER RESOURCES DEPARTMENT

(503) 986-0926 EXT.

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		76941 - G8145 REVENUE REFUND	690	VP022711	25.00

mailed 9/14/05

VENDOR NAME: NORTHWEST FARM CREDIT SERVICES

ISSUE DATE: 09/08/05 WARRANT AMOUNT 25.00

FOLD ON PERFORATION LINE BELOW  BEFORE DETACHING.

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE AT THE WATERMARK OR CHAIN LINKED SHAPES WHEN HELD TO THE LIGHT

STATE OF OREGON

Dept. of Administrative Services
To the State Treasurer, Salem, OR 97301-3896
WATER RESOURCES DEPARTMENT
(503) 986-0926 EXT.

96-10
1232

CHECK DATE
09/08/05



BANK WARRANT NO.
11 9104237

PAY THIS AMOUNT
\$25.00

DOCUMENT NO.
VP022711

***** TWENTY FIVE AND 00/100 DOLLARS *****

PAY TO THE ORDER OF:

NORTHWEST FARM CREDIT SERVICES
PO BOX 2515
SPOKANE WA 99220

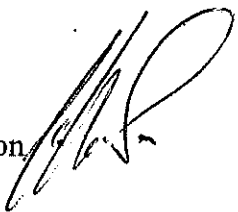
VOID AFTER 2 YEARS FROM DATE OF ISSUE

John J. Fozard
AUTHORIZED SIGNATURE

THE FRONT OF THIS CHECK WAS ANTI-COUNTERFEIT BACKGROUND. EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON THE FRONT SIDE.

⑈9104237⑈ ⑆123200101⑆ 10501⑈

MEMORANDUM

To: GINA BEAMAN, Fiscal
From: JERRY SAUTER, Water Rights Section 
Subject: Request for Refund
Date: 8/30/2005

Please refund \$ 25⁰⁰ to SEE BELOW (unless otherwise noted below)
Application 6-8145 <-----> Receipt 76941

These funds are refunded due to:

Other.. EXCESS ASSIGNMENT FEES 0408

Name : NORTHWEST FARM CREDIT SERVICES

Address: P.O. Box 2515
SPOKANE, WASHINGTON 99220

AUTHORIZED BY:

Dwight Ford, Admin
Signature and title



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

April 13, 2005

Curtis J. Blackburn
707 Ponderosa Village
Burns, Oregon 97720

Reference: Application G-2507, Permit G-2316
Application G-8145, Permit G-7642

Regarding Application G-2507, Permit G-2316, Certificate 35135, since a certificate has been issued for this right it is appurtenant to the land for which it is issued and goes with the land. All that is required is an Ownership Update form to be submitted. There is no fee for this and a form is inclosed for your use.

Regarding Application G-8145, Permit G-7642, the assignment has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 73902 covering the recording fee of \$35.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 73902, Ownership update form

cc: Watermaster 10
Data Center, OWRD
Mary Rohling
File



REQUEST FOR ASSIGNMENT

I, Curtis J. Blackburn
(Name of Applicant / Permit / Transfer Holder)

707 Ponderosa Village Burns OR 97720 541/573-7206
(mailing address) (City) (State) (Zip) (Phone #)

CHECK ONE

- ...hereby assign **all my interest** in and to application/permit/transfer;
- ...hereby assign **all my interest** in and to a **portion** of application/permit/transfer
(You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign **a portion of my interest** in and to the **entire** application/permit/transfer;

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APR 11 2005

WATER RESOURCES DEP
SALEM, OREGON

Application # 6-2507 6-8145, Permit # G2316 G7642, Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # 35135

as filed in the office of the Water Resources Director, to:

Silvies River 1926
Vol 9 Page 209

Curtis J. Blackburn
(Name of New Owner)

707 Ponderosa Village Burns OR 97720 541/573-7206
(mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 8th day of April, 20 05

Applicant/Permit holder Curtis J. Blackburn

Applicant/Permit holder _____

*Obtained by Dept
4/12/05*

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 73902
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

Jerry Sauter

The completed "Request for Assignment" form must be submitted to the Department along with the appropriate recording fees:

- ◆ \$25 for the first page, and
- ◆ \$5 for each additional page.
[as required by ORS 536.050(1)(d)]

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

2800152
2231005

20042370

SHERIFF'S DEED ON EXECUTION

RECEIVED
APR 11 2005
WATER RESOURCES DEPT
SALEM, OREGON

This Indenture, made this 7th day of December, 2004, between David R. Glerup, as Sheriff of Harney County, State of Oregon, the party of the first part, and CURTIS J. BLACKBURN AND KAEKO J. BLACKBURN, the parties of the second part,

Witnesseth, that whereas, by virtue of an Execution duly issued out of and under the seal of the Circuit Court of the State of Oregon, for Harney County, dated the 12th day of July, 2004, upon a judgment enrolled and docketed in the said Court, in which ROBERT H. JONES AND JOHN H. JONES plaintiff(s) and ROBERT L. GREEN, MARY E. GREEN, HOYT RANCHES, INC., ALLEN E. MOORE, JUNE H. MOORE, NEW HOLLAND CREDIT COMPANY, BURNS ELECTRIC INC., AND ACW, INC. were defendant(s), to the Sheriff of said County directed and delivered, commanding him that out of the personal property of said judgment debtor(s) in his County he should cause to be made certain moneys in the said Writ specified, and if sufficient personal property of the said judgment debtor(s) could not be found, then he should cause the amount of said judgment to be made out of the real property belonging to said judgment debtor(s) on the 12th day of July, 2004, or at any time afterward.

And Whereas, because sufficient personal property of said judgment debtor(s) could not be found, whereof the said Sheriff could cause to be made the moneys specified in said Writ, the said Sheriff did, on the 12th day of July, 2004, in obedience to said command, levy on, take and seize all the right, title, interest and claim which the said judgment debtor(s) so had to the lands, tenements, real estate and premises hereinafter particularly set forth and described, with the appurtenances, and did, on the 27th day of August, 2004, sell all the right, title, interest and claim of said judgment debtor(s) in and to the said premises at public auction, at the front steps of the Harney County Courthouse, Burns, State of Oregon, between the hours of nine in the morning and four in the afternoon of that day, namely, at 10:00 o'clock a.m., after having first given due notice of the time and place of said sale according to law, by publishing a printed notice, particularly describing the property, once a week for four successive weeks, making four publishings in all, with the last publication at least one week prior to the day of sale, in the Burns Times Herald, a newspaper of general circulation printed and published in Harney County, Oregon, and by sending forthwith prior to the making of the first of such publishings, a copy of such notice by first class and certified or registered mail to each of the judgment debtors at his/her last-known post-office address or place of residence, at which sale all of the right, title, interest and claim of the said judgment debtor(s) in and to the said premises, were struck off and sold to CURTIS J. BLACKBURN AND KAEKO J. BLACKBURN, for the sum of THREE HUNDRED SEVENTEEN THOUSAND ONE HUNDRED FORTY-NINE dollars and TWENTY-FOUR cents (\$317,149.24) being the highest bidder and that being the highest sum bid therefor.

And Whereas, the said Sheriff, after receiving from the said purchaser the sum of money so bid as aforesaid, gave to the said purchaser such certificate of sale as is by law directed to be given, and the matters contained in such certificate were substantially stated in said Sheriff's return of his proceedings upon said Execution to the director of the Circuit Court of Harney County, State of Oregon.

