

ASSIGNED *Partially*

Name ALDRICH RANCHES, partnership including
By Leonard, Eunice, Bruce, & Laven Aldrich
Address Rt. ⁵, Box 2734 5117
Hermiston, OR 97838

Application No. G10268
Permit No. G 9419
Certificate No. 82846
Stream Index, Page No. 12-41

Date filed April 10, 1981
Priority April 10, 1981
Action suspended until Jul
Return to applicant
Date of approval SEP 10 1981

CONSTRUCTION
Date for beginning SEP 10 1982
Date for completion OCT 1 1982
Extended to
Date for application of water OCT 1 1983
Extended to

PROSECUTION OF WORK
Form "A" filed Started
Form "B" filed July 5, 1983
Form "C" filed October 3, 1983

FINAL PROOF
Blank mailed
Proof received
Date certificate issued 10/27/2006

FEES PAID		
Date	Amount	Receipt No.
4-10-81	403.20	23598
10/22/01	25.00	49168
1/9/04	12.50	65102
	Cert. Fee	
FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page
10/22/01	Denny Land + Cattle Co LLC	PO Box 217, Burney, CA 96013	9	101
11/19/02	Joseph Buermann, PO Box 292,	Burns, OR 97720		
1/9/04	Rattle Snake Creek Land + Cattle Co, LLC,	PO Box 986, Burns, OR 97726		
	REMARKS			
	524 Hwy 20 N, Hines, OR 97738			
	<u>WOLF 1980817</u>			
	Card for B OCT 19 1982			
	Card for C SEP 26 1983			

DR. 2001
 ATE 8- TIME PM
 FROM JUNE MILLER
 RM 04
 HOME AREA CODE NUMBER EXTENS
 FAX AREA CODE NUMBER EXTENS
 MOBILE AREA CODE NUMBER TIME TO C
 TELEPHONED PLEASE CALL
 RETURNED YOUR CALL WILL CALL AGAIN
 CAME TO SEE YOU RUSH
 WANTS TO SEE YOU SPECIAL ATTENTION
 WAITING TO SEE YOU HOLDING LINE
 MESSAGE FAX
FP NOTES -
APP# G-10268

NOW WILL BE PARTIALLY ASSIGNED
 DENNY LANDS & CATTLE CO. TO RATTLESNAKE CREEK
 LANDS & CATTLE CO., LLC
 PERMIT NOW IN NAME OF JOSEPH BUSTAMANTE ANY
 RATTLESNAKE CREEK LANDS & CATTLE CO., LLC

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. 12/0268

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Aldrich Ranches, the holder of Permit No. G 9419

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 30 day of Sept, 1983.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 30 day of Sept, 1983.

Louise Aldrich
(Signature of Applicant)

Rt. 5, Box 517, Hermiston, Ore 97838
(Address)

OK

RECEIVED
 OCT 3 1983
 WATER RESOURCES DEPT.
 SALEM, OREGON

Form B (690-9-77)

Application No. 10268

NOTICE OF COMPLETION OF CONSTRUCTION

I, We, Aldrich Ranches, a partnership, the holder of Permit No. G 9419

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 28 day of June, 1983.

Remarks: See attached letter

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 28 day of June, 1983.

Aldrich Ranches, Louise Aldrich
(Signature of Applicant)

Rt. 5, Box 517, Hermiston OR 97838
(Address)

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

See letter received 7-14-83

OK

RECEIVED
 JUL 5 1983
 WATER RESOURCES DEPT.
 SALEM, OREGON



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

G-10268

August 9, 2018

ANDY ROOT
524 HWY 20 N
HINES, OR 97738

REFERENCE: Transfer Application T-12638

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 changes 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 changes 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, Marcy Osborn, by telephone at 541-523-8224 or by e-mail at Marcy.j.osborn@oregon.gov.

Kindest regards,

Tamera Smith
Transfer and Conservation Section

cc: J R. Johnson, Watermaster Dist. #10 (via email)
Scott D. Montgomery, Agent (via email)

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER
T-12638, Harney County)	APPROVING ADDITIONAL POINTS
)	OF APPROPRIATION, A CHANGE IN
)	POINTS OF APPROPRIATION AND A
)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (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 Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

ANDY ROOT
524 HWY 20 N
HINES, OR 97738

Findings of Fact

1. On April 10, 2017, ANDY ROOT filed an application for additional points of appropriation, a change in points of appropriation and a change in place of use under Certificates 92942 and 82846. The Department assigned the application number T-12638.
2. Notice of the application for transfer was published on April 18, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 22, 2018, the agent for the applicant submitted an amended map.
4. On February 26, 2018, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12638 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 26, 2018, for the applicant to respond. The applicant requested the completion date be extended to October 1, 2024 and for the Department to proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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.

10/11/2018 10:00 AM
 10/11/2018 10:00 AM

5. On June 21, 2018, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12638 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 June 26, 2018, and in the Burns Times Herald newspaper on June 27 and July 4, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

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

Certificate: 92942 in the name of CLIFFORD FINE (perfected under Permit G-5287)

Use: IRRIGATION of 128.1 ACRES

Priority Date: OCTOBER 21, 1970

Rate: 1.6 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: ONE WELL within the SILVER CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	10	SW SW	1200 FEET NORTH AND 500 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	30 E	WM	9	NE SE	28.1
26 S	30 E	WM	9	NW SE	37.6
26 S	30 E	WM	9	SW SE	33.2
26 S	30 E	WM	9	SE SE	29.2
Total					128.1

7. Transfer Application T-12638 proposes to move the authorized points of appropriation. The table below describes the location of the proposed points of appropriation with the measured distances from the original (authorized) point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from the original well location measured in feet (ft)
26 S	30 E	WM	9	SW NW	WELL #2 - 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER OF SECTION 9	6400 ft.
26 S	30 E	WM	9	SW SE	WELL #3 - 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER OF SECTION 9	1980 ft.
26 S	30 E	WM	9	SW NE	WELL #4 - 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER OF SECTION 9	2825 ft.
26 S	30 E	WM	9	SW NE	WELL #20 - 1975 FEET SOUTH AND 1525 FEET WEST FROM THE NE CORNER OF SECTION 9	2975 ft.

8. Transfer Application T-12638 also proposes to reconfigure (change) the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	30 E	WM	9	NE SE	28.1
26 S	30 E	WM	9	NW SE	37.6
26 S	30 E	WM	9	SW SE	33.2
26 S	30 E	WM	9	SE SE	29.2
Total					128.1

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

Certificate: 82846 in the name of RATTLESNAKE CREEK LAND AND CATTLE CO., LLC (perfected under Permit G-9419)

Use: IRRIGATION of 304.6 ACRES AND SUPPLEMENTAL IRRIGATION of 128.1 ACRES

Priority Date: APRIL 10, 1981

Rate: 5.41 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 123.4 ACRES

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 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: THREE WELLS within the MALHEUR LAKE BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	9	SW NW	WELL #1 (AKA WELL #2) - 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER OF SECTION 9
26 S	30 E	WM	9	SW NE	WELL #2 (AKA WELL #4) - 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER OF SECTION 9
26 S	30 E	WM	9	SW SE	WELL #3 - 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER OF SECTION 9

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POA
26 S	30 E	WM	8	NE NE	29.9	WELL #1
26 S	30 E	WM	8	SE NE	30.3	WELL #1
26 S	30 E	WM	9	SW NE	0.1	WELL #3
26 S	30 E	WM	9	SW NE	22.6	WELL #2
26 S	30 E	WM	9	SE NE	0.1	WELL #3
26 S	30 E	WM	9	NW NW	32.8	WELL #1
26 S	30 E	WM	9	SW NW	33.9	WELL #1
26 S	30 E	WM	9	SE NW	0.2	WELL #1
26 S	30 E	WM	9	SE NW	24.3	WELL #2
26 S	30 E	WM	9	NE SW	5.5	WELL #2
26 S	30 E	WM	9	NE SW	0.1	WELL #3
26 S	30 E	WM	9	NE SW	29.1	WELL #1
26 S	30 E	WM	9	NW SW	33.7	WELL #1
26 S	30 E	WM	9	SW SW	32.6	WELL #1
26 S	30 E	WM	9	SE SW	27.5	WELL #1
26 S	30 E	WM	9	SE SW	0.1	WELL #3
26 S	30 E	WM	9	NE SE	1.8	WELL #3
Total					304.6	

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POA
26 S	30 E	WM	9	NE SE	28.1	WELL #3
26 S	30 E	WM	9	NW SE	32.9	WELL #3
26 S	30 E	WM	9	NW SE	4.7	WELL #2
26 S	30 E	WM	9	SW SE	33.2	WELL #3
26 S	30 E	WM	9	SE SE	29.2	WELL #3
Total					128.1	

10. Transfer Application T-12638 proposes (additional points of appropriation) to irrigate from any one or combination of the following wells:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from original well locations measured in feet (ft)		
						WELL #1 (AKA WELL #2)	WELL #2 (AKA WELL #4)	WELL #3
26 S	30 E	WM	9	SW NW	WELL #2 (AKA WELL #1) - 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER OF SECTION 9	X	3680 ft.	4650 ft.
26 S	30 E	WM	9	SW SE	WELL #3 - 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER OF SECTION 9	4660 ft.	1635 ft.	X
26 S	30 E	WM	9	SW NE	WELL #4 (AKA WELL #2) - 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER OF SECTION 9	3660 ft.	X	1635 ft.
26 S	30 E	WM	9	SW NE	WELL #20 - 1975 FEET SOUTH AND 1525 FEET WEST FROM THE NE CORNER OF SECTION 9	3775 ft.	465 ft.	2020 ft.

Transfer Review Criteria (OAR 690-380-4010)

11. 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.
12. 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-12638.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed changes would not result in injury to other water rights.
15. All other application requirements are met.

Determination and Proposed Action

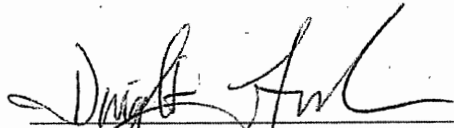
The additional points of appropriation, change in points of appropriation and change in place of use proposed in Transfer Application T-12638 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation, change in points of appropriation and change in place of use proposed in Transfer Application T-12638 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 92942 and 82846 and any related decree.
3. Water right Certificate 92942 and 82846 are cancelled.
4. The quantity of water diverted at the new and additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
5. Water 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.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. 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.

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

Dated at Salem, Oregon this AUG 09 2018,



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

Mailing date: AUG 10 2018

Jim
April 10, 1981

P
Application No. **G10268**
Permit No. **G 9419**

Name Aldrich Ranches, partnership including:
Address Rt. 2, Box 2764 Hermiston, OR Leonard,
Assigned 97838 Eunice
Address Bruce &
Beginning construction SEP 10 1982 Lavon Aldrich
Completion of construction OCT 1 1982
Extended to
Complete application of water OCT 1 1983
Extended to

RATTLESNAKE CREEK LAND & CATTLE, LLC

524 HWY. 20 NORTH

HINES, OR 97738

541-573-3615 - OFFICE

541-573-3419 - FAX

RECEIVED

JAN 14 2008

WATER RESOURCES DEPT
SALEM, OREGON

1/11/08

Water Resources Dept.

Please make sure our address
change has been noted in all your different
departments.

Old address : PO Box 946
Burns, OR 97720

New/Current : 524 Hwy 20 N.
Hines, OR 97738

~~29-10268~~

29-14136

29-16760

29-16626

29-17146

T-10298

T-10376

T-10723

Thank you -

JANE Shelley - Secretary

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	▶ OWNER: RATTLESNAKE CREEK LAND AND CATTLE CO. LLC PO BOX 946 BURNS, OR 97720	G14136	G12841					NC
Select	▶ OWNER: RATTLESNAKE CREEK LAND AND CATTLE CO. LLC PO BOX 946 BURNS, OR 97720	G10268	G9419	82846				NC
Select	▶ OWNER: RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 NORTH HINES, OR 97738	G16460	G16165				▶ T10376	NC
Select	▶ OWNER: RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 NORTH HINES, OR 97738	G16626	G16150				▶ T10298 ▶ T10723 (Changes this right)	NC
Select	▶ APPLICANT: RATTLESNAKE CREEK LAND AND CATTLE LLC 524 HWY 20 N HINES, OR 97738 ▶ OWNER: ANDY ROOT 524 HWY 20 N HINES, OR 97738	G17146						NC

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

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 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.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RATTLESNAKE CREEK LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

confirms the right to use the waters of 3 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 304.6 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.41 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

G-10268.LHN

CERTIFICATE NUMBER 82846

WELL 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

WELL 1

	PRIMARY	SUPPLEMENTAL
NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.9 ACRES	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.3 ACRES	
SECTION 8		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.8 ACRES	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.9 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRE	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.1 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.7 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	32.6 ACRES	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	27.5 ACRES	

SECTION 9

WELL 2

SW $\frac{1}{4}$ NE $\frac{1}{4}$	22.6 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	24.3 ACRES	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.5 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$		4.7 ACRES

SECTION 9

WELL 3

	PRIMARY	SUPPLEMENTAL
SW¼ NE¼	0.1 ACRE	
SE¼ NE¼	0.1 ACRE	
NE¼ SW¼	0.1 ACRE	
SE¼ SW¼	0.1 ACRE	
NE¼ SE¼	1.8 ACRES	28.1 ACRES
NW¼ SE¼		32.9 ACRES
SW¼ SE¼		33.2 ACRES
SE¼ SE¼		29.2 ACRES

SECTION 9

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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 the water level elevation in the wells at all times

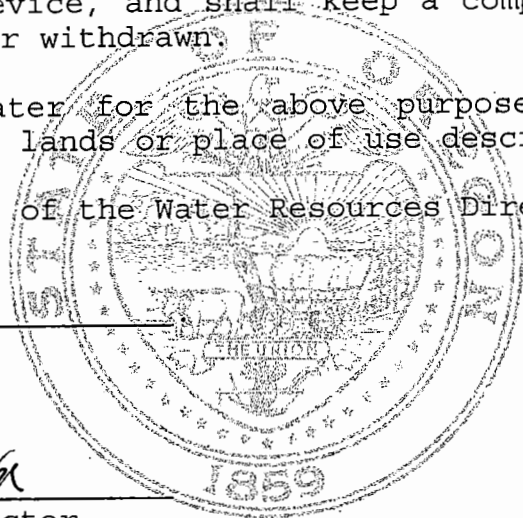
The water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The right to use 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

OCT 27 2006

Phillip C. Ward
 Phillip C. Ward, Director
 Water Resources Department



Recorded in State Record of Water Right Certificates Number 82846.