And Whereas, the said Court, by an order made the 2nd day of December, 2004, duly confirmed said sale, and the time having expired as required by Statute, without any redemption of the said premises having been made,

Now, Therefore, This Indenture Witnesseth: That I, David R. Glerup, Sheriff of said Harney County, by virtue of said Execution and in pursuance of the statute in such cases made and provided for, and in consideration of the said sum of money in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed and confirmed, and by these present do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their successors, heirs and assigns forever, all the right, title, interest and claim which the said defendant(s) in said suit (or any of them) had on the 1st day of July, 2004, or at anytime afterwards, or now have in or to

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APR 11 2005

WATER RESOURCES DEPT
SALEM, OREGON

INSTRUMENT # 2004 2370

all these certain lots, pieces or parcels of land, situated, lying and being in the said Harney County, State of Oregon, and more particularly described as follows, to wit:

Twp. 22S., R. 31E., WM; Sec. 34: W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4, EXCEPTING THEREFROM highway right of way conveyed by deed to the State of Oregon, by and through its State Highway Commission, recorded January 16, 1937, in Book 37, Page 388, Harney County Deed Records.

Together with all the singular tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

To Have and To Hold the same premises, with the appurtenances, unto the said parties of the second part, their successors, heirs and assigns forever, free from all claim thereon upon the part of said defendant(s) (or any of them), and as fully and absolutely as by law the parties of the second part can or ought to have or to hold the same hereunder.

In Witness Whereof, I, the said Sheriff, have hereunto set my hand and seal the day and year first above written.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

David R Glerup, Sheriff
Harney County, Oregon

A.J. Seebart
By: Andrew J. Seebart, Deputy

STATE OF OREGON)
Harney County) ss. 7th December, 2004

This instrument was acknowledge before me by Andrew J. Seebart, as a duly appointed and commissioned deputy of Harney, Sheriff of Harney County, Oregon.

Before me: Maria L. Iturriaga
(Notary Public for Oregon)
My commission expires: 6/25/09



STATE OF OREGON
County of Harney
I certify that the within instrument was received for record on the 11th day of December 2004 at 3:15 o'clock P.M. and recorded official number 20042370 Records of said County.
Maria L. Iturriaga
By: [Signature] Deputy

Platcard Report

Township 22S Range 31E Section 34

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i	12/31/1884	-	Silvies River, 1926			40.0 IR	40.0 IR			40.0 IR	40.0 IR	40.0 IR	40.0 IR						40.0 IR				
	12/31/1908				40.0 IR			40.0 IR									40.0 IR			40.0 IR			
i	09/20/1884	-	Silvies River, 1926											40.0 IR	40.0 IR	40.0 IR				40.0 IR			
i	G2507 12/19/1962	G2316 35135														32.0 IS (s)	39.0 IS (s)			37.5 IS (s)			
i	G3551 06/27/1966	G3340 39661			33.1 IS (s)			33.5 IS (s)										35.7 IS (s)			5.9 IS (s)		
i	G8145 05/19/1977	G7642												39.7 IS (s)		38.2 IS (s)							

Page: 1

[Return to Platcard Query Screen](#)

Run Time: 2 seconds

RECEIVED
APR 11 2005
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

JUN 10 1985
WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number L93528
Borrower's Name HOYT, Betty J.
Mailing Address _____

Property being served by the water:

Township 22 S Township _____ Township _____
Range 31 E Range _____ Range _____
Section 34 Section _____ Section _____
Tract _____ Tract _____ Tract _____

Water Right Numbers: B 2507 Silvies River B 8145
Permit Number(s) G-2316 Dec Vol 9 p 209 B 7642
Certificate Number(s) 35135
Irrigation District Silvies River

108.5 Ac 160 Ac 78 Ac
supp prim supp

The State of Oregon, by and through the Director of Veterans Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

DM

8-9-85

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

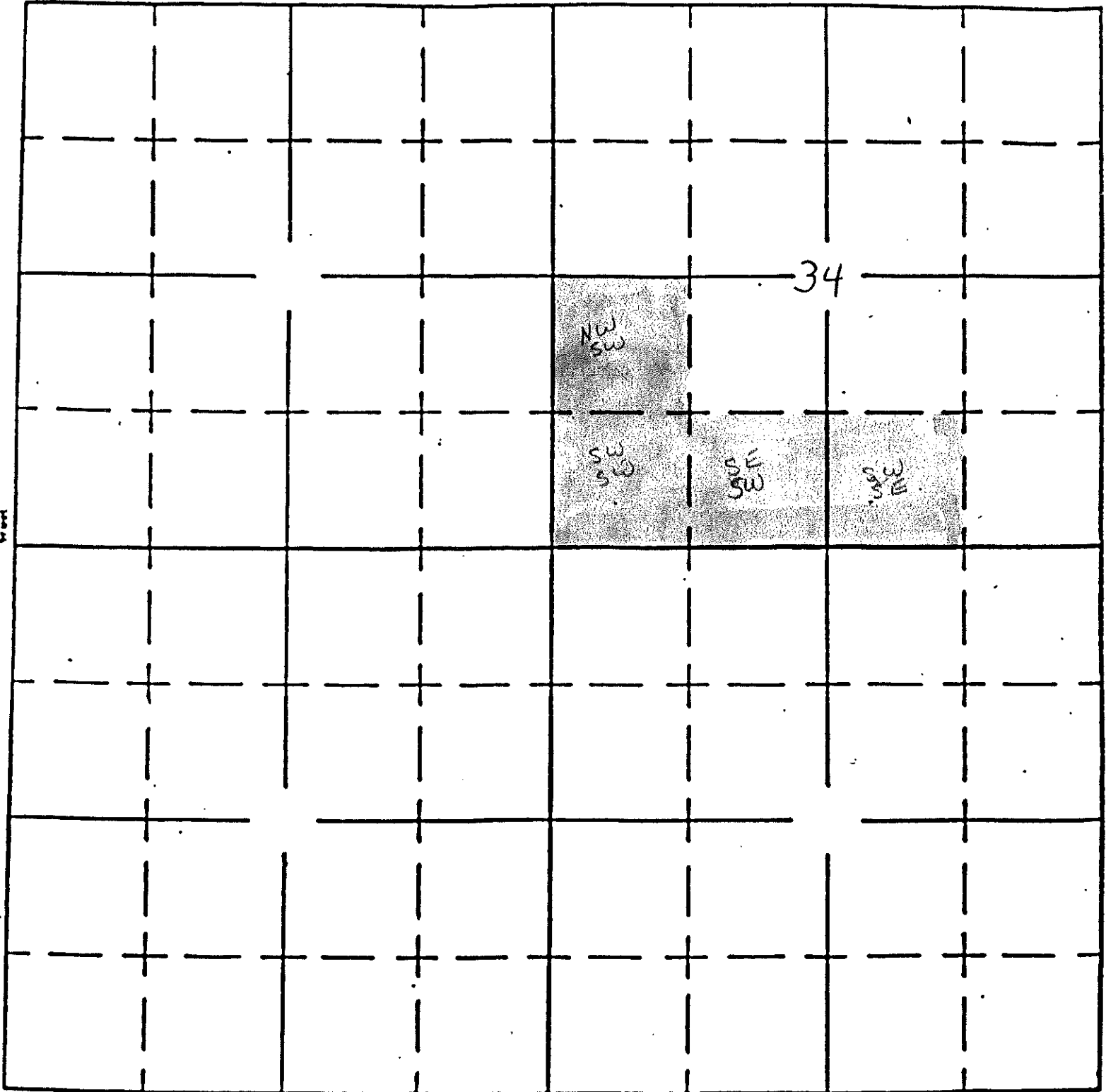
- Legal Descriptions
- Plat Map
- Please return copy to ODVA

SECTION

34

TOWNSHIP 22 S, RANGE 31 E, W. M.

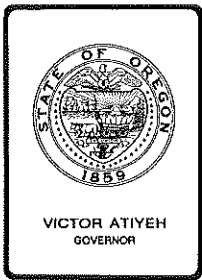
North



South

APPLICATION No.

PERMIT No.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

RECEIVED
DEC - 5 1979
WATER RESOURCES DEPT
SALEM, OREGON

November 14, 1979

G 8145

Walter J. Hoyt
Rt. 1, Box 70
Burns, OR 97720

Dear Mr. Hoyt,

Under the terms of your water right permit G 7642 you had the following time limits:

- B) October 1, 1979 Date to complete construction
- C) October 1, 1980 Date to complete application of water

Enclosed are forms B and C for your use in reporting when each phase of this project was completed.