G-10268.LHN

T. 26 S., R. 30 E., W. M.

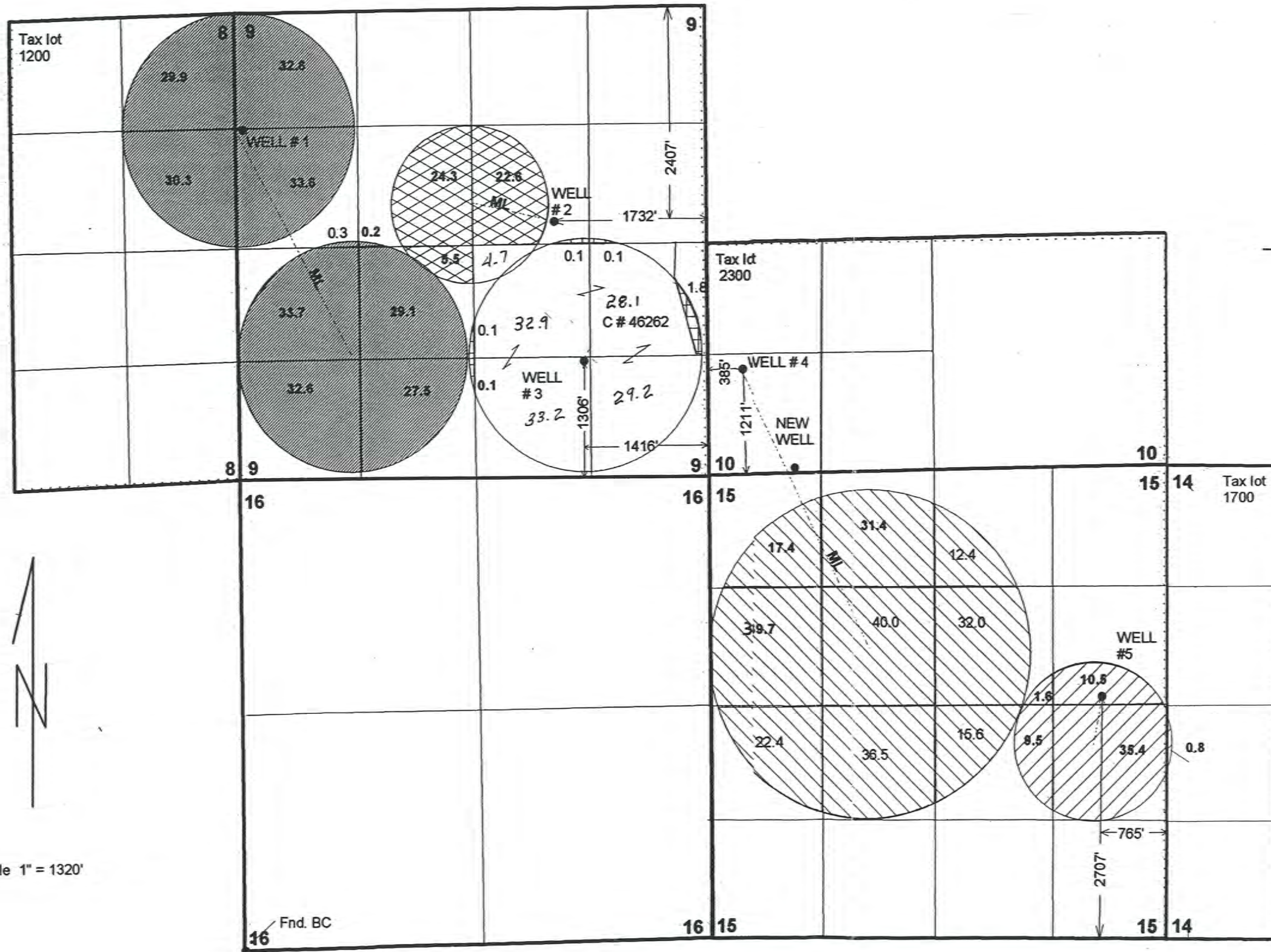
FINAL PROOF SURVEY

UNDER

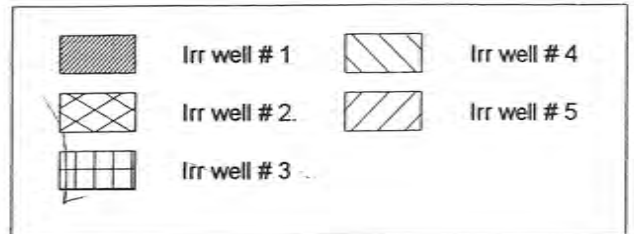
Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9



Scale 1" = 1320'

AMENDED 4/11/06 LHM

Leika GPS and Aerial NAPP 41025-1213-130L

JM 2-28-2002



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: October 27, 2006

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.

Mailing List for Certificate Scheduled Mailing Date:

Application: G-10268

Permit: G-9419

Certificate: 82846

Permit/Certificate Holder:

RATTLESNAKE LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720 ✓

Copies
Mailed

by:
Connie Vance
(STAFF)

on:
10/27/2006
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster : 10 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. *File* ✓

Other persons to receive copies: (include map):

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

IN THE MATTER OF THE VOLUNTARY)
CANCELLATION OF A PORTION OF THE PERMIT(S))
BY THE PERMITTEE(S)) ORDER

The Permittee authorized the following partial permit cancellation on June 27, 2006.

PERMIT(S) TO USE GROUNDWATER:

<u>Name</u>	<u>Basin Number</u>	<u>Watermaster District</u>	<u>Application Number</u>	<u>Permit Number</u>
Joseph R Buerman	12	10	G-10268	G-9419

That part to be cancelled is described as follows:

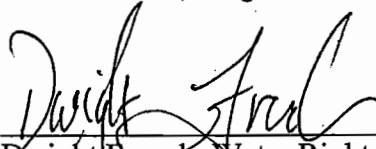
- SW ¼ SW ¼ 40.0 Acres
- Section 10
- NW ¼ NE ¼ 40.0 Acres
- SW ¼ NE ¼ 40.0 Acres
- SE ¼ NE ¼ 40.0 Acres
- NE ¼ NW ¼ 40.0 Acres
- NW ¼ NW ¼ 40.0 Acres
- SW ¼ NW ¼ 40.0 Acres
- SE ¼ NW ¼ 40.0 Acres
- NE ¼ SW ¼ 40.0 Acres
- NW ¼ SW ¼ 40.0 Acres
- NE ¼ SE ¼ 40.0 Acres
- NW ¼ SE ¼ 40.0 Acres

Section 15

Township 26 South, Range 30 East

NOW, THEREFORE, it is hereby ORDERED that a portion of the permit(s) are canceled in accordance with the provisions of ORS 537.260.

Dated at Salem, Oregon on October 27, 2006.



Dwight French, Water Rights Division Administrator, for
Phillip C. Ward, Director

PLACED IN U.S. MAIL OCT 27 2006
BY OREGON WATER RESOURCES DEPARTMENT

This is a final order in other than 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 ORS 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.

Mailing List for Certificate

Scheduled Mailing Date:

Application:

Certificate:

Certificate Holder:

Joseph Buermann
PO Box 292
Burns OR 97720

Copies of Final Certificate to be sent to:

1. Watermaster : 10
2. Data Center (include copy of map)
3. Water Availability
4. Vault

Other persons to receive copies: (include map):

Rattlesnake Creek Land & Cattle Co, LLC
PO Box 946
Burns OR 97720

Transfer Record Marking Instructions:

1. Old Certificate# :
 - A. Mark vault copy of the old certificate with new certificate #
 - B. Make a copy of marked certificate and send to Data Center
2. Application:
 - A. Copy of certificate & map to application file
 - B. Mark through old certificate number and enter new certificate number on file folder. NOTE: Do not mark any remaining right certificate numbers
3. Decree:
 - A. Pull vault & working copy and mark appropriately
4. Transfer File:
 - A. Copy of certificate and map in transfer file

Copies
Mailed

by:

(STAFF)

on:

(DATE)

T. 26 S., R. 30 E., W. M.

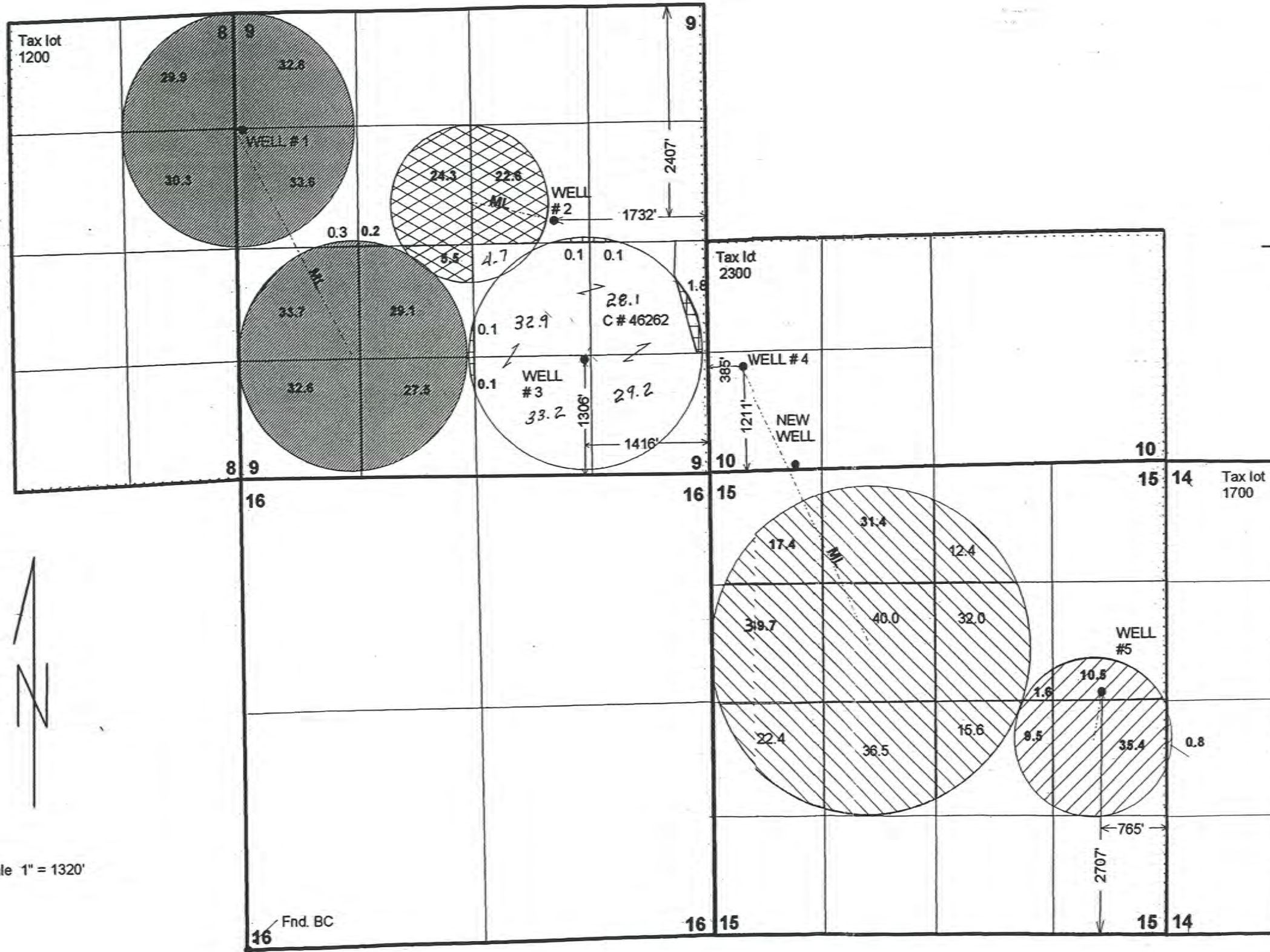
FINAL PROOF SURVEY

UNDER

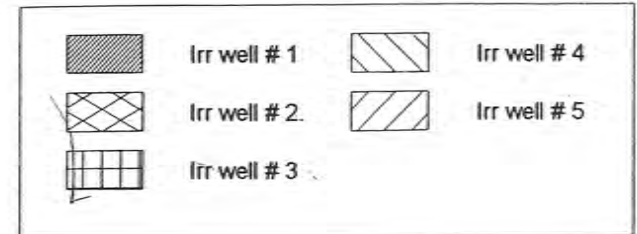
Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9



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 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.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

GO FINAL

THIS CERTIFICATE ISSUED TO

RATTLESNAKE CREEK LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

G-10268

confirms the right to use the waters of 3 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 304.6 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 5.41 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

82046

G-10268.LHN

CERTIFICATE NUMBER

WELL 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

	WELL 1 ✓	
	PRIMARY	SUPPLEMENTAL
NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.9 ACRES ✓	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.3 ACRES ✓	
SECTION 8 ✓		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.8 ACRES ✓	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.9 ACRES ✓	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRE ✓	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.1 ACRES ✓	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.7 ACRES ✓	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	32.6 ACRES ✓	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	27.5 ACRES ✓	
SECTION 9 ✓		
WELL 2		
SW $\frac{1}{4}$ NE $\frac{1}{4}$	22.6 ACRES ✓	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	24.3 ACRES ✓	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.5 ACRES ✓	
NW $\frac{1}{4}$ SE $\frac{1}{4}$		4.7 ACRES ✓
SECTION 9 ✓		

	WELL 3 ✓	
	PRIMARY	SUPPLEMENTAL
SW¼ NE¼	0.1 ACRE ✓	
SE¼ NE¼	0.1 ACRE ✓	
NE¼ SW¼	0.1 ACRE ✓	
SE¼ SW¼	0.1 ACRE ✓	
NE¼ SE¼	1.8 ACRES ✓	28.1 ACRES ✓
NW¼ SE¼		32.9 ACRES ✓
SW¼ SE¼		33.2 ACRES ✓
SE¼ SE¼		29.2 ACRES ✓

SECTION 9
TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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 the water level elevation in the wells at all times ✓

The water user 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 right to use 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 ✓

Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number.