Sincerely,

Larry M. Toll
Water Rights Engineer

LMT/jg

Application No. G-8145

Permit No. G 7612

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

MAY 19 1977

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPT
SALEM, OREGON

I, WALTER F. HOYT III & BETTY JEAN HOYT
(Name of Applicant)

of P.O. BOX 70 BURNS, ORE
(Mailing Address) (City)

State of OREGON 97120 Phone No. 573-7435 do hereby
(Zip Code)

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 1 WELL
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12 INCHES and an estimated depth of 200 feet.

2. The well or other source is to be located 969.6 ft. N and 2641.7 ft. E
(N, or S.) (E. or W.)

from the S/W corner of SECTION 34
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Sec. 34 Tp. 22 S R. 31 E, W. M., in the county of HARVEY

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
22 S	31 E	34	S/E $\frac{1}{4}$ - S/W $\frac{1}{4}$	SUPPLEMENTAL IRRIGATED 40 ACRES 38.2
22 S	31 E	34	N/W $\frac{1}{4}$ - S/W $\frac{1}{4}$	40 ACRES 29.7
				77.9.

4. It is estimated that 100 ~~200~~ feet of the well will require STEEL casing.
(Kind)

5. Depth to water table is estimated 60 Well drilled by SELF
(Feet)

6. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second or ...600..... gallons per minute.

7. The use to which the water is to be applied isALFALEA HAY.....

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

10. DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

30 H.P. Pump - 500 TO 600 G.P.M. 80 P.S.I.
2600 FT 6 INCH MAIN LINE AND TWO
1/4 MILE WHEEL LINES

11. Construction work will begin on or before.....7/1/77.....

12. Construction work will be completed on or before.....9/1/77.....

13. The water will be completely applied to the proposed use on or before.....9/1/77.....

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right.

Remarks:

Walter H. [unclear]
Signature of Applicant
Petty Jan [unclear]

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion correction.

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before October 3, 1977, or December 9, 1977.

WITNESS my hand this 3rd day of August, 1977.
10th day of October, 1977.

James E. Sexon Water Resources Director

By *[Signature]*

RECEIVED

SEP 19 1977

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

OCT 27 1977

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 19 day of May, 1977, at 11:00 o'clock A.M.

Application No. G-8145

Permit No. G 7642

G-8145

Application No. G-9145

Permit No. G 7642

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.97 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from a well

The use to which this water is to be applied is supplemental irrigation.

If for irrigation, 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.

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

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

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

The priority date of this permit is May 19, 1977

Actual construction work shall begin on or before December 2, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979

Complete application of the water to the proposed use shall be made on or before October 1, 1980

WITNESS my hand this 2nd day of December, 1977

James E. Benson
Water Resources Director

WATER RESOURCES DEPT.
MILL CREEK OFFICE PARK
555 13th ST. N.E.
SALEM, OREGON 97310



Betty & Walter Hoyt, III

RECEIVED

NOV 13 1979

WATER RESOURCES DEPT
SALEM, OREGON

*Rt. 1, Bx. 70
Burns, OR 97720*

Land in Harney County, Oregon, as follows:

In Twp. 22 S., R. 31 E., W.M.:

Sec. 34: $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, SAVE & EXCEPT highway right of way conveyed to the State of Oregon, by and through its State Highway Commission, by Deed recorded Jan. 16, 1937, in Book 37, Page 388, Deed Records.

Application No. *G-8145*
Permit No.

RECEIVED

MAY 19 1977

WATER RESOURCES DEPT
SALEM, OREGON



*WATER Resources Dept.
725 Summers ST. NE, Suite "A"
Salem, OR. 97301-1271*

December 8, 1977

Betty Jean & Walter J. Hoyt III
Route 1, Box 70
Burns, OR 97720

G 8145

G 7642

97301-1271 07



BUSINESS-PROPERTIES
HOMES
RANCHES

B

STATE OF OREGON
Office of the Water Resources Director
Salem, Oregon 97310

According to the terms of Permit No. 67642
construction work was required to be completed on or before

October 1, 1979

A blank upon which to notify this office of the completion of such work is attached to your permit. If the work has been completed, you should promptly fill out and forward this notice. If the work was not completed but has been prosecuted with reasonable diligence, an application for extension of time may be submitted.

If the work has been abandoned or has not been prosecuted with reasonable diligence, notice to this effect together with authority to cancel the permit would be greatly appreciated.

Form 690-10-91

68145

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **76941**

INVOICE # _____

RECEIVED FROM: <u>Summit Credit Services</u>	APPLICATION # <u>8145</u>
BY: _____	PERMIT _____
CASH: <input type="checkbox"/>	TRANSFER _____
CHECK # <u>2767</u>	TOTAL REC'D \$ <u>50.00</u>
OTHER: (IDENTIFY) _____	

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$ _____
OTHER: (IDENTIFY) _____	\$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS	
0407 COPY & TAPE FEES	\$ _____
0410 RESEARCH FEES	\$ _____
0408 MISC REVENUE: (IDENTIFY) <u>Assignment</u>	\$ <u>50.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240 EXTENSION OF TIME	\$ _____

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
WELL CONSTRUCTION:		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)	\$ _____
HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **76941** DATED: 7/29/80 BY: Albin

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **73902**

INVOICE # _____

RECEIVED FROM: <u>Curtis J Blackburn</u>	APPLICATION # <u>68145</u>
BY: _____	PERMIT _____
CASH: <input type="checkbox"/>	TRANSFER _____
CHECK # <u>2767</u>	TOTAL REC'D \$ <u>35.00</u>
OTHER: (IDENTIFY) _____	

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$ _____
OTHER: (IDENTIFY) _____	\$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS	
0407 COPY & TAPE FEES	\$ _____
0410 RESEARCH FEES	\$ _____
0408 MISC REVENUE: (IDENTIFY) <u>assignment</u>	\$ <u>35.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240 EXTENSION OF TIME	\$ _____

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
WELL CONSTRUCTION:		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)	\$ _____
HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **73902** DATED: 4/11/05 BY: Linda Dieckman

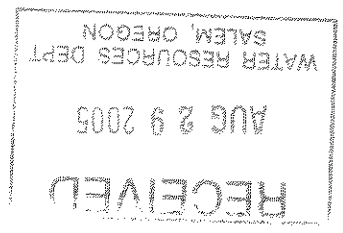
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

DETACH BEFORE DEPOSITING

Memo: RE: 50318-441

Date: 08/25/2005 Amount: \$50.00

Mail To: Curtis J Blackburn
707 Ponderosa Village
Burns, OR 97720



Customer No. Account No. 050318 050318-441-001-99
Amount \$50.00

Paid To: Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-2430

Comments: Curtis Blackburn Water Rights

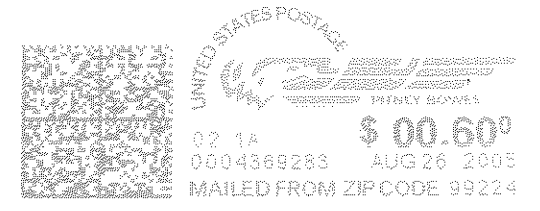
Control No.: 73007575



NORTHWEST

FARM CREDIT SERVICES

1700 S. Assembly St.
P.O. Box 2515
Spokane, WA 99220-2515



Water Resourced Department
725 Summer Street NE, Suite A
Salem, OR 97301=2430

Acknowledgment in an Individual Capacity

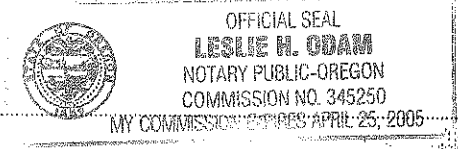
State of OREGON

County of WASCO

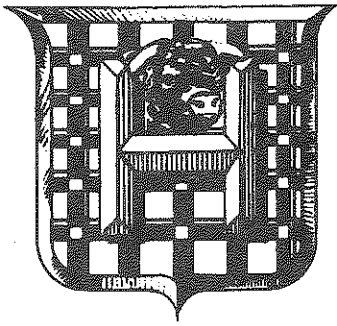
This instrument was acknowledged before me on MARCH 21, 2005 by CURTIS J. BLACKBURN AND KAREO J. BLACKBURN

Leslie H. Odam
Notary Public - State of Oregon

My commission expires: 4/25/2005



Registered Shorthorns



Hoyt and Sons
Burns, Oregon 97720

RECEIVED

NOV 13 1979

WATER RESOURCES DEPT
SALEM, OREGON

WE SENT THIS COMPLETED APPLICATION
TO YOU OVER A YEAR AGO.