G-10268.LHN ✓

Mailing List for Certificate

Scheduled Mailing Date:

Application: G-10268

Permit: G-9419

Certificate:

Permit/Certificate Holder:

RATTLESNAKE LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

**Copies
Mailed**

by:

(STAFF)

on:

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster : 10 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault

Other persons to receive copies: (include map):

JOSEPH R. BUERMANN
PO BOX 292
BURNS, OREGON 97720

Mailing List for Certificate Scheduled Mailing Date:

Application: G-10268

Permit: G-9419

Certificate:

Permit/Certificate Holder:

RATTLESNAKE LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720 ✓

JOSEPH R. BUERMANN ✓
PO BOX 292
BURNS, OREGON 97720

Copies
Mailed

by:

Connie
(STAFF)

on:

5/12/2006

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster : 10 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault

Other persons to receive copies: (include map):

5/25/2006 541-573-6642
Spoke w/ Bill Beal. He indicated the Joseph Buermann will be cancelling his portion of the permit. Should receive the cancellation notice early in June. *Henry*

Do not process.
Buermann will be cancelling portion of lands under permit.
Letter was placed in mail on June 15, 2006
(Per Bill Beal) *DL*



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: May 12, 2006

NOTICE

Reference: Permit G-9419

Enclosed is a proposed certificate of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection.

If you do not agree with the proposed certificate or the map, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, the recorded certificate of water right will be mailed to the permittee.

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

Sincerely,

Dwight French
Administrator
Water Rights Division

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 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.

PROPOSED

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.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RATTLESNAKE CREEK LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

JOSEPH R. BUERMANN
PO BOX 292
BURNS, OREGON 97720

confirms the right to use the waters of 5 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 609.8 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 9.22 CUBIC FEET PER SECOND (CFS), BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, 3.09 CFS FROM WELL 4 FOR THE IRRIGATION OF 247.4 ACRES, AND 0.72 CFS FROM WELL 5 FOR THE IRRIGATION OF 57.8 ACRES, or its equivalent in case of rotation, measured at the well.

G-10268.LHN

CERTIFICATE NUMBER

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

WELL 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

WELL 4 - SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1211 FEET NORTH AND 385 FEET EAST FROM THE SW CORNER, SECTION 10.

WELL 5 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2707 FEET NORTH AND 765 FEET WEST FROM THE SE CORNER, SECTION 15.

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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

RATTLESNAKE CREEK LAND AND CATTLE CO., LLC

WELL 1

PRIMARY

NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.3 ACRES

SECTION 8

PRIMARY

NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.8 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.9 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.1 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	33.7 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	32.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	27.5 ACRES

SECTION 9

WELL 2

PRIMARY

SUPPLEMENTAL

SW $\frac{1}{4}$ NE $\frac{1}{4}$	22.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	24.3 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	

4.7 ACRES

SECTION 9

WELL 3

SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.1 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.1 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	

28.1 ACRES

32.9 ACRES

33.2 ACRES

29.2 ACRES

SECTION 9

JOSEPH R. BUERMANN

WELL 4

PRIMARY

NW $\frac{1}{4}$ NE $\frac{1}{4}$	12.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.4 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	17.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	39.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	36.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	22.4 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.6 ACRES

SECTION 15

WELL 5

PRIMARY

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.8 ACRE
SECTION 14

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.5 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.4 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.5 ACRES

SECTION 15

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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 the water level elevation in the wells at all times

The water user 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 right to use 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

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number.

G-10268.LHN

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
County of HARNEY) ss

I/~~We~~, Joseph R. Buerman, residing at P.O. 292 Burns OR 97720, phone 541-589-0458, being first duly sworn depose and say:

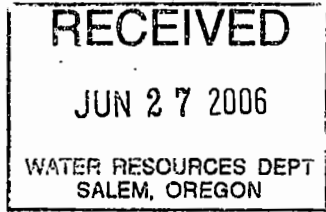
- I/~~We~~ are the legal owner(s) of the property described as tax lot number 2300, within the SW 1/4 SW 1/4 Sec 10, Section 10, Township 26 N/S, Range 30 E/W, of the Willamette Meridian, in HARNEY County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
- A portion of water right certificate number 988 G-10268 Per G-9419 issued to Aldrich Ranches, with a date of priority of 4-10-1981 for use of 31.8 cubic foot per second of water from 5 wells (sources) for the purpose of IRRIGATION (uses) is appurtenant to my/~~our~~ property;
- I/~~We~~ have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows :
The right to the use of 6 cubic foot per second from Wells 4 & 5 for the irrigation of 480 acres located:

N 1/4, NW NE,	}	<u>SW 1/4 SW 1/4 Sec 10</u>	<u>40</u> Acres
S 1/2 N 1/2,		<u>1/4 1/4</u>	<u>440</u> Acres
N 1/2 S 1/2		Section <u>15</u>	

Township 26 N/S, Range 30 E/W, WM; and
- I/~~We~~ request that said portion of the right described above be canceled.

Joseph R. Buerman _____ Date 6/15/06
Signature of Legal Owner

Signature of Co-Owner _____ Date _____



Subscribed and Sworn to Before Me this 15th day of June, 2006, 199.



Sheri K. Sims
Notary Public for Oregon

My Commission Expires April 9, 2010

20022329

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

JOSEPH RAY BUERMANN
P.O. Box 292
Burns, OR 97720

BARGAIN AND SALE DEED

SHARON KAY BUERMANN, Grantor, conveys to JOSEPH RAY BUERMANN, Grantee, all of /her right, title and interest in the real property further described as:

Commonly known as the Silver Sage Ranch on 00 Road, Harney County, Oregon,
further described as follows:

In Twp. 26 S., R. 30 E., W.M.: (North Malheur Lake)
Section 10: SW 1/4 SW 1/4
Section 15: W 1/2 NE 1/4; SE 1/4 NE 1/4; NW 1/4; N 1/2 S 1/2
Section 16: ALL

Until a change is requested, all tax statements are to be sent to the following address: Joseph Ray Buermann, P.O. Box 292, Burns, Oregon 97720.

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

The true and actual consideration for this conveyance is a property award and property division in a dissolution of marriage in Deschutes County Circuit Court Case No.01-DS-0777-ST.

By execution of this instrument, Grantor certified that she is not a "foreign person" as the term is defined in the Internal Revenue code, Section 1445.

Dated this 18 day of September, 2002.

Sharon Kay Buermann
SHARON KAY BUERMANN, Grantor

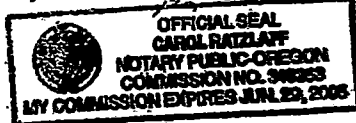
STATE OF OREGON

County of Deschutes

} ss.

On this 18th day of September, 2002, personally appeared before me the above-named SHARON KAY BUERMANN, and acknowledged the foregoing instrument to be her voluntary act and deed.

Carol Ratzlaff
Notary Public for Oregon
My Commission expires: 6-19-2005



STATE OF OREGON
County of Harney
I certify that the foregoing instrument was received for record on 9/18/02 at 1:00 PM and recorded in Book 172329 Page 1 of 1 in Harney County.
By *Debra* Deputy

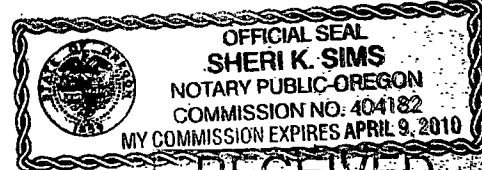
Joseph Ray Buermann 8/15/06

State of Oregon

County of Harney

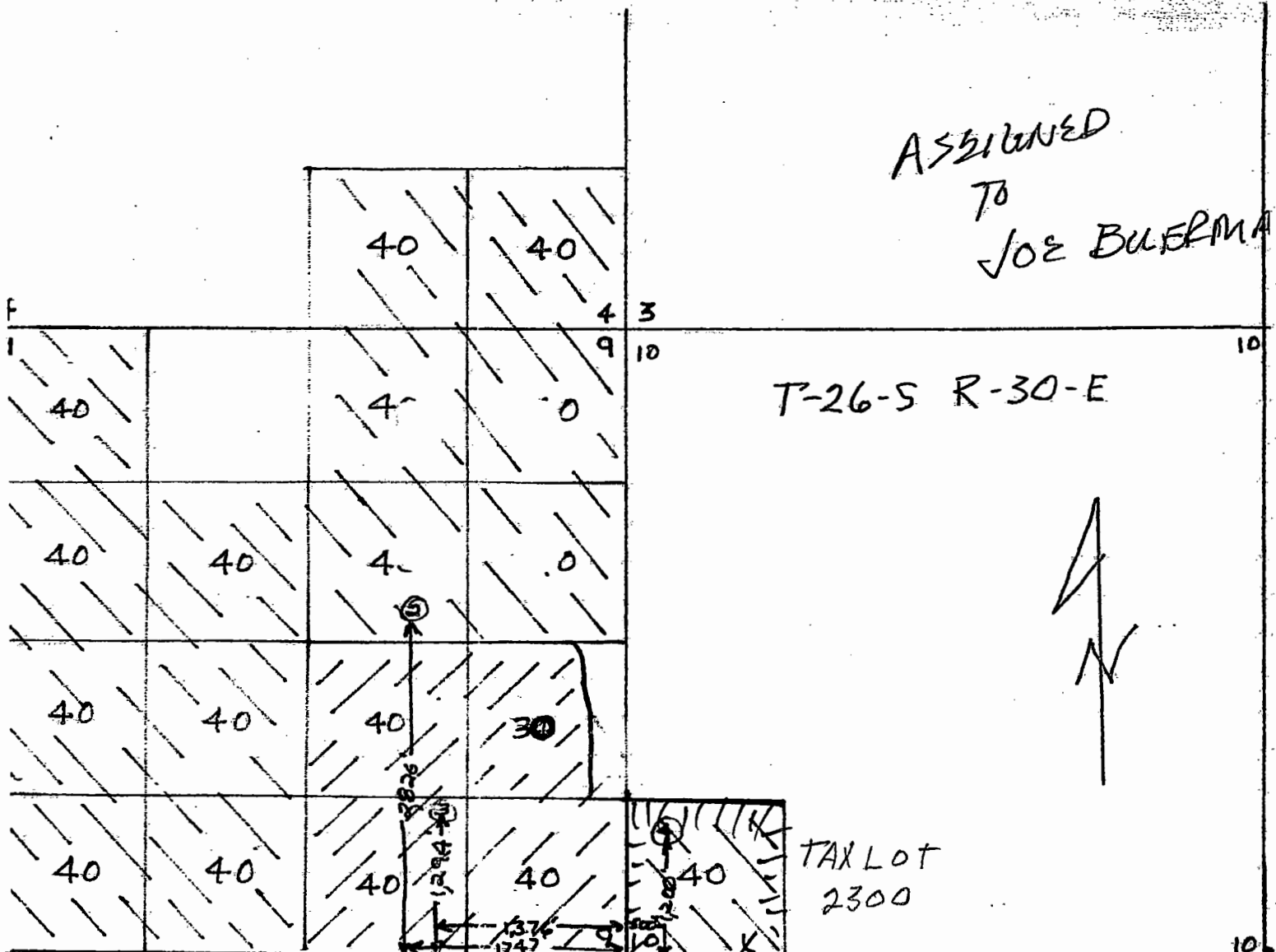
On this 15 day of June, 2006, Joseph Buermann personally appeared before me,
 whose identity I verified on the basis of ODL #1338791,
who is personally known to me,
 whose identity I verified on the oath/affirmation of _____,
a credible witness,
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.

Sheri K. Sims
Notary Public
My Commission expires: April 9, 2010



RECEIVED
JUN 27 2006
WATER RESOURCES DEPT
SALEM, OREGON

ASSIGNED
TO
JOE BUERMA



Application No. G 10268
Permit No. G 9419

New Well
1850'

RECEIVED
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUN 27 2006
WATER RESOURCES DEPT
SALEM, OREGON

Joseph R Bucrman
P.O box 292
Burns OR 97720-0292

3-20-06

Wells #1, Harn 1336 $\frac{1}{2}$ #4 L-57426 Meter # 85655618 = 72560 Kwh
#2 Harn 1335 Meter # 84802401 = 21150 Kwh (2005)
#3 Meter # 95971456 = 170320 Kwh (2005)

4 plots = 502.4 acres Permit G-12760

Combined HP = 284

1.75 Factor basic Kwh/HP

213

$$\frac{264030 \text{ Kwh}}{213} = \frac{1239.58 \text{ hrs}}{24} = 51.65 \text{ days}$$

Water Pumped $\frac{2825 \text{ GPM}}{450 \text{ cfs}} = 6.28 \text{ cfs} = 12.56 \text{ acft/day}$

$$51.65 \text{ days} \times 12.56 \text{ acft} = \frac{648.7 \text{ acft}}{502.4} = 1.29 \text{ acft/yr } 2005$$

because of the Spring and Summer rains I
didn't have to use the well to irrigate the
entire crop.

RECEIVED

JUN 27 2006

WATER RESOURCES DEPT
SALEM, OREGON

Joseph R Buerman
P.O. Box 292
Burns OR 97720

3-20-06

New Application replacing part of G-9419
that was cancelled

Well #1 L-3669S Harn 50472

Meter # 97380470 = 150480 kWh

1 Pivot = 260 acres

HP = 100

.75 basic kWh/HP

75.00

$$\frac{150480 \text{ kWh}}{75} = \frac{2006.4 \text{ hrs}}{24} = 83.6 \text{ days}$$

Water Pumped $\frac{1900 \text{ GPM}}{450 \text{ cfs}} = 3.33 \text{ cfs} = 6.66 \text{ acft/day}$

$$83.6 \text{ days} \times 6.66 \text{ acft} = \frac{556.78 \text{ acft}}{260 \text{ acre}} = 2.14 \text{ acft/acre/yr } 2005$$

Well #2

Meter # 49260627 = 63770 kWh

1 Pivot = 54.6 acres

HP = 60

x .75

45.00

$$\frac{63770 \text{ kWh}}{45} = \frac{1417 \text{ hrs}}{24} = 59.1 \text{ days}$$

Water Pumped $\frac{310 \text{ GPM}}{450 \text{ cfs}} = .69 \text{ cfs} = 1.38 \text{ acft/day}$

$$59.1 \text{ days} \times 1.38 \text{ acft} = \frac{81.6 \text{ acft}}{54.6} = 1.49 \text{ acft/acre/yr } 2005$$

RECEIVED

JUN 27 2006

WATER RESOURCES DEPT
SALEM, OREGON

January 6-2006

ATT Dwight French

App # G-14135 Permit G-12760

Joe Buerman received the proposed final order and all equipment should have been in order by Oct 1 2005. It was completed but the #2 well pumps dry in a couple days so Joe came to me to make an amendment to the permit to add two more wells to supply water to the 4 pivots. See attached transfer forms for an amendment.

The well #3 was originally used to water two pivots in Section 15, Permit G-9419. The portion of Permit G-9419 owned by Joe Buerman will be cancelled and a new app to be applied for to use two wells to supply water to two pivots.

I hope this letter will clarify the intent to complete the rights for both parcels.

William Beal

72690 Foley Rd.

Burns OR 97720

T 10068

RECEIVED

JAN 13 2006

WATER RESOURCES DEPT
SALEM, OREGON

PH - 541-573-6642

116001

T. 26 S., R. 30 E., W. M.

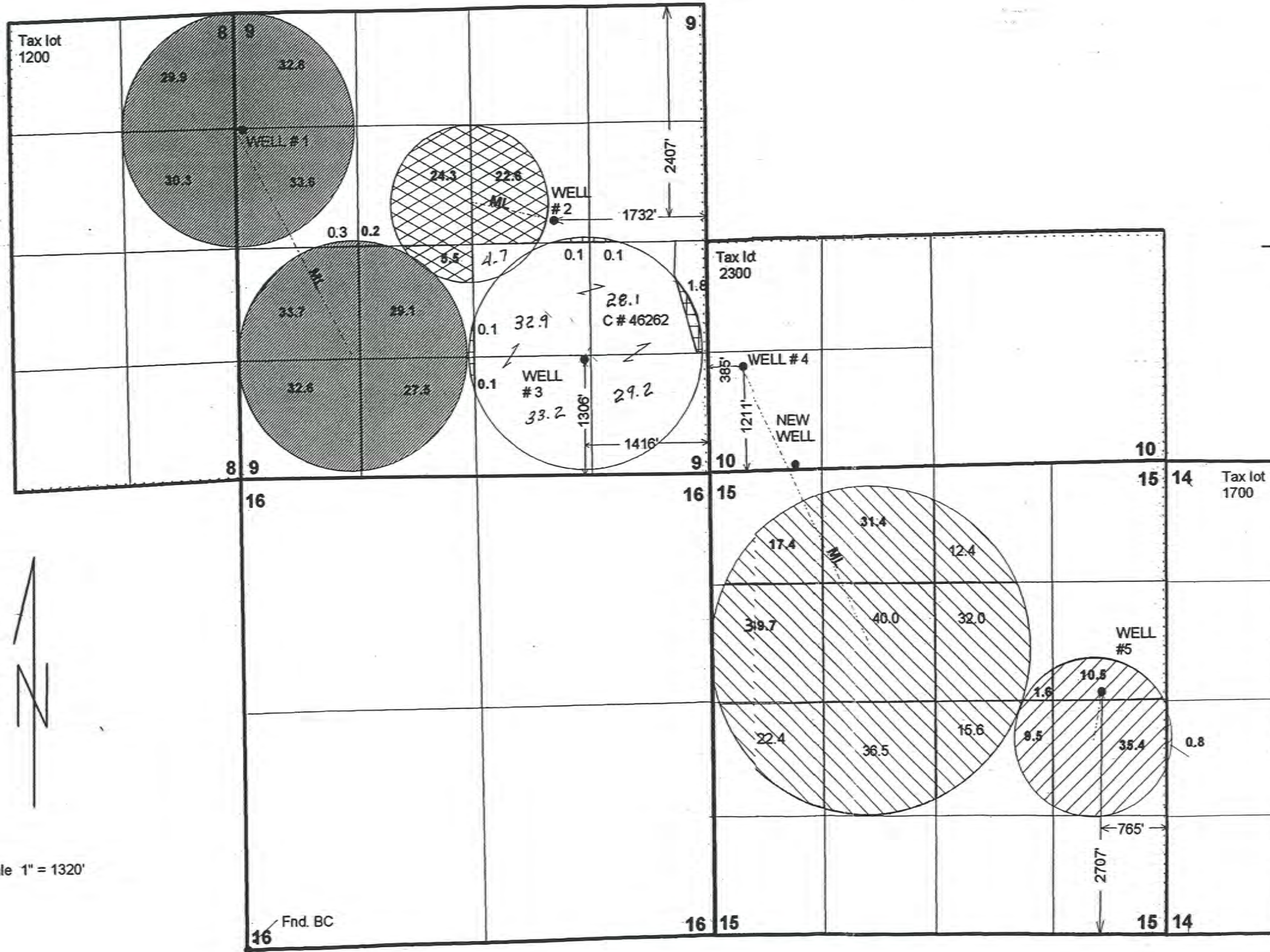
FINAL PROOF SURVEY

UNDER

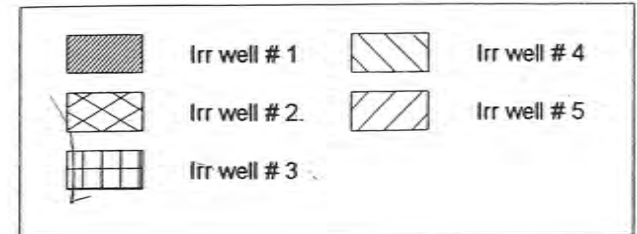
Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9



Scale 1" = 1320'

JM 2-28-2002

AMENDED 4/11/06 LHM
Leika GPS and Aerial NAPP 41025-1213-130L

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 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.

PROPOSED

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.

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Creek
RATTLESNAKE LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

JOSEPH R. BUERMANN
PO BOX 292
BURNS, OREGON 97720

confirms the right to use the waters of 5 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 609.8 ACRES and SUPPLEMENTAL IRRIGATION OF 128.1 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 9.22 CUBIC FEET PER SECOND, BEING 3.13 CFS FROM WELL 1 FOR IRRIGATION OF 250.0 ACRES, 0.71 CFS FROM WELL 2 FOR IRRIGATION OF 52.4 ACRES and SUPPLEMENTAL IRRIGATION OF 4.7 ACRES, 1.57 CFS FROM WELL 3 FOR THE IRRIGATION OF 2.2 ACRES and SUPPLEMENTAL IRRIGATION OF 123.4 ACRES, 3.09 CFS FROM WELL 4 FOR THE IRRIGATION OF 247.4 ACRES, AND 0.72 CFS FROM WELL 5 FOR THE IRRIGATION OF 57.8 ACRES, or its equivalent in case of rotation, measured at the well.

G-10268.LHN

CERTIFICATE NUMBER

The wells are located as follows:

WELL 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 65 FEET EAST FROM THE NW CORNER, SECTION 9.

WELL 2 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NE CORNER, SECTION 9.

WELL 3 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1306 FEET NORTH AND 1416 FEET WEST FROM THE SE CORNER, SECTION 9.

WELL 4 - SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1211 FEET NORTH AND 385 FEET EAST FROM THE SW CORNER, SECTION 10.

WELL 5 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 2707 FEET NORTH AND 765 FEET WEST FROM THE SE CORNER, SECTION 15.

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 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.

Delete

~~The use 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:

CREEK
RATTLESNAKE LAND AND CATTLE CO., LLC

WELL 1
PRIMARY
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 29.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.3 ACRES

~~SUPPLEMENTAL~~

SECTION 8

602

PRIMARY Supplemental

SE 1/4 NW 1/4	0.2 ACRE
NW 1/4 NW 1/4	32.8 ACRES
SW 1/4 NW 1/4	33.8 ACRES
SW 1/4 NW 1/4	0.3 ACRE
NW 1/4 SW 1/4	33.7 ACRES
SW 1/4 SW 1/4	32.6 ACRES
NE 1/4 SW 1/4	29.1 ACRES
SE 1/4 SW 1/4	27.5 ACRES

SECTION 9 189.8

WELL 2

~~PRIMARY~~

~~SUPPLEMENTAL~~ * slot

SW 1/4 NE 1/4	22.6 ACRES
SE 1/4 NW 1/4	24.3 ACRES
NE 1/4 SW 1/4	5.5 ACRES 52.4
NW 1/4 SE 1/4	4.7 ACRES 43

SECTION 9

WELL 3

~~PRIMARY~~

~~SUPPLEMENTAL~~ 10

SW 1/4 NE 1/4	0.1 ACRE	
SE 1/4 NE 1/4	0.1 ACRE	
NE 1/4 SW 1/4	0.1 ACRE	
SE 1/4 SW 1/4	0.1 ACRE	
NE 1/4 SE 1/4	1.8 ACRES	28.1 ACRES
NW 1/4 SE 1/4		32.9 ACRES →
SW 1/4 SE 1/4		33.2 ACRES →
SE 1/4 SE 1/4		29.2 ACRES →

SECTION 9 21

JOSEPH R. BUERMANN

WELL 4

NW 1/4 NE 1/4	12.4 ACRES	
SW 1/4 NE 1/4	32.0 ACRES	
NE 1/4 NW 1/4	31.4 ACRES	
NW 1/4 NW 1/4	17.4 ACRES	
SW 1/4 NW 1/4	39.7 ACRES	
NE 1/4 SW 1/4	36.5 ACRES 40.0 ACRES	
NW 1/4 SW 1/4	22.4 ACRES	
NW 1/4 SE 1/4	15.6 ACRES	

SECTION 15

WELL 5 *PRIMARY* ~~SUPPLEMENTAL~~

NW¼ SW¼ 0.8 ACRE *0.8*
SECTION 14

SW¼ NE¼ 1.6 ACRES
SE¼ NE¼ 10.5 ACRES
NE¼ SE¼ 35.4 ACRES
NW¼ SE¼ 9.5 ACRES *572*

SECTION 15

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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 the water level elevation in the wells at all times

The water user 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 right to use 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

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number.

G-10268.LHN

Mailing List for Certificate

Scheduled Mailing Date:

Application: G-10268

Permit: G-9419

Certificate:

Permit/Certificate Holder:

RATTLESNAKE LAND AND CATTLE COMPANY, LLC
PO BOX 946
BURNS, OREGON 97720

JOSEPH R. BUERMANN
PO BOX 292
BURNS, OREGON 97720

Copies of Final Certificate to be sent to:

1. Watermaster : 10 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault

Other persons to receive copies: (include map):

Copies
Mailed

by: _____
(STAFF)

on: _____
(DATE)

(1) LAND OWNER Well Number _____
 Name _____
 Address _____
 City _____ State _____ Zip _____

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well _____ ft.
 Explosives used Yes No Type _____ Amount _____

Diameter	HOLE		Material	SEAL		Sacks or pounds
	From	To		From	To	

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

	Yield gal/min	Drawdown	Drill stem at	Time
<input type="checkbox"/> Pump				
<input type="checkbox"/> Bailer				
<input type="checkbox"/> Air				
<input type="checkbox"/> Flowing				
<input type="checkbox"/> Artesian				

Temperature of water _____ Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County _____ Latitude _____ Longitude _____
 Township _____ N or S Range _____ E or W. WM.
 Section _____ 1/4 _____ 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL

Date started _____ Completed _____

SOURCE OF DATA/INFO

COMPILED BY:

DATE:

(1) LAND OWNER Well Number 3
 Name _____
 Address _____
 City _____ State _____ Zip _____

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well _____ ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	Flowing <input type="checkbox"/> Artesian
Yield gal/min	Drawdown	Drill stem at	Time
			1 hr.

Temperature of water _____ Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County _____ Latitude _____ Longitude _____
 Township _____ N or S Range _____ E or W. WM.
 Section _____ 1/4 _____ 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:

Ground Elevation _____

Material	From	To	SWL

Date started _____ Completed _____

SOURCE OF DATA/INFO

COMPILED BY:

DATE: _____

(1) LAND OWNER Well Number 5
 Name _____
 Address _____
 City _____ State _____ Zip _____

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well _____ ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing:	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Liner:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____

Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
			1 hr.