PLEASE CHECK AND ADVISE AND
SEND ANOTHER FORM IF YOU
CANNOT LOCATE

Walter Hoyt

REQUEST FOR ASSIGNMENT

We, (permit holder, applicant) Walter J. Hout, III and Betty Jean Hout, husband and wife

Route 1, Box 70 Burns, OR 97720 (541) 573-7435
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application # _____, Permit # 7642 _____;

OR GR Statement # _____, GR Certificate of Registration # _____ as filed in the office of the Water Resources Director. TO:

Northwest Farm Credit Services, FLCA and Curtis J. Blackburn and Kaeko J. Blackburn, husband and wife
(name of new owner) (phone #)

PO Box 2515 Spokane, WA 99220-2515
(address) (city, state, zip)

32055 Highway 20 Burns, OR 97720
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

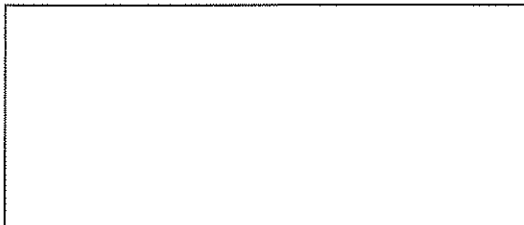
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 21st day of MARCH, 2005

Applicant/permit holder Curtis J. Blackburn
Curtis J. Blackburn

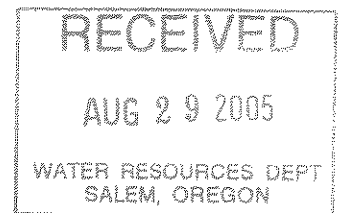
Applicant/permit holder Kaeko J. Blackburn
Kaeko J. Blackburn

PLEASE DO NOT WRITE IN THIS BOX



The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-2430



Application No. G-8145

Permit No. G 7612

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

MAY 19 1977

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPT
SALEM, OREGON

WALTER J. HOYT III & BETTY JEAN HOYT
(Name of Applicant)

of RT 1 Box 70 TURNS, ORE
(Mailing Address) (City)

State of OREGON 97120 Phone No. 503-7435
(Zip Code)

do hereby make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 1 WELL
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12 INCHES and an estimated depth of 200 feet.

2. The well or other source is to be located 969.6 ft. N and 2641.7 ft. E
(N. or S.) (E. or W.)

from the S/W corner of SECTION 34
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the SW 1/4 of the SE 1/4 of
Sec. 34 Tp. 22 S R. 31 E, W. M., in the county of HARVEY

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
22 S	31 E	34	S/E 1/4 - S/W 1/4	SUPPLEMENTAL IRRIGATED 140 ACRES 38.2
22 S	31 E	34	N/W 1/4 - S/W 1/4	140 ACRES 39.7
				77.9

4. It is estimated that 100 feet of the well will require STEEL casing.
(Kind)

5. Depth to water table is estimated 60 Well drilled by SELF
(Feet)

Field form

Application No. G-8145

Permit No. G 7642

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

MAY 19 1977

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPT
SALEM, OREGON

WALTER F. HOYT III & BETTY JEAN HOYT
(Name of Applicant)

RT 1 BOX 70 BURNS, ORE
(Mailing Address) (City)

State of OREGON 97720 Phone No. 503-7435 do hereby
(Zip Code)

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 1 WELL
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12 INCHES and an estimated depth of 200 feet.

2. The well or other source is to be located 969.6 ft. N and 2641.7 ft. E
(N. or S.) (E. or W.)

from the S/W corner of SECTION 34
(Public Land Survey Corner)

(If there is more than one well, each must be described)

being within the SW 1/4 of the SE 1/4 of
Sec. 34 Tp. 22 S R. 31 E, W. M., in the county of HARVEY

3. Location of area to be irrigated, or place of use if use other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
22 S	31 E	34	S/E 1/4 - S/W 1/4	SUPPLEMENTAL IRRIGATED 40 acres 38.2
22 S	31 E	34	N/W 1/4 - S/W 1/4	40 acres 39.7

NO #
w/dw
ASSI -
disconnected
Per No. 104
6/3/03
8m

Burns
12/1/03

6. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second or 600..... gallons per minute.

7. The use to which the water is to be applied is ALFALFA HAY

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

10.

DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

30 H.P. Pump - 500 TO 600 G.P.M. 50 P.S.I.
2600 FT 6 INCH MAIN LINE AND TWO
1/4 MILE WHEEL LINES

11. Construction work will begin on or before 7/1/77

12. Construction work will be completed on or before 9/1/77

13. The water will be completely applied to the proposed use on or before 9/1/77

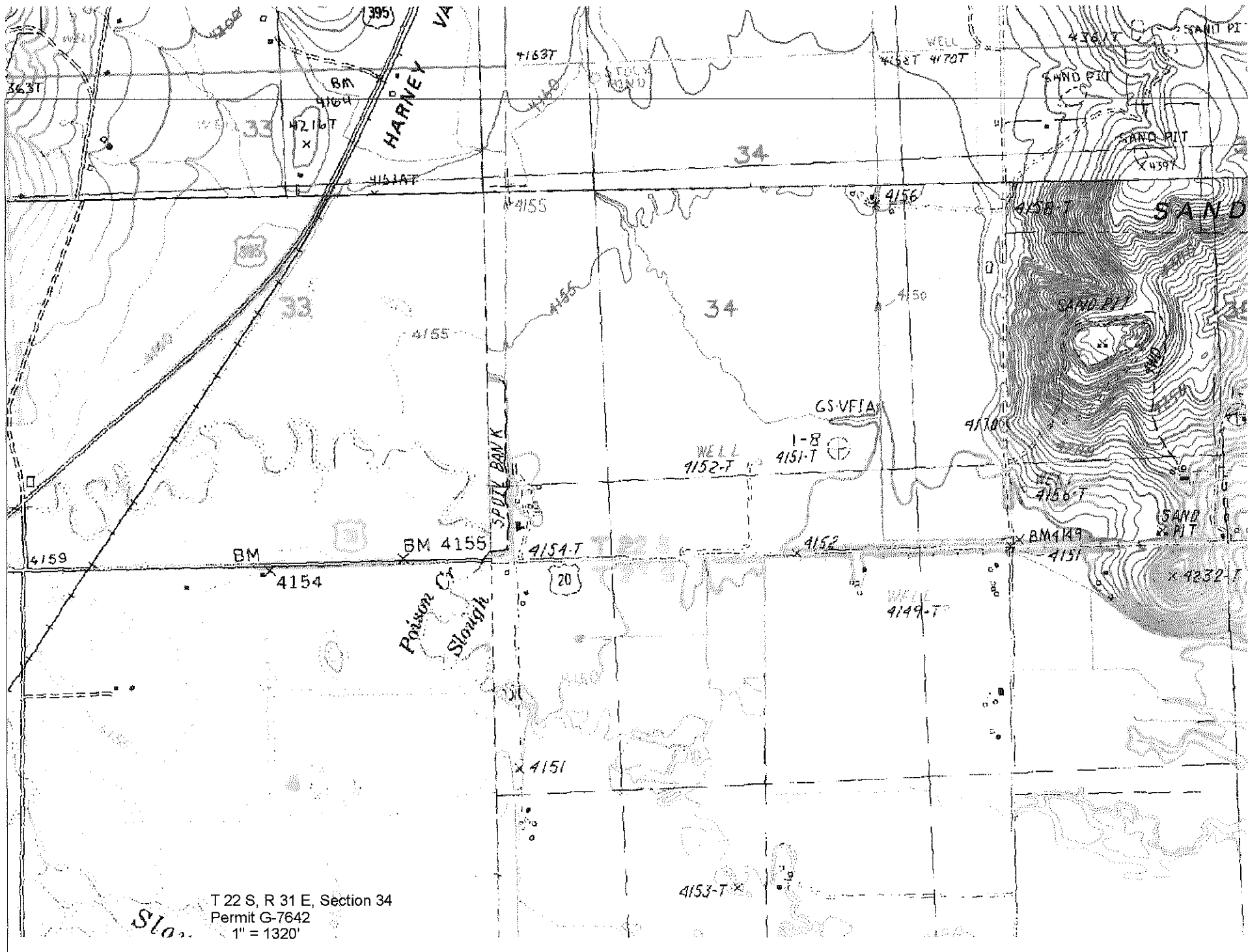
14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right.

Application No.

G-8145

Permit No.

G 7642



T 22 S, R 31 E, Section 34
 Permit G-7642
 1" = 1320'

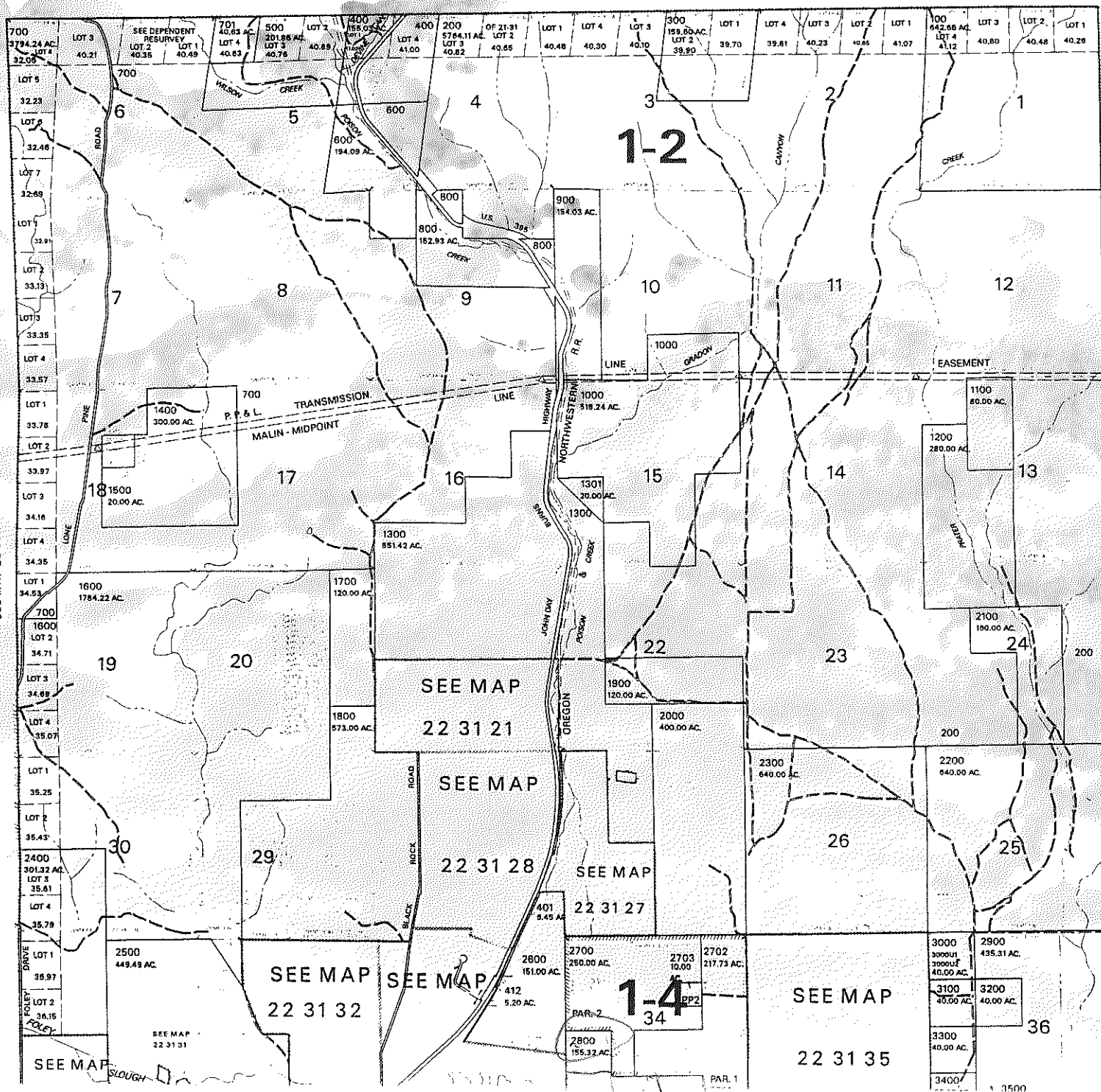
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

T.22S. R.31E. W.1M.
ARNEY COUNTY

1" = 2000'
SEE MAP 21 31

22 31
& INDEX

0 2000 4000
SCALE IN FEET



TL 2800
BOIS GREEN
32055 Hwy 20 E
BURAK, OR 97720

573-3054
disconnected
w/3/03
per d.A.

541-
~~573-3054~~

- CANCELLED NO.
- 402
 - 403
 - 404
 - 405
 - 406
 - 407
 - 408
 - 409
 - 410
 - 411
 - 413

SEE MAP 22 32

REVISED: RT
03/29/02

22 31

20001253

TRUST DEED

ROBERT L. GREEN and MARY E. GREEN
HC 73 BOX 1800
BURNS, OR 97720

Grantor
HOYT RANCHES, INC.
HC 71 Box 70
Burns, OR 97720

Beneficiary

After recording return to: ESCROW NO. BUH15323A
AMERITITLE-BURNS
111 WEST WASHINGTON
BURNS, OR 97720

STATE OF OREGON
County of Harney

I certify that the within instrument was received
for record on the 15 day of July
2000 at 3:27 o'clock P.M. and
recorded Microfilm number 20001253

Records of said County.
By: Maria Irujo County Clerk
Deputy

TRUST DEED

THIS TRUST DEED, made on JUNE 20, 2000, between
ROBERT L. GREEN and MARY E. GREEN, husband and wife, as Grantor,
AMERITITLE, an Oregon Corporation, as Trustee, and
HOYT RANCHES, INC., as Beneficiary,

WITNESSETH:

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with
power of sale, the property in HARNEY County, Oregon, described as:

Land in Harney County, Oregon, as follows:

In Twp. 22 S., R. 31 E., W.M.:

Sec. 34: W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4, SAVE & EXCEPT
highway right of way conveyed to the State of Oregon,
by and through its State Highway Commission, by deed
recorded January 16, 1937, Book 37, Page 388, Deed
Records.

THIS INSTRUMENT IS SUBJECT TO AND INFERIOR TO A DEED OF TRUST EXECUTED BY
GRANTORS HEREIN FOR THE BENEFIT OF ROBERT H. JONES AND JOHN H. JONES,
RECORDED JUNE 20, 2000, AS INSTRUMENT NO. 20001252.

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

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of
ONE HUNDRED FORTY THOUSAND Dollars, with interest thereon

according to the terms of a promissory note of even date herewith, payable to beneficiary or order and made payable by grantor, the
final payment of principal and interest hereof, if not sooner paid, to be due and payable June 20 2005.