Temperature of water _____ Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) LOCATION OF WELL by legal description:
 County _____ Latitude _____ Longitude _____
 Township _____ N or S Range _____ E or W. WM.
 Section _____ 1/4 _____ 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) STATIC WATER LEVEL:
 _____ ft. below land surface. Date _____
 Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
 Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:
 Ground Elevation _____

Material	From	To	SWL

Date started _____ Completed _____

SOURCE OF DATA/INFO

COMPILED BY:

DATE:

August 9th, 2001

Final Proof Survey for a portion of A # G-10268, P # G-9419

This report is for the portion of permit G-9419 that is currently owned by Joe Buermann, which lies within Section 10 and 15. His address is PO Box 292, Burns, OR, Cell Phone # 589-0458.

This is a self inspection. Mr. Buermann was not home. I contacted him on his cell phone and he gave me permission to go on his land and look at the wells and irrigation equipment.

The well that currently serves the larger center pivot(in sec. 15) is a new well drilled a couple of years ago. The well has a 100 HP US Electric motor rated at 1775 RPM and has a turbine pump. The well has an air line and the kilowatt hours at the meter read 3308 on the day of this survey. Mr. Buermann said this well is 280' deep and the bowls set at 160'. The well is located in the S ½ of the Sw 1/4 Sw 1/4, Section 10.

Well # 4

The well that served the larger pivot in section 15, prior to the new well, is located in the SW SW, Section 10. This well is identified as well # 4 on the permit. The well has a 200 HP Newman motor rated at 1775 RPM with a Gould 12 x 12 turbine. The well has an air line. The well is 200 feet deep and the bowls are at 180' deep.

They had 3500± ft. of 12" main line laid (buried to the center of the center pivot.) from well # 4.

The new well is within the same 1/4 1/4 section as well # 4. The main line from the new well to the center pivot is ±2600'.

The irrigation is with a Valley 11 tower low pressure center pivot. This is the larger pivot. Use is 1470 GPM. This is from the new well. From Well # 4 use was at 1600 GPM, per conversation with Mr. Buermann. The center pivot has a psi gauge. Operating pressure is 35 to 40. The cp was not operating the day of this survey.

Well # 5

The smaller cp, in the east portion of section 15, is served from a well located in the SE NE section 15. The well has a 60 HP Newman rated at 1800 RPM with a National turbine pump 6 x 6. The well has an air line for access. This well produces 400 GPM and the bowls set at 260'. This well is identified on the Northeast Harney Lake 7 ½ min. quad map.

The mainline is buried 6" laid ±300' to the center pivot. The center pivot is a Valley and is a 7 tower, low pressure type pivot. The pivot has a pressure gauge. The pivot was not operating the day of this survey.

Use: Alfalfa

Tie : Sw corner of section 16. Brass cap marker found. GPS reading at this location with Lieka GPS system.

page 2 of 4
portion of P # G-9419

The SW SW section 10 is not irrigated

Aerial NAPP 41025-1213 130 L, copy of aerial that is a 1990 flight from Farm Service Center in Burns.

Surveyed wells and center pivots with a Lieka GPS instrument with Vickie Leonard, computer specialist from the Pendleton office assisting.

I am proposing the use from well # 4 for the larger CP and the use from the well # 5 in the SE NE for the smaller pivot.. There is no well log for well # 5 and Mr. Buermann thought it was drilled in the 1950'.

June Miller, Field Inspector

comments: I believe Mr. Buermann needs to do a POA change from well # 4 to the new well.

Well # 4 currently serves land in section 16. This is Buermann's too.

I gave Mr. Buermann an assignment to submit for a portion of this permit.

2-25-2002 -

I talked with Mr. Buermann today on the phone, there are no flow meters on the wells and Buermann does not have a record of the amount of water withdrawn from the wells.

June

September 25, 2001

On September 18, 2001 I did the final proof on the portion of the permit in sections 4,5,8 and 9.

Mitch Lewis, WM District 12, assisted with the surveys.

This land is owned by Denny Land and Cattle Company, LLC., address PO Box 219, Barney California 96013. Ted de Braga is the manager. His phone # is, Phone cell - 530-949-1984, office 530-335-2219.

Alan Page, employee of Denny Land, lives on the place this permit is for. Showed the wells and explained the system. He has worked on this place for 7 years.

Well # 1

This well is located in the NW NW section 9. The well has a 200 HP Westinghouse motor with a

Page 3 of 4

cont. Report. On A # G-10268, P # G-9419

turbine pump that discharges into 8" mainline. The main line is buried to the southeast 2300'.

The main line delivers water to two 8 tower, 1/4 mile, Valley, low pressure center pivots with sprinkler guns on the end.. One pivot irrigates the lands in the section 8, S 1/2 of NE 1/4 and sec 9 w 1/2 of NW 1/4 and the second pivot irrigates land in the SW 1/4 section 9. Operating pressure is 35 to 40 PSI.

The well operates at 1600 GPM with each pivot at 800 GPM.

Well # 2.

This well is located in the SW 1/4 NE 1/4, Section 9. The well has a 30 Horse Power U. S. Electric motor rates at 1775 RPM with a turbine pump. (could not read the brand of the pump).

There is no access port at the well.

The discharge from the well is into 8" mainline that is buried to the west 950' to a Pierce, low pressure, 5 tower center pivot. Pivot operates at 35 to 40 PSI uses 300 GPM. GPS reading at the POA was lat. N 43 33 15 and long. W 119 12 55.

Well # 3

This is located in the SW 1/4 SE 1/4, Section 9.

The well has an air line, or access port.

This well has a Newman 125 HP motor with a Gould turbine pump mounted on the well head..

The well discharges into 8" mainline for 20' to the center pivot.

The center pivot is a 8 tower Valley; low pressure pivot. The pivot operates at 35 PSI and uses 800 GPM, per Alan Page.

All three wells are about 200 feet deep and the static level is 80 to 100' down the hole, per Mr. Page.

The use is alfalfa

Tie: SW corner section 16, found brass cap. GPS reading at this location with Lieka GPS system.

Aerial survey 41025-179-235C and copy of Farm Service Center 1990 flight NAPP 41025-1213-129 and 130 Left. These show the center pivots.

Irrigation applied for as supplemental under this permit, (in section 9) is not proposed for certificate, as this land had water rights from well # 3 under certificate 46262. The certificates allows 1/80th per acre and 3 acre feet per irrigated acre. This is the maximum allowed from a ground water source in this basin.

Page 4 of 4
A # G-10268, P # G-9419

The land between the pivots are not irrigated, area in the SE NE, Section 9 is not irrigated and the land in the south part of the SE 1/4 section 4 and the N $\frac{1}{2}$ of the NE of section 9 is not irrigated. There was a 1/4 mile pivot here, but has not been used for at least 7 years stated Alan Page.

There are no flow meters on the wells.

June Miller, Field Inspector

9/25/01 - talked with Ted de Braga on the phone today (manager) about the permit and a particle assignment for the lands under ownership of Denny Land. I am sending him an assignment and a copy of the permit and map.

June

2/25/02 - Talked w/ Page today on the phone he said there were no records to the effect of the amount of water withdrawn and no meters on the wells - (for land owned by Denny Land). Mr. Page said he would talk with Mitch (owner Beans) and get meters on wells and start reports.

June.

RECEIVED

JUL 29 1981

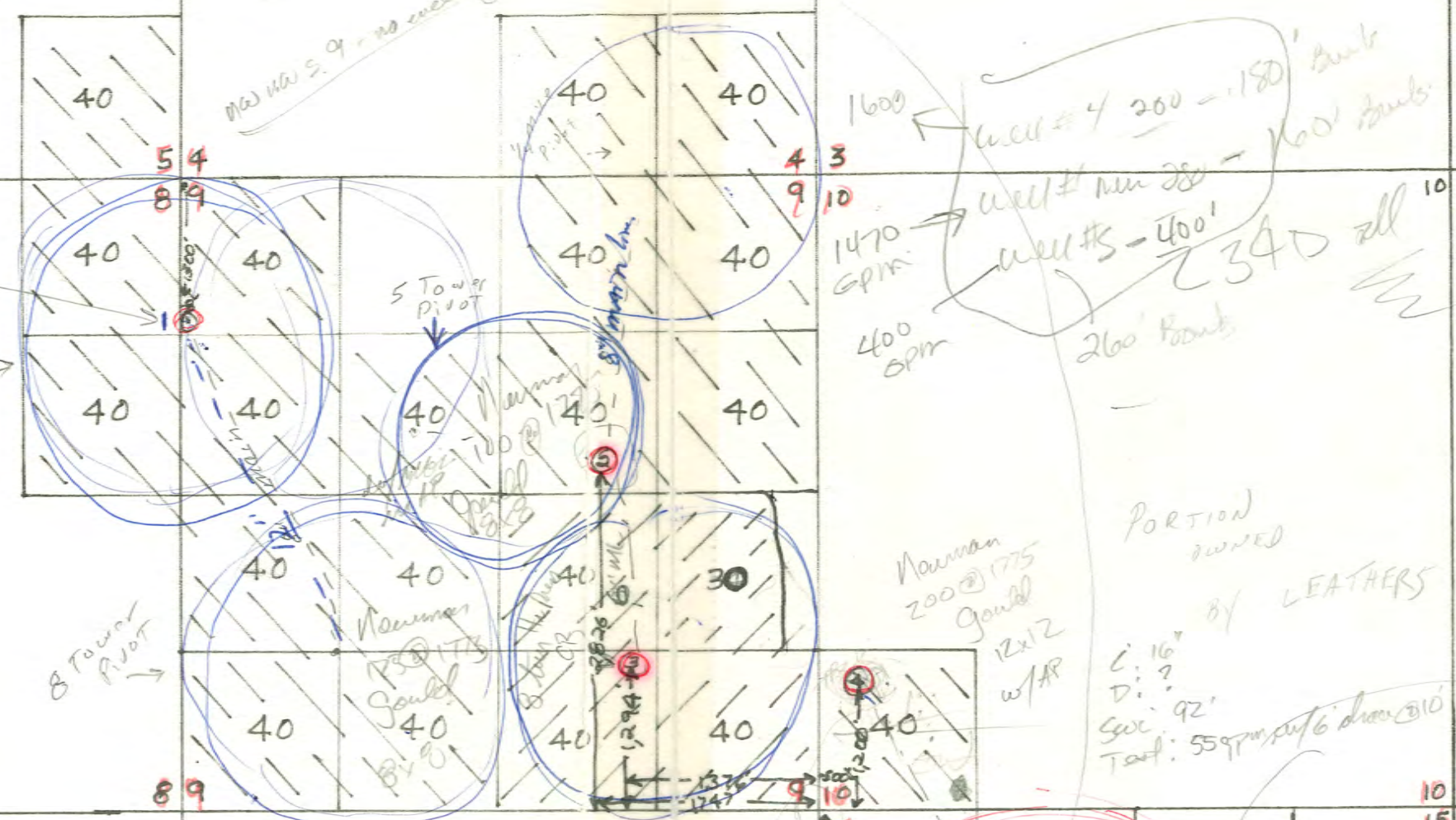
WATER RESOURCES DEPT
SALEM, OREGON

PPDP
2.5K
7.009 87
@ 2:30
8/9
40' accuracy

2 other well 200'
80' ~~to~~ bowls
Valleys
800 GPM
Well 700'
#5 720' gate, smaller pivot
5 tower pivot - lower pressure 35 PSI

Newman 150 1775 RPM
12x12
GE 75 HP 1770
Booster Pump
Cornell Pump
8x6

#2 40' N 6 S 9
C: 16"
D: 212'
SWL: 65'
Test: none



Application No. G 10268
Permit No. G 9419

ALDRICH RANCHES
T. 26 S., R. 30 E., W.M.
HARNEY COUNTY
PRIMARY
SUPPLEMENTAL

RECEIVED

APR 20 1981
WATER RESOURCES DEPT
SALEM, OREGON

Double
0 rot ->
Dering
Big yellow
shop
timber

no AP
Newman
600 @ 1765
Well 6x6
cone pad - 82
no well log in 5.15

old 205
/ Stand landmarks 200'

Acron Right.

#2 well 57000 op 11/10/10

US electric motor

30 HP 1770 RPM Turbine pump

no access port

8" out

price - low pressure

N 43 33 15

W 119 12 55

Well #1

200 HP 1775 RPM

Westinghouse

Turbine pump

8" out to 8 tower c.p. Valley

low pressure w/ gun wrens

no air line

1/4 mile pivot

no meter

1500 GPM

Well #3. Valley LP CP - 35 PSI

8 tower w/ gun wrens

1/4 mile pivot

Newman

Gould

125 HP w/ turbine pump

1500 GPM

8" main line to pivot 20' from well

has air line

Denny Land & Cattle Co. LLC

Ted DeBraga

PO Box 219

Burney Ca 96013

cell 530-949-1984

off 530-335-2219

Denny Land Portion.

Calculations for Q.

App# 6-10268

well 1

Per# 6-9419

Pg 1 of 4

Well acres migrated.

29.9 NENE

30.3 SE NE 60.2

Sec 8

0.2 SE NW

32.8 NW NW.

33.6 SW NW.

250 Ac well #1

0.3 SW NW.

33.7 NW SW.

32.6 SW SW.

29.1 NE SW.

27.5 SE SW 189.8

Section 9

Well 2.

SE NW 24.3

52.4 well #2

NE SW 5.5

SW NE 22.6 52.4

Section 9

well #3 NE SE 1.8

SE NE 0.1

SW NE 0.1

SE SW 0.1

2.2 well #3

NE SW 0.1

SW SE 0.1 2.2

Sec 9

Buerman Portion.

CAI. for G,
A - 6-10268
P - 6-9419

well #4

284

NE NW	31.4	
NW NW	17.4	
SW NW	39.7	
SE NW	40.0	128.5
NW NE	12.4	
SW NE	32.0	44.4

} 247.4 well #4

NE SW	36.5	
NW SW	22.4	
NW SE	15.6	74.5

Sec 15

Well # 5

BW NE	1.6	
SE NE	10.5	
NW SE	9.5	
NE SE	35.4	57.0

} 57.8 well #5

Sec 15

NW SW	0.8	0.8
-------	-----	-----

Sec 14

305.2

total well 4 & 5
Buerman Property.

CAI - for G,
A - 6-10268
P - 6-9419

Well #1

pg 3 of 4

$$\text{allow } \frac{250 \text{ ac}}{80} = 3.125 \text{ cfs} = 1402.5 \text{ GPM.}$$

$$\text{pump} = \frac{200 \text{ HP} \times 7.04}{101.6 \text{ @ } 40 \text{ PSI} + 100} = \frac{1408}{201.6} = 6.98 \text{ cfs} = 3134 \text{ GPM.}$$

- 1 - CP operates @ 800 GPM per page - emp. of Denny land.
- 2 - CP operate from well = 1600 GPM = 3.57 cfs

allow 3.125 cfs for 250 ac as permit allows @ $\frac{1}{80}^{\text{th}}$ per acre.

Well #2

irrigates - 52.4 acres @ $\frac{1}{80}^{\text{th}}$ per acre = 0.66 cfs

$$\text{pump} = \frac{30 \text{ HP} \times 7.04}{101.6 + 100} = \frac{211.2}{201.6} = 1.05 \text{ cfs} = 471.24 \text{ GPM.}$$

CP = use 300 GPM per page - emp of Denny land. = 0.67 cfs

allow 0.66 as $\frac{1}{80}^{\text{th}}$ per acre allows. for well #2

Well #3

acres - 2.2 @ $\frac{1}{80}^{\text{th}}$ = 0.03 cfs

pump - 125 HP -

this pump irrigates acres under cert-late. 46262 also.

allow 2.2 @ $\frac{1}{80}^{\text{th}}$ per acre = 0.03 for well #3 under this permit.

Well #4 (original well. Applied for under
 this permit).

$$\frac{200\text{HP} \times 7.04}{101.6 + 180} = \frac{1408}{281.6} = \cancel{4.98} \text{ cfs } 5.0 \text{ cfs}$$

ACRES irrigated under well #4.

$$\frac{247.4}{180^+ \text{ per acre}} = 3.09 \text{ cfs}$$

CF = 1400 GPM. 3.56 cfs

Allow 3.09 cfs from well #4 as 180⁺ allows.
 for 247.4 Acres.

well #5.

well #5.

acres irrigated from well. 57.8 ÷ 180⁺ per ac = 1.45 cfs.

$$\text{pump} = \frac{60\text{HP} \times 7.04}{127 + 260} = \frac{422.4}{387} = 1.09 \text{ cfs} = 490 \text{ GPM}$$

equipment - low pressure pivot - 400 GPM
 per Burman.

allow. 400 GPM 0.90 cfs as this is
 amount applied to irr. area from well #5.

well #1	3.125 cfs	250 ac
well #2	0.66 cfs	52.4 ACRES
well #3	0.03 cfs	2.2 acres
well #4	3.09 cfs	for 247.4 acres
well #5	0.90 cfs	for 57.8 acres
	<u>7.805</u>	= <u>609.8 acres total</u>

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

APR 10 1981

Application for a Permit to Appropriate Ground Water

WATER RESOURCES DEPARTMENT

SALEM, OREGON

Aldrich Ranches, a partnership consisting of Leonard Aldrich, Eunice Aldrich, Bruce Aldrich and Lavon Aldrich

BRUCE ALDRICH

of Route 5, Box 5117, Hermiston, Oregon 97838 Phone No. 567-8040

State of Oregon, 97838 (Zip Code) Phone No. 567-8040 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 5 wells (Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12" - 16" and an estimated depth of 350-400 feet. See EXHIBIT A-1

2. The well or other source is to be located SEE EXHIBIT A ft. and ft. (N. or S.) (E. or W.)

from the corner of (Public Land Survey Corner)

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

Sec. 100 HP U.S. 2nd 13' dist. being within the 1/4 of the 1/4 of Tp. 26S R. 30 E., W. M., in the county of Harney

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

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten notes like 'SEE EXHIBIT B' and 'Ted - Dec 1980'.

4. It is estimated that 300 feet of the well will require steel casing. See EXHIBIT A-1 (Kind)

5. Depth to water table is estimated 50-100 Well drilled by Larry Burd and Others See EXHIBIT A-1

Joe Buermann PO Box 292 Burns

589-0458

Handwritten signature/initials in bottom right corner.

Vertical handwritten notes on the left side: 'FWS 8/9/81 - Buermann park 2350', 'PPS 9/1/81 - Danay', 'Gravel', 'Harney', 'Lab.', 'Dogs', 'Honey', 'Baker'.

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 ~~13.88~~ 7.05 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 five ~~or~~ wells

The use to which this water is to be applied is irrigation and supplemental irrigation ~~NOT proposed~~

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,

Total 609.80 acws = 7.05 cfs

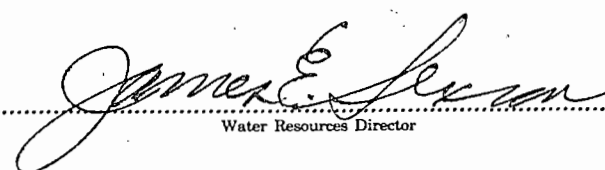
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.
The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.
The works constructed shall include an air line and pressure gauge 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 April 10, 1981

Actual construction work shall begin on or before September 10, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 10th day of September, 19 81


Water Resources Director

14 B

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

Well No.

1 1,300 feet S. and 8 feet E.
from the NW corner of SECTION
9 being within the NW
Quarter of the NW Quarter of
Section 9.

2 2,826 feet N. and 1,747 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the NE Quarter of
Section 9.

3 4,294 feet N. and 1,376 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the SE Quarter of
Section 9.

4 1,200 feet N. and 500 feet E.
from the SW corner of SECTION
10 being within the SW
Quarter of the SW Quarter of
Section 10.

5 2,166 feet S. and 1,850 feet E.
from the NW corner of SECTION
15 being within the SE
Quarter of the NW Quarter of
Section 15.

Application No. 10268
Permit No. G 9419

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT B

ACRES TO BE IRRIGATED

TWNSHP	RANGE	SECTION	PRIMARY <u>1/4 SECTION</u>	ACRES		
26S	30 E., W.M.	4	SW 1/4 SE 1/4	40		
			SE 1/4 SE 1/4	40 - 1200 Denny Land.		
			5	SE 1/4 SE 1/4	40 - 1200 Denny Land.	
				8	NE 1/4 NE 1/4	40
		9	SE 1/4 NE 1/4	40		
			9	NE 1/4 NE 1/4	40	
				NW 1/4 NE 1/4	40	
		SW 1/4 NE 1/4		40		
		10	SE 1/4 NE 1/4	40		
			10	NW 1/4 NW 1/4	40 - 1200	
				SW 1/4 NW 1/4	40	
		SE 1/4 NW 1/4		40		
		10	10	NE 1/4 SW 1/4	40	
				NW 1/4 SW 1/4	40	
				SW 1/4 SW 1/4	40	
				SE 1/4 SW 1/4	40	
		15	15	SW 1/4 SW 1/4	40	
				15	NW 1/4 NE 1/4	40
					SW 1/4 NE 1/4	40
		15	15	SE 1/4 NE 1/4	40	
15	NE 1/4 NW 1/4			40		
	NW 1/4 NW 1/4			40		
	15	15	SW 1/4 NW 1/4	40		
SE 1/4 NW 1/4			40			
15	15	NE 1/4 SW 1/4	40			
		NW 1/4 SW 1/4	40			
15	15	NE 1/4 SE 1/4	40			
		NW 1/4 SE 1/4	40			

1200 - Denny Land.

1200 - Denny Land.

1200 -

1200 -

1200 -

1200

2300 Joe Buerman

Joe Buerman

1200

SUPPLEMENTAL

TWNSHP	RANGE	SECTION	<u>1/4 SECTION</u>	ACRES
26S	30 E., W.M.	9	NE 1/4 SE 1/4	30
			NW 1/4 SE 1/4	40
			SW 1/4 SE 1/4	40
			SE 1/4 SE 1/4	40

1200 - 150

Denny Land

1,270

Application No. 10268

Permit No. G 9419

Platcard Report

Township 26S Range 30E Section 8 of (8, 9, 14, 15)

					NE				NW				SW				SE					
	<u>App#</u> <u>Priority</u>	<u>Permit/</u> <u>Certificate</u>	<u>Claim/</u> <u>Decree</u>	<u>Status</u> <u>dlc/lot</u>	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
i	G10268 04/10/1981	G9419			40.0 IR			40.0 IR														

Page:1

[Return to Platcard Query Screen](#)

Run Time: 0 seconds

Platcard Report

Township 26S Range 30E Section 9 of (8, 9, 14, 15)

					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
i	G306 04/20/1956	G363 26086		CN														29.8 IR CN	20.2 IR CN			
i	G5345 10/21/1970	G5287 46262															30.0 IR	40.0 IR	40.0 IR	40.0 IR		
i	G10268 04/10/1981	G9419			40.0 IR	40.0 IR	40.0 IR	40.0 IR		40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR						
	04/10/1981																30.0 IS (s)	40.0 IS (s)	40.0 IS (s)	40.0 IS (s)		

Page:1

[Return to Platcard Query Screen](#)

Run Time: 1 seconds

Platcard Report

Township 26S Range 30E Section 14 of (8, 9, 14, 15)

No records found

Run Time: 1 seconds

Platcard Report

Township 26S Range 30E Section 15 of (8, 9, 14, 15)

					NE				NW				SW				SE					
	<u>App#</u> Priority	<u>Permit/ Certificate</u>	<u>Claim/ Decree</u>	<u>Status dlc/lot</u>	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
i	G10268 04/10/1981	<u>G9419</u> -				40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR	40.0 IR			40.0 IR	40.0 IR				
i	G16599 01/13/2006	-				17.5 IR	36.8 IR	9.8 IR	38.0 IR	22.2 IR	37.8 IR	40.0 IR	35.0 IR	20.0 IR			33.1 IR	24.4 IR				

Page:1

[Return to Platcard Query Screen](#)

Run Time: 0 seconds

STATE OF OREGON

COUNTY OF HARNEY

~~PROPOSED~~ CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

~~ALDRICH BROS.~~

Land owners at the time of fps
Denny Land and Cattle, LLC
PO Box 219
Burney, CA 96013
Joseph R.
~~Joe~~ Buermann
PO Box 292
Burns, OR

*Rattlesnake Land & Cattle
Co LLC
POB 946
Burns OR 97720*

confirms the right to use the waters of 5 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF ~~609.8~~ ACRES. *and Suppl Irr of 128.1*

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ~~7.805~~ CUBIC FEET PER SECOND, BEING ~~3.125~~ CFS FROM WELL # 1 FOR IRRIGATION OF ~~250.0~~ ACRES, ~~0.66~~ CFS FROM WELL # 2 FOR IRRIGATION OF ~~52.4~~ ACRES, ~~0.03~~ CFS FROM WELL # 3 FOR THE IRRIGATION OF ~~2.2~~ ACRES, ~~3.09~~ CFS FROM WELL # 4 FOR THE IRRIGATION OF ~~247.4~~ ACRES, AND ~~0.90~~ CFS FROM WELL # 5 FOR THE IRRIGATION OF ~~57.8~~ ACRES, or its equivalent in case of rotation, measured at the well. *9-22* *0.71* *3-13* *suppl of 123.4* *2.72*

The wells are located as follows:

- WELL # 1 - SW 1/4 NW 1/4, SECTION 9, ~~1320~~¹³³⁰ FEET SOUTH AND 65 FEET EAST FROM THE NORTHWEST CORNER, OF SECTION 9.
- WELL # 2 - SW 1/4 NE 1/4, SECTION 9, 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NORTHEAST CORNER, OF SECTION 9.
- WELL # 3 - SW 1/4 SE 1/4, SECTION 9, 1306 FEET NORTH AND 1416 FEET WEST FROM THE SOUTHEAST CORNER, OF SECTION 9.
- WELL # 4 - SW 1/4 SW 1/4, SECTION 10, 1211 FEET NORTH AND 385 FEET EAST FROM THE SOUTHWEST CORNER, OF SECTION 10.
- WELL # 5 - SE 1/4 NE 1/4, SECTION 15, 2707 FEET NORTH AND 765 FEET WEST FROM THE SOUTHEAST CORNER, OF SECTION 15.