The date of maturity of the debt secured by this instrument is the date, stated above, on which the final installment of said note
becomes due and payable. In the event the within described property, or any part thereof, or any interest therein is sold, agreed to
be sold, conveyed, assigned, or alienated by the grantor without first having obtained the written consent or approval of the bene-
ficiary, then, at the beneficiary's option, all obligations secured by this instrument, irrespective of the maturity dates expressed
therein or herein, shall become immediately due and payable.

To protect the security of this trust deed, grantor agrees:

1. To protect, preserve and maintain said property in good condition and repair; not to remove or demolish any building or im-
provement thereon; not to commit or permit any waste of said property.
2. To complete or restore promptly and in good workmanlike manner any building or improvement which may be constructed,
damaged or destroyed thereon, and pay when due all costs incurred therefor.
3. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property; if the beneficiary
so requests, to join in executing such financing statements pursuant to the Uniform Commercial Code as the beneficiary may require
and to pay for filing same in the proper public office or offices, as well as the cost of all lien searches made by filing officers or
searching agencies as may be deemed desirable by the beneficiary.
4. To provide and continuously maintain insurance on the buildings now or hereafter erected on said premises against loss or damage
by fire and such other hazards as the beneficiary may from time to time require, in an amount not less than the full insurable value,
written in companies acceptable to the beneficiary, with loss payable to the latter; all policies of insurance shall be delivered to the
beneficiary as soon as insured; if grantor shall fail for any reason to procure any such insurance and to deliver said policies to the
beneficiary at least fifteen days prior to the expiration of any policy of insurance now or hereafter placed on said buildings, the
beneficiary may procure same at grantor's expense. The amount collected under any fire or other insurance policy may be applied by
beneficiary upon any indebtedness secured hereby and in such order as beneficiary may determine, or at option of beneficiary the
entire amount so collected, or any part thereof, may be released to grantor. Such application or release shall not cure or waive any
default or notice of default hereunder or invalidate any act done pursuant to such notice.
5. To keep said premises free from construction liens and to pay all taxes, assessments and other charges that may be levied or
assessed upon or against said property before any part of such taxes, assessments and other charges become past due or delinquent and
promptly deliver receipts therefor to beneficiary; should the grantor fail to make payment of any taxes, assessments, insurance
premiums, liens or other charges payable by grantor, either by direct payment or by providing beneficiary with funds with which to
make such payment, beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth
in the note secured hereby, together with obligations described in paragraphs 6 and 7 of this trust deed, shall be added to and become
a part of the debt secured by this trust deed, without waiver of any rights arising from breach of any of the covenants hereof and for
such payments, with interest as aforesaid, the property hereinbefore described, as well as the grantor, shall be bound to the same
extent that they are bound for the payment of the obligation herein described; and all such payments shall be immediately due and
payable without notice, and the nonpayment thereof shall, at the option of the beneficiary, render all sums secured by this trust deed
immediately due and payable and constitute a breach of this trust deed.
6. To pay all costs, fees and expenses of this trust deed including the cost of title search as well as the other costs and expenses of
the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred.
7. To appear in and defend any action or proceeding purporting to affect the security rights or powers of beneficiary or trustee; and
in any suit, action or proceeding in which the beneficiary or trustee may appear, including any suit for the foreclosure of this deed,
to pay all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney's fees; the amount of attorney's
fees mentioned in this paragraph 7 in all cases shall be fixed by the trial court and in the event of an appeal from any judgement or
decree of the trial court, grantor further agrees to pay such sum as the appellate court shall adjudge reasonable as the beneficiary's
or trustee's attorney's fees on such appeal.

It is mutually agreed that:

8. In the event that any portion or all of said property shall be taken under the right of eminent domain or condemnation, beneficiary
shall have the right, if it so elects, to require that all or any portion of the monies payable as compensation for such taking, which are

NOTE: The Trust Deed Act provides that the Trustee hereunder must be either an attorney, who is an active member of the Oregon
State Bar, a bank, trust company, or savings and loan association authorized to do business under the laws of Oregon or the United
States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches,
the United States or any agency thereof, or an escrow agent licensed under ORS 696 505 to 696 585.

115

20001252



TRUST DEED

Robert L. Green and Mary E. Green

STATE OF OREGON, County of Harney } ss.

I certify that the within instrument was received for record on the 20 day of June, 2000, at 3:24 o'clock P.M., and recorded in book/reel/volume No. and/or as fee/file/instrument/microfilm/reception No. 20001252 Record of Harney of said County.

SPACE RESERVED FOR RECORDER'S USE

Grantor's Name and Address Robert H. Jones and John H. Jones 64654 Ranch Road Joseph, OR 97846

Beneficiary's Name and Address After recording, return to (Name, Address, Zip): Robert H. Jones 64654 Ranch Road Joseph, OR 97846

Witness my hand and seal of County affixed.

Signature of Deputy County Clerk: Maria J. ...

THIS TRUST DEED, made this 20th day of June, 2000 between Robert L. Green and Mary E. Green

Amer Title as Grantor, as Trustee, and

Robert H. Jones and John H. Jones as Beneficiary,

WITNESSETH:

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with power of sale, the property in Harney County, Oregon, described as:

Township 22 South, Range 31 East, Willamette Meridian Section 34: W1/2SW1/4, SE1/4SW1/4, SW1/4 SE1/4, EXCEPTING THEREFROM highway right of way conveyed by deed to the State of Oregon, by and through its State Highway Commission, recorded January 16, 1937, in Book 37, Page 388, Harney County Deed Records

to, other with all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appertaining, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property. *subject to Exhibit A attached hereto and by this referenced incorporated herein.

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of Two Hundred Thousand and no/100 Dollars (\$200,000.00)

Dollars, with interest thereon according to the terms of a promissory note of even date herewith, payable to beneficiary or order and made by grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable June 20, 2005.

The date of maturity of the debt secured by this instrument is the date, stated above, on which the final installment of the note becomes due and payable.

To protect the security of this trust deed, grantor agrees: 1. To protect, preserve and maintain the property in good condition and repair; not to remove or demolish any building or improvement thereon; not to commit or permit any waste of the property.

2. To complete or restore promptly and in good and habitable condition any building or improvement which may be constructed, damaged or destroyed thereon, and pay when due all costs incurred therefor.

3. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property; if the beneficiary so requests, to join in executing such financing statements pursuant to the Uniform Commercial Code as the beneficiary may require and to pay for filing same in the proper public office or offices, as well as the cost of all lien searches made by filing officers or searching agencies as may be deemed desirable by the beneficiary.

4. To provide and continuously maintain insurance on the buildings now or hereafter erected on the property against loss or damage by fire and such other hazards as the beneficiary may from time to time require, in an amount not less than \$50,000.00 written in companies acceptable to the beneficiary, with loss payable to the latter; all policies of insurance shall be delivered to the beneficiary as soon as insured; if the grantor shall fail for any reason to procure any such insurance and to deliver the policies to the beneficiary at least fifteen days prior to the expiration of any policy of insurance now or hereafter placed on the buildings, the beneficiary may procure the same at grantor's expense. The amount collected under any fire or other insurance policy may be applied by beneficiary upon any indebtedness secured hereby and in such order as beneficiary may determine, or at option of beneficiary the entire amount so collected, or any part thereof, may be released to grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

5. To keep the property free from construction liens and to pay all taxes, assessments and other charges that may be levied or assessed upon or against the property before any part of such taxes, assessments and other charges become past due or delinquent and promptly deliver receipts therefor to beneficiary; should the grantor fail to make payment of any taxes, assessments, insurance premiums, liens or other charges payable by grantor, either by direct payment or by providing beneficiary with funds with which to make such payment, beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth in the note secured hereby, together with the obligations described in paragraphs 6 and 7 of this trust deed, shall be added to and become a part of the debt secured by this trust deed, without waiver of any rights arising from breach of any of the covenants hereof and for such payments, with interest as aforesaid, the property hereinbefore described, as well as the grantor, shall be bound to the same extent that they are bound for the payment of the obligation herein described, and all such payments shall be immediately due and payable without notice, and the nonpayment thereof shall, at the option of the beneficiary, render all sums secured by this trust deed immediately due and payable and constitute a breach of this trust deed.