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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed ~~THREE~~ acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

Rattlesnake Land & Cattle Co LLC

~~LAND OWNER~~
~~DENNY LAND AND~~
~~CATTLE CO., LLC~~

WELL # 1

$$\frac{(200)(7.04)}{100 + 102} = 6.98$$

$$\frac{250}{80} = 3.13 \checkmark$$

NE 1/4 NE 1/4 29.9 ACRES
SE 1/4 NE 1/4 30.3 ACRES *60.2*

SECTION 8

SE 1/4 NW 1/4 0.2 ACRE
NW 1/4 NW 1/4 32.8 ACRES
SW 1/4 NW 1/4 ~~33.9~~ ~~33.6~~ ACRES
SW 1/4 NW 1/4 ~~0.3~~ ACRE
NW 1/4 SW 1/4 33.7 ACRES
SW 1/4 SW 1/4 32.6 ACRES
NE 1/4 SW 1/4 29.1 ACRES
SE 1/4 SW 1/4 27.5 ACRES *109.8*

SECTION 9

SE 1/4 NW 1/4 24.3 ACRES *SUPP!*
NE 1/4 SW 1/4 5.5 ACRES
SW 1/4 NE 1/4 22.6 acres *SW SE 4.7 ac 4.7*

SECTION 9

Primary
NE 1/4 SE 1/4 1.8 ACRES
SE 1/4 NE 1/4 0.1 ACRE
SW 1/4 NE 1/4 0.1 ACRE
SE 1/4 SW 1/4 0.1 ACRE
NE 1/4 SW 1/4 0.1 ACRE

SECTION 9

NE 1/4 NW 1/4 31.4 ACRES
NW 1/4 NW 1/4 17.4 ACRES
SW 1/4 NW 1/4 39.7 ACRES
NW 1/4 NE 1/4 12.4 ACRES
SW 1/4 NE 1/4 32.0 ACRES
NE 1/4 SW 1/4 36.5 ACRES
NW 1/4 SW 1/4 22.4 ACRES
SE NW 40.0

WELL # 2

$$\frac{(30)(7.04)}{100 + 102} = 1.05$$

$$\frac{57.1}{80} = 0.71 \checkmark$$

WELL # 3

$$\frac{(125)(7.04)}{100 + 102} = 4.36$$

$$\frac{125-6}{80} = 1.57 \checkmark$$

~~LAND OWNER~~
JOE BUERMAN
Joseph

WELL # 4

$$\frac{200 HP (7.04)}{180 + 102} = 5.0 cfs$$

$$\frac{247.4}{80} = 3.09 cfs \checkmark$$

$$\frac{2.2}{304.6}$$

$$\frac{123.4}{128.1}$$

NW 1/4 SE 1/4 15.6 ACRES
SECTION 15

247-4

G-10268.JM

PAGE 3

WELL # 5

$\frac{(60 \times 7.04)}{260 + 102} = 1.17$

SW 1/4 NE 1/4 1.6 ACRES

SE 1/4 NE 1/4 10.5 ACRES

NW 1/4 SE 1/4 9.5 ACRES

NE 1/4 SE 1/4 35.4 ACRES

SECTION 15

$\frac{57.8}{80} = 0.72$

~~LAND OWNER~~

~~USA~~

~~Well # 5~~

NW 1/4 SW 1/4 0.8 ACRES

SECTION 14

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M. 305.2

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 the water level elevation in the wells at all times

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

G-10268.JM

STATE OF OREGON

COUNTY OF HARNEY

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDRICH BROS.

Land owners at the time of fps
Denny Land and Cattle, LLC
PO Box 219
Burney, CA 96013.

Joseph R
Joe Buermann
PO Box 292
Burns, OR

*Rattlesnake Land & Cattle Co
LLC*

confirms the right to use the waters of 5 WELLS in the MALHEUR LAKE BASIN for IRRIGATION OF 609.8 ACRES.

This right was perfected under Permit G-9419. The date of priority is April 10, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 7.805 CUBIC FEET PER SECOND, BEING 3.125 CFS FROM WELL # 1 FOR IRRIGATION OF 250.0 ACRES, 0.66 CFS FROM WELL # 2 FOR IRRIGATION OF 52.4 ACRES, 0.03 CFS FROM WELL # 3 FOR THE IRRIGATION OF 2.2 ACRES, 3.09 CFS FROM WELL # 4 FOR THE IRRIGATION OF 247.4 ACRES, AND 0.90 CFS FROM WELL # 5 FOR THE IRRIGATION OF 57.8 ACRES, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

- WELL # 1 - SW 1/4 NW 1/4, SECTION 9, 1320 FEET SOUTH AND 65 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 9.
- WELL # 2 - SW 1/4 NE 1/4, SECTION 9, 2407 FEET SOUTH AND 1732 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 9.
- WELL # 3 - SW 1/4 SE 1/4, SECTION 9, 1306 FEET NORTH AND 1416 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 9.
- WELL # 4 - SW 1/4 SW 1/4, SECTION 10, 1211 FEET NORTH AND 385 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 10.
- WELL # 5 - SE 1/4 NE 1/4, SECTION 15, 2707 FEET NORTH AND 765 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 15.

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 per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed THREE acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

LAND OWNER
DENNY LAND AND
CATTLE CO., LLC

WELL # 1	NE 1/4 NE 1/4	29.9 ACRES
	SE 1/4 NE 1/4	30.3 ACRES
	SECTION 8	
	SE 1/4 NW 1/4	0.2 ACRE
	NW 1/4 NW 1/4	32.8 ACRES
	SW 1/4 NW 1/4	33.6 ACRES
	SW 1/4 NW 1/4	0.3 ACRE
	NW 1/4 SW 1/4	33.7 ACRES
	SW 1/4 SW 1/4	32.6 ACRES
	NE 1/4 SW 1/4	29.1 ACRES
	SE 1/4 SW 1/4	27.5 ACRES

SECTION 9

WELL # 2	SE 1/4 NW 1/4	24.3 ACRES
	NE 1/4 SW 1/4	5.5 ACRES
	SW 1/4 NE 1/4	22.6 acres

SECTION 9

WELL # 3	NE 1/4 SE 1/4	1.8 ACRES
	SE 1/4 NE 1/4	0.1 ACRE
	SW 1/4 NE 1/4	0.1 ACRE
	SE 1/4 SW 1/4	0.1 ACRE
	NE 1/4 SW 1/4	0.1 ACRE

SECTION 9

LAND OWNER
JOE BUERMAN

WELL # 4	NE 1/4 NW 1/4	31.4 ACRES
	NW 1/4 NW 1/4	17.4 ACRES
	SW 1/4 NW 1/4	39.7 ACRES
	NW 1/4 NE 1/4	12.4 ACRES
	SW 1/4 NE 1/4	32.0 ACRES
	NE 1/4 SW 1/4	36.5 ACRES
	NW 1/4 SW 1/4	22.4 ACRES
	NW 1/4 SE 1/4	15.6 ACRES

SECTION 15

WELL # 5	SW 1/4 NE 1/4	1.6 ACRES
	SE 1/4 NE 1/4	10.5 ACRES
	NW 1/4 SE 1/4	9.5 ACRES
	NE 1/4 SE 1/4	35.4 ACRES

SECTION 15

LAND OWNER

USA NW 1/4 SW 1/4 0.8 ACRES

Well # 5 SECTION 14

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

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 the water level elevation in the wells at all times

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

T. 26 S., R. 30 E., W. M.

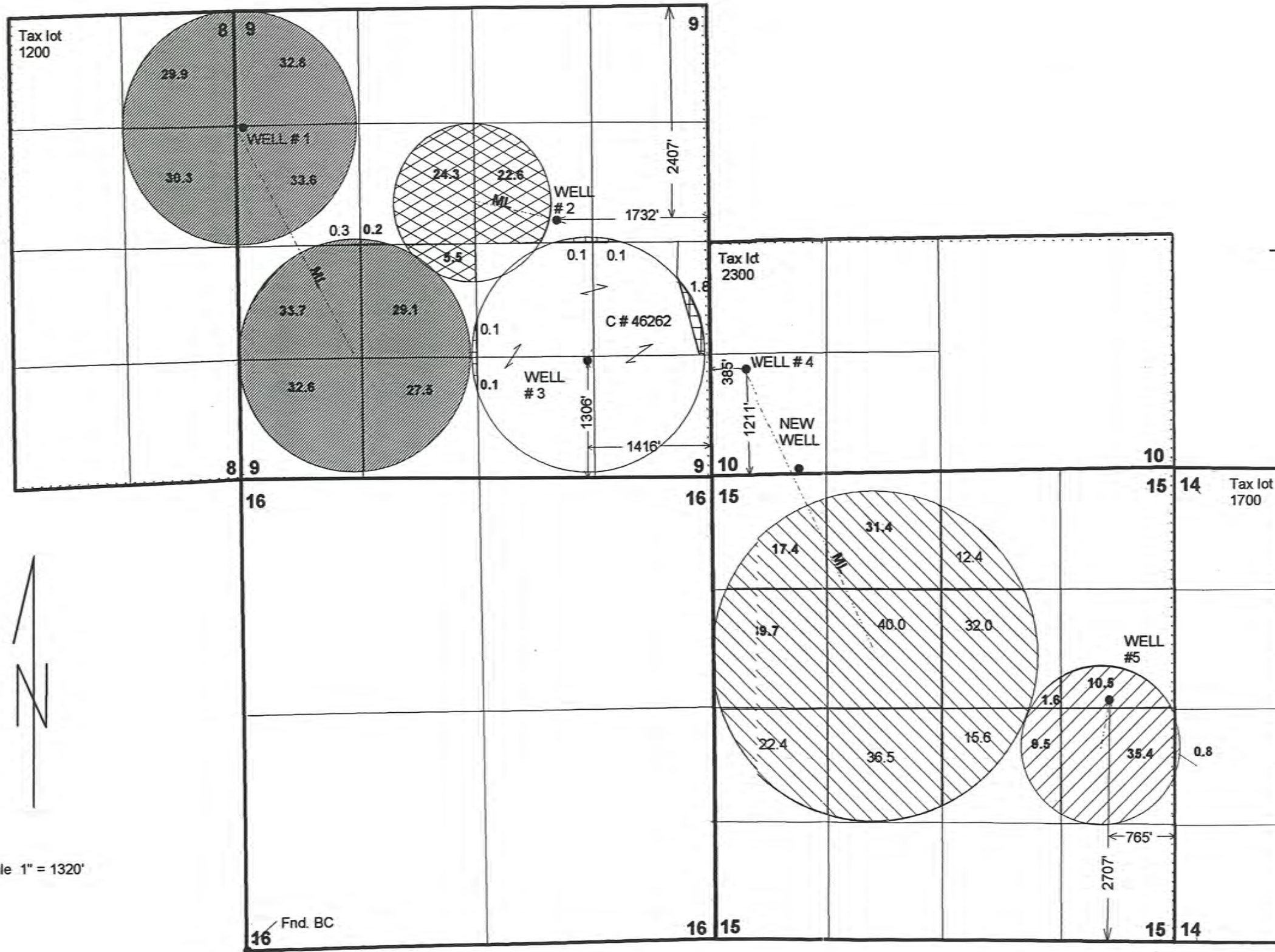
FINAL PROOF SURVEY

UNDER

Application G-10268 Permit G-9419

IN THE NAME OF

Surveyed 8-9-2001 & 9-18-2001 by J. Miller



Well # 1 - 1330' S. & 65' E. from the Northwest Corner of Section 9

	Irr well # 1		Irr well # 4
	Irr well # 2		Irr well # 5
	Irr well # 3		

JM 2-28-2002

Leika GPS and Aerial NAPP 41025-1213-130L

JETT BLACKBURN

707 PONDEROSA VILLAGE
Burns, Oregon 97720

Real Estate, Inc.

RANCHES

HOMES

BUSINESS PROPERTIES

★ ★ ★ UNITED STATES POSTAGE
168 PB9630817
2850 \$00.600 JAN 27 04
5469 MAILED FROM ZIP CODE 97720

ATTN: Jerry Sauter

Water Resources Department
725 N.E. Summer Street, Suite A
Salem, OR 97301-2430

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 13.88 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 five wells

The use to which this water is to be applied is irrigation and 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 April 10, 1981

Actual construction work shall begin on or before September 10, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 10th day of September, 19 81

RECEIVED

JAN 28 2004

WATER RESOURCES DEPT
SALEM, OREGON

James E. ...
Water Resources Director

Application No. G-10268

Permit No. G 9419

RECEIVED

APR 10 1981

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Aldrich Ranches, a partnership consisting of Leonard Aldrich, Eunice Aldrich, Bruce Aldrich and Lavon Aldrich

(Name of Applicant)

of Route 2, Box 2764 Hermiston Oregon

(Mailing Address)

(City)

State of Oregon 97838 Phone No. 567-8040 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 5 wells having a diameter of 12" - 16" and an estimated depth of 350-400 feet. See EXHIBIT A-1

(Give number of wells, tile lines, infiltration galleries, etc.)

2. The well or other source is to be located SEE EXHIBIT A ft. and ft. from the corner of

(N. or S.)

(E. or W.)

(Public Land Survey Corner)

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

being within the 1/4 of the 1/4 of Sec. 26S Tp. 26S R. 30 E., W.M., in the county of Harney

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

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten 'SEE EXHIBIT B' in the Section column.

RECEIVED

JAN 28 2004

WATER RESOURCES DEP SALEM, OREGON

4. It is estimated that 300 feet of the well will require steel casing.

(Kind)

5. Depth to water table is estimated 50-100 Well drilled by Larry Burd and Others See EXHIBIT A-1

(Feet)

LA Harney Lake wells

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

Well No.

1

1,300 feet S. and 8 feet E.
from the NW corner of SECTION
9 being within the NW
Quarter of the NW Quarter of
Section 9.

2

2,826 feet N. and 1,747 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the NE Quarter of
Section 9.

3

1,294 feet N. and 1,376 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the SE Quarter of
Section 9.

4

1,200 feet N. and 500 feet E.
from the SW corner of SECTION
10 being within the SW
Quarter of the SW Quarter of
Section 10.

5

2,166 feet S. and 1,850 feet E.
from the NW corner of SECTION
15 being within the SE
Quarter of the NW Quarter of
Section 15.