6. To pay all costs, fees and expenses of this trust including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred.

7. To appear in and defend any action or proceeding purporting to affect the security rights or powers of beneficiary or trustee; and in any suit, action or proceeding in which the beneficiary or trustee may appear, including any suit for the foreclosure of this deed or any suit or action related to this instrument, including but not limited to its validity and/or enforceability, to pay all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney fees; the amount of attorney fees mentioned in this paragraph 7 in all cases shall be fixed by the trial court and in the event of an appeal from any judgment or decree of the trial court, grantor further agrees to pay such sum at the appellate court shall adjudge reasonable as the beneficiary's or trustee's attorney fees on such appeal. It is mutually agreed that:

8. In the event that any portion or all of the property shall be taken under the right of eminent domain or condemnation, beneficiary shall have the right, if it so elects, to require that all or any portion of the monies payable as compensation for such taking,

NOTE: The Trust Deed Act provides that the trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 696.505 to 696.583.

RECEIVED

SEP 13 1977

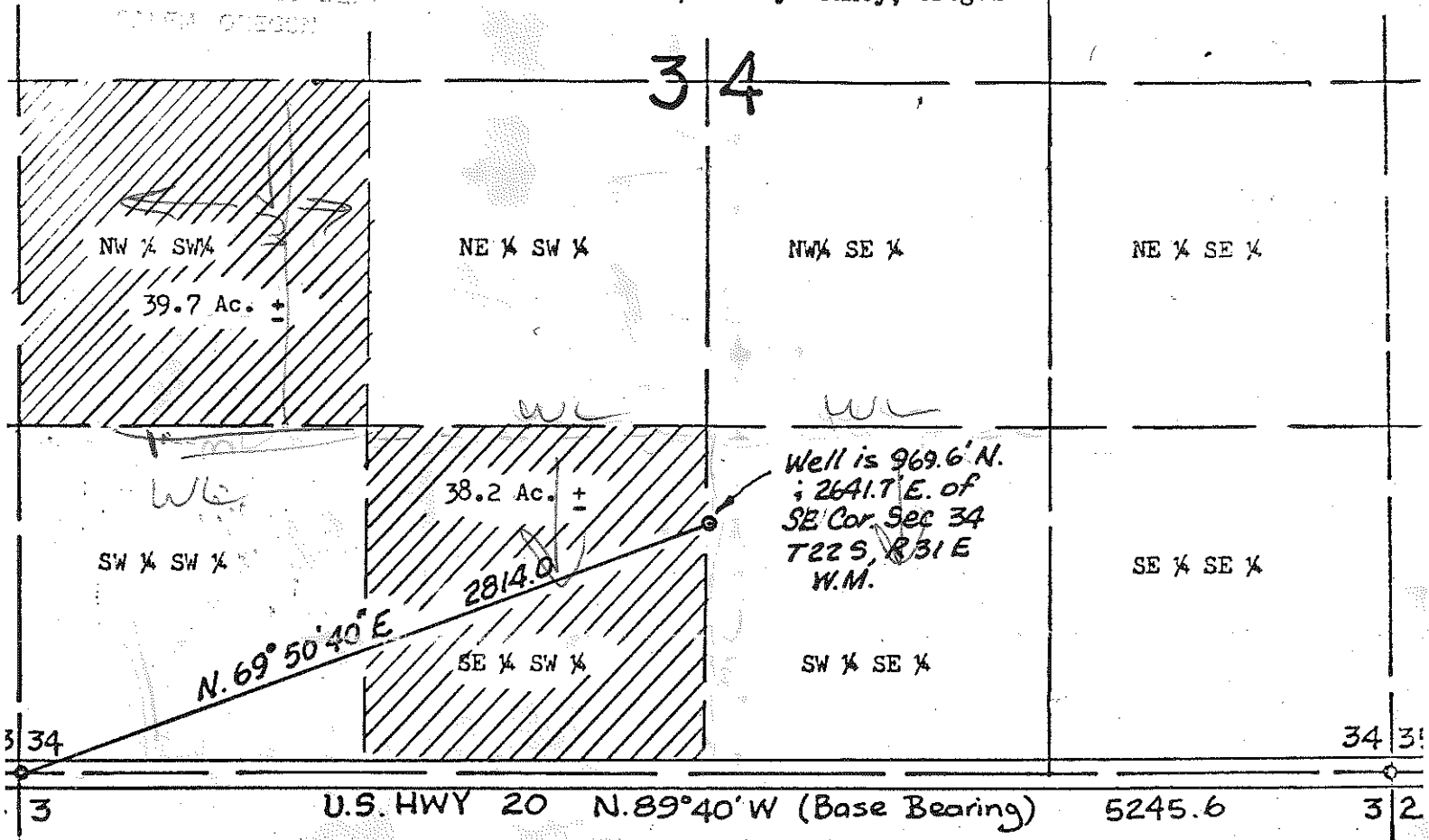
WELL LOCATION

WATER RESOURCES DEPT

Situated in the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 34;
Township 22 South; Range 31 East; of the
Willamette Meridian; Harney County, Oregon

LAND OREGON

WATER RESOURCES DEPT
LAND OREGON



1 inch = 10 chains = 660 feet

Certification

I, C.F. Palmer, Civil Engineer registered in accordance with the laws of the State of Oregon, do hereby certify that this plat correctly shows the location of a well; that this plat was drawn from notes taken during a survey made on September 6, 1977 at the request of Betty J. and Walter J. Hoyt, III of Burns, Oregon.

Application No. G 8145

Permit No. G 7642



*power line to
meta pole line
no meter
bump bar*

8" iron pipe

*Testimony
Mc. VSI-7042
Com-406
checked*

6/3/03

- Blackburn Realty -

Jones, Robert
deed holder
Joseph?
Jones Sam
Dad

Went to house on this lot. we are in
current land name in book. I got
from Martin King that they are trying to get the
plan book

land owner
well depth - 1
static -
Bowls -
CASING 12"

went to well took GPS reading
with a 10 ft thrust well. did not notice
any more water. few pump
has 8" steel out of pump. the
main line has above ground
the main line is hard to see. There
center section of the water is
there are 2 - 4" wt of the
main line is not hard to see
Some bent & capped
Some M for (pl)
hoses or pipe

3 WL above the w/ well w/ 32 heads
each
600 - 70 PSI

Power to meter - we were in
well has air line
no other gauges for the flow
fine little F

need to get a hold of W + find out who
last merged

6/4/03 stopped by house this evening - caretaker gave me Beth Greens
Daughter for info. Greens may be defaulting on contract. Alisha Peter -
Peter met @ property this PM. gm.
Theresa & David

Greens moved on place in July 2000 ± and said didn't on
summer of 2000. WL on
-Alfalha-

490 7269
Beth Green - 541 352 7490
Daughter - 573 5442

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
Office of County Assessor - Harney County

*Deed of Trust
Robert Jones
20001252
20001253*

Reference # 8081

Code Area 1-4

Map # 22 31

Tax Lot # 2800

Acres 155.32

Legal Description	Date	Deed Record
Land in Harney County, Oregon, as follows:		
Township 22 S., Range 31 E., W.M. Section 34: W1/2SW1/4, SE1/4SW1/4, SW1/4SE1/4 EXCEPTING THEREFROM highway right of way conveyed by Deed to the State of Oregon, by & through its State Highway Commission, recorded January 16, 1937, in Book 37, Page 388, Harney County Deed Records.		
Leonard F. Lazarus & Delphine Lazarus	8/22/50	52 624
Park & Recreation District	1969	J 377
Allen D. Sherburn & Janet Sherburn	10/16/72	93 514
Betty Jean Hoyt	8/18/75	99 100
Easement	7/23/80	112 617
Easement	9/25/81	115 506
B&S: Hoyt & Sons to Walter J. Hoyt III & Betty Jean Hoyt	4/9/91	910516
Contract of Sale: Betty Jean Hoyt to Hoyt & Sons Ranch Properties, Ltd., a Nevada Limited Partnership	8/21/92	921340
Trustee's Deed: Michael A. Grassmueck, Inc., Trustee of the Bankruptcy Estate in regards to Hoyt & Sons Ranch Properties, Ltd., a Nevada Limited Partnership, Case No. 395-33267-elpll to Robert Henry Jones & John H. Jones, not as tenants in common but with the rights of survivorship	10/31/97	972274
Power of Attorney: John Jones to Robert Jones	6/20/00	20001249
WD: Robert Henry Jones & John H. Jones, not as tenant. in common, but with the right of survivorship, to Hoyt Ranches, Inc.	6/20/00	20001250
WD: Hoyt Ranches, Inc. to Robert L. Green & Mary E. Green, husband & wife	6/20/00	20001251

Platcard Report

Township 22S Range 31E Section 34

					NE				NW				SW				SE					
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
12/31/1884	-	Silvies River, 1926				40.0 IR	40.0 IR		40.0 IR	40.0 IR	40.0 IR	40.0 IR						40.0 IR				
12/31/1908					40.0 IR			40.0 IR									40.0 IR			40.0 IR		
09/20/1884	-	Silvies River, 1926											40.0 IR	40.0 IR	40.0 IR				40.0 IR			
G2507 12/19/1962	G2316 35135														32.0 IS (s)	39.0 IS (s)			37.5 IS (s)			
G3551 06/27/1966	G3340 39661				33.1 IS (s)			33.5 IS (s)									35.7 IS (s)			5.9 IS (s)		
G8145 05/19/1977	G7642												39.7 IS (s)			38.2 IS (s)						

Page:1

[Return to Platcard Query Screen](#)

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 6 seconds

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 22 South Range: 31 East Section: 34 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ	
<u>Select</u> Decree:Vol:9 Page:79 [Silvies River, 1926] * <u>Additional Info:</u> J T BAKER Decree: SILVIES RIVER, 1926		12/31/1884	IRRIGATION						40	40		40	40	40									40		
<u>Select</u> Decree:Vol:9 Page:79 [Silvies River, 1926] * <u>Additional Info:</u> J T BAKER Decree: SILVIES RIVER, 1926		12/31/1908	IRRIGATION					40			40										40			40	
<u>Select</u> Decree:Vol:9 Page:79 [Silvies River, 1926] * <u>Additional Info:</u> FRANK WHITING Decree: SILVIES RIVER, 1926		9/20/1884	IRRIGATION													40	40	40					40		
<u>Select</u> Permit:G 7642 * <u>Additional Info:</u> CURTIS BLACKBURN App: G8145 Permit: G7642		5/19/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													39.7	38.2								
<u>Select</u> Cert:35135 OR * <u>Additional Info:</u> BURTT SCRODER App: G2507 Permit: G2316 Cert: 35135		12/19/1962	SUPPLEMENTAL IRRIGATION (Suppl'mtl)														32	39						37.5	
<u>Select</u> Cert:39661 OR * <u>Additional Info:</u> GEORGE W PURDY App: G3551 Permit: G3340 Cert: 39661		6/27/1966	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					33.1			33.5									35.7				5.9	

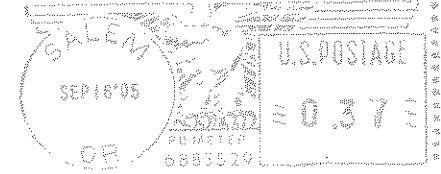
Per WRIS - Non-Cancelled

Acreeage Legend: 12.25 Regular acreeage ~~12.25~~ Acreeage is on a canceled right (12.25) Acreeage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreeage has been suspended * Acreeage is not specified

W R & A D J

Oregon

Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301-1266



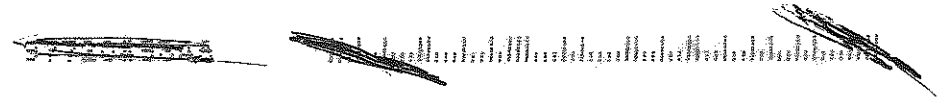
ADDRESS SERVICE REQUESTED



NO ONE PICKED UP.

- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed Refused
- Attempted - Not Known
- No Such Street No ...
- Route No. _____ Date _____
- Carr/Initials _____

G-8145
CURTIS & KACKO BLACKBURN
32055 HWY 20
BURNS, OR 97720



WR&ADJ

Oregon

Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

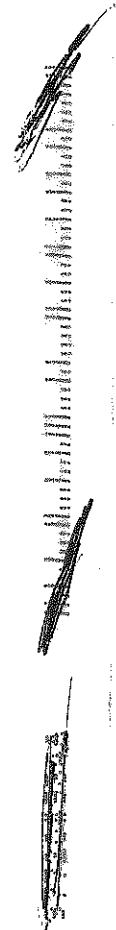


- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed
- Refused
- Attempted - Not Known
- No Such Street
- No Route No.
- No Carr./Initials
- No Date



NO ONE PICKED UP.

G-8145
CURTIS & KACKO BLACKBURN
32055 HWY 20
BURNS, OR 97720



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

August 30, 2005

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane, Washington 99220-2515

Reference: Application G-8145, Permit G-7642

The above referenced water right permit was already in the name of Curtis J. Blackburn after an assignment dated April 11, 2005. The assignment from Curtis J. Blackburn to Northwest Farm Credit Services, FLCA, and Curtis J. Blackburn and Kaeko J. Blackburn, has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 76941 covering the recording fee of \$25.00 is also enclosed.

There was an additional form and excess fees in the amount of \$25.00 submitted with this request. Enclosed please find a refund check in the amount of \$25.00.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 76941

cc: Watermaster 10
Curtis J. and Kaeko J. Blackburn
Data Center, OWRD
Mary Rohling
File

WR&ADJ
Oregon

Water Resources Department
725 Summer Street NE Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



NO ONE PICKED UP.



- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Incorrect
- Attempted - Not Known
- No Such Street
- No Carr/Initials
- No Date

G-8145
CURTIS & KACKO BLACKBURN
32055 HWY 20
BURNS, OR 97720

REQUEST FOR ASSIGNMENT

We, (permit holder, applicant) Walter J. Hout, III and Betty Jean Hout, husband and wife

Route 1, Box 70 Burns, OR 97720 (541) 573-7435
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application # _____, Permit # G7642 _____;

OR GR Statement # _____, GR Certificate of Registration # _____ as filed in the office of the Water Resources Director. TO:

Northwest Farm Credit Services, FLCA and Curtis J. Blackburn and Kaeko J. Blackburn, husband and wife
(name of new owner) (phone #)

PO Box 2515 Spokane, WA 99220-2515
(address) (city, state, zip)

32055 Highway 20 Burns, OR 97720
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 21ST day of MARCH 2005

Applicant/permit holder [Signature]
Curtis J. Blackburn

Applicant/permit holder Kaeko J. Blackburn
Kaeko J. Blackburn

*OK ALL BY
M.S. 9/30/2005*

PLEASE DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
Fee receipt # 76941
For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-2430

Oregon

725 Summer St NE Suite A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED



NMR



- Not Deliverable As Addressed
- Unable To Forward
- Insufficient Address
- Moved, Left No Address
- Unclaimed Refused
- Attempted Not Known
- No Such Street Number
- Route No. _____
- City/Initials _____ Date _____

RECEIVED

MAR 26 2008

WATER RESOURCES DEPT
SALEM, OREGON

90 Jett Blackburn
 707 Ponderosa Village
 Burns 97720

G-8145
 Curtis & Kaeko Blackburn
 32055 Hwy 20 E
 Burns OR 97720