Rattle Snake Creek Land + Cattle Co. LLC

Joseph Beauvman

Application No. 10268
Permit No. G 9419

RECEIVED

JAN 28 2004

WATER RESOURCES DEPT
SALEM, OREGON

COPIES

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT B

ACRES TO BE IRRIGATED

TWNSHP	RANGE	SECTION	¼¼ SECTION	ACRES		
26S	30 E., W.M.	4	SW¼SE¼	40		
			SE¼SE¼	40		
			L Rattle Snake Creek Land + Cattle Co. LLC	5	SE¼SE¼	40
					H Joseph Buermann	8
			SE¼NE¼	40		
			9	NE¼NE¼	40	
				NW¼NE¼	40	
				SW¼NE¼	40	
				SE¼NE¼	40	
			10	NW¼NW¼	40	
				SW¼NW¼	40	
				SE¼NW¼	40	
			15	NE¼SW¼	40	
				NW¼SW¼	40	
				SW¼SW¼	40	
				SE¼SW¼	40	
			10	SW¼SW¼	40	
				15	NW¼NE¼	40
					SW¼NE¼	40
					SE¼NE¼	40
15	NE¼NW¼	40				
	NW¼NW¼	40				
	SW¼NW¼	40				
	SE¼NW¼	40				
15	NE¼SW¼	40				
	NW¼SW¼	40				
15	NE¼SE¼	40				
	NW¼SE¼	40				
SUPPLEMENTAL						
TWNSHP	RANGE	SECTION	¼¼ SECTION	ACRES		
26S	30 E., W.M.	9	NE¼SE¼	30		
			NW¼SE¼	40		
			SW¼SE¼	40		
			SE¼SE¼	40		
				1,270		

Application Nos 10268
Permit No. G 9419
1 - Exhibit B

RECEIVED

JAN 28 2004


WATER RESOURCES DEPT


PC RECEIVED

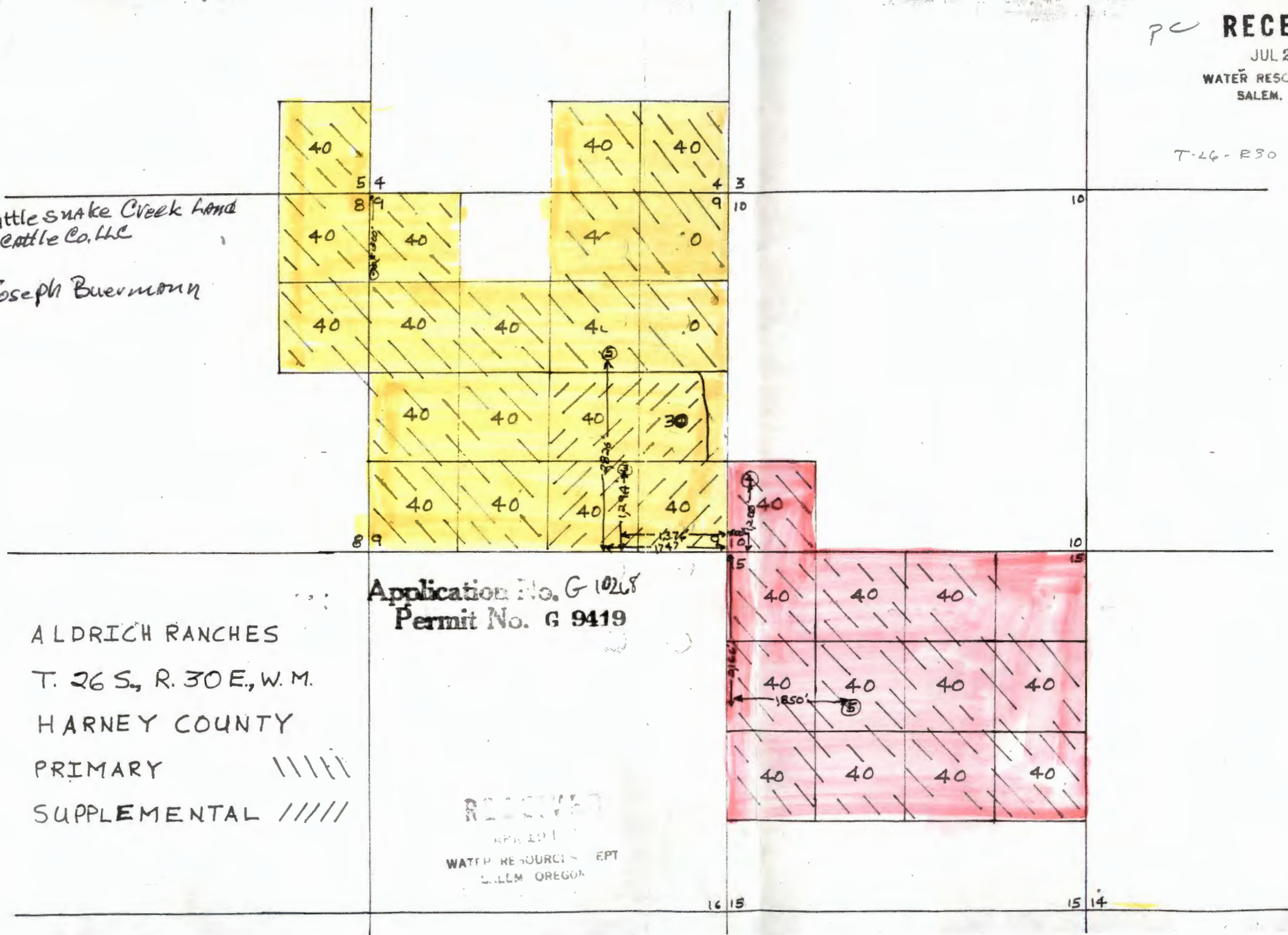
JUL 29 1981

WATER RESOURCES DE
SALEM, OREGON

T-26-R30

 Rattlesnake Creek Land
& Cattle Co., LLC

 Joseph Buermann



TO Jerry Sauter
Water Rights Program Analyst
Water Rights Resource Dept.
725 NE Summer Street Suite A
Salem, OR 97301-2430

JETT BLACKBURN REAL ESTATE, INC

707 Ponderosa Village
Burns, OR 97720
(541) 573-7206
1-800-573-7206
Fax: (541) 573-5011

SUBJECT

Application 10268, Permit G 9419

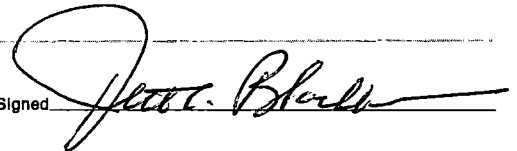
DATE

26 Jan 04

M
E
S
S
A
G
E

Attached is a map + permit + permit application on above showing split between Rattlesnake Creek Land + Cattle Co. LLC + Joseph Buermann. If you have any questions please contact me as I handled the sale for Penny Land + Cattle Co., LLC.

Signed



TO

DATE

R
E
P
L
Y

RECEIVED

JAN 28 2004

WATER RESOURCES DEPT
SALEM, OREGON

Signed

SENDER: 1. Send White & Yellow Copies to Person Addressed

RECIPIENT: 1. Write Reply at Bottom
2. Retain White Copy, Return Yellow Copy to Sender

Reply Message



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

January 13, 2004

Amerititle
111 W. Washington
Burns, Oregon 97720

Reference: Application G-10268, Permit G-9419
Application G-14136, Permit G-12841

The assignments on the above referenced water rights, have been recorded in the records of the Water Resources Department. Application G-10268, Permit G-9419 has been partially assigned from Denny Land and Cattle Co., LLC to Rattlesnake Creek Land and Cattle Co., LLC Denny Land and Cattle Co., LLC was part owner in this permit according to our records. The other owner is Joseph Buermann. This permit is now in the name of Joseph R. Buermann and Rattlesnake Creek Land and Cattle Co., LLC. Application G-14136, Permit G-12841 has been assigned from Denny Land and Cattle Co., LLC to Rattlesnake Creek Land and Cattle Co.

Our records have been changed accordingly and the original request is enclosed. Receipt number 65102 covering the recording fee of \$25.00 is also enclosed.

Sincerely

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 65102

cc: Watermaster 10
Denny Land and Cattle Co., LLC.
Joseph R. Buermann
Rattlesnake Creek Land and Cattle Co., LLC
Data Center, OWRD
Mary Rohling
File



RECEIVED

JAN 09 2004

WATER RESOURCES DEPT
SALEM OREGON

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) DENNY LAND & CATTLE CO., L.L.C.

500 Boylston St., Suite 1880 Boston, MA 02116
(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 # G-10268 & G-14136, Permit # G-9419 & G-12841
OR GR Statement # _____, GR Certificate of Registration# _____
as filed in the office of the Water Resources Director, to:

RATTLESNAKE CREEK LAND & CATTLE CO., LLC

(Name of new owner)

PO Box 946 Burns OR 97720 541-573-3615
(Address) (City) (State) (Zip) (Phone)

(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 4 day of December, 2003.

DENNY LAND & CATTLE CO., LLC

Applicant/permit holder By: GEORGE P. DENNY, III TRUST, Member

By: [Signature] George P. Denny III,

Applicant/permit holder By: DENNY TRUCKING CORP, MEMBER Trustee

By: [Signature]
George P. Denny, III, as its President

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 # 65102
- 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 \$25.00. Additional pages will cost \$5.00 per page.

**WATER RESOURCES
DEPARTMENT
158 12th St NE
Salem, OR 97301-4172**

*OK. ASSIGN 6-14-06
PARTIAL ASSIGN 6-10-06
A.M.S. 1/27/2004*



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

November 21, 2002

Joseph R. Buermann
P.O. Box 292
Burns, Oregon 97720

Reference: Application G-10268, Permit G-9419

The partial assignment has been recorded in the records of the Water Resources Department. The above referenced right is now in the name of Denny Land and Cattle Co. LLC and Joseph R. Buermann.

Our records have been changed accordingly and the original request is enclosed. Receipt number 57016 covering the recording fee of \$25.00 is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 57016

cc: Watermaster 10
Aldrich Ranches
Denny Land and Cattle Co. LLC
Data Center
File

RECEIVED

NOV 19 2002

WATER RESOURCES DEPT.
SALEM, OREGON

REQUEST FOR ASSIGNMENT

I, Aldrich Ranches
(Name of Applicant / Permit Holder)

59290 (mailing address) Burns (City) OR (State) 97720 (Zip) 541-593-2688 (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;
(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;

Application # G-10268, Permit # G-9419;
-OR-

GR Statement # _____, GR Certificate of Registration # _____

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

Joseph R Buerman
(Name of New Owner)

PO Box 292 (mailing address) Burns (City) OR (State) 97720 (Zip) 541-589-0458 (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit 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 13 day of Nov, 2002.

Applicant/Permit holder [Signature]

Applicant/Permit holder _____

*APX Assign Partial
Nov 19 2002
New in Name of Jerry
Wright & Joseph Buerman*

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 # 5706
- For Director by Jerry Satter, Program Analyst in Water Rights Division [Signature]

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
158 12TH STREET NE
SALEM, OREGON 97301-4172

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **57016**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Silver Sage Ranch
 BY: _____

APPLICATION	G 10268
PERMIT	
TRANSFER	

CASH: CHECK: # 2-197 OTHER: (IDENTIFY)

TOTAL REC'D \$ 25.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
PCA AND OBJECT CLASS	VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	<u>ASSIGN 25.00</u>
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
		\$	0206 \$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0219 \$
			0220 \$
	OTHER (IDENTIFY)		

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

0467 HYDRO ACTIVITY

0233	POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HRDRO APPLICATION		\$

RECEIPT # **57016**

DATED: 11/19/02 BY: Connie Vance

NOTICE OF PLEDGE

RECEIVED

SEP 24 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Oregon State Water Resources Department
Division of Water Rights
158 12th NE
Salem, Oregon 97301-4172

Please be notified that the undersigned have this date executed a deed of trust in favor of the NORTHERN CALIFORNIA FEDERAL LAND BANK ASSOCIATION, FLCA, a corporation, covering certain land in Harney County, State of Oregon, together with the Trustor's right to use water for irrigation pursuant to Application #G-10268, Permit #G 9419 and Application #G-14136, Permit #G 12841, which said deed of trust is given to secure a promissory note of even date, evidencing the indebtedness identified on the records of the said association by the above loan number.

Please file this notice with your records of the above-numbered PERMITS, and direct one copy of any correspondence which could materially affect the beneficiary's security interest to the Northern California Federal Land Bank Association, FLCA, P.O. Box 929, Chico, California 95927.

Dated this August 28, 2001


Denny Land & Cattle Company, LLC, a California Limited Liability Company

By: George P. Denny, III Trust dated June 11, 1981, Member



George P. Denny, III, Trustee of the George P. Denny, III Trust dated June 11, 1981

By: Denny Trucking Corp., a California Corporation, Member

By: 

George P. Denny, III, President

Receipt of the Notice of Pledge, of which this is a copy, is acknowledged. A notation of the Association's interest in the referred to PERMITS has been made in the records of the Office of the Water Resources Control Board, Division of Water Rights.

(date)

(signature)

(title)

111 W. Washington
Burns, Oregon 97720

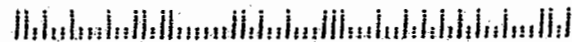
10268
14136



Oregon State Water Resources Dept.
Division of Water Rights
158 12th NE
Salem, OR 97301-4172

★ ★ ★ UNITED STATES POSTAGE
171 6010 # 00.34⁰ PB8625015
1122 MAILED FROM BURNS, OR 97720

97301-4172





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 15, 2002

DENNY LAND & CATTLE CO, LLC
PO BOX 219
BURNEY, CA 96013

REFERENCE: File G-10268

The partial assignment of Permit G-9419 from Aldrich Ranches Partnership to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with your receipt number 49168 covering the recording fee of \$25 you submitted.

Sincerely

JERRY SAUTER
Water Rights Program Analyst

JS; jf

Enclosure

cc: Watermaster # 10
Data Center, OWRD
E Region
Aldrich Ranches Partnership, Rt 2 Box 2764, Hermiston, OR 97838

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **49168**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Denny Land & Cattle
BY: _____

APPLICATION	G 10268
PERMIT	
TRANSFER	

CASH: CHECK: # 11-49 OTHER: (IDENTIFY)

TOTAL REC'D \$ 25.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

PCA AND OBJECT CLASS		VOUCHER #	
0407 MISCELLANEOUS			
0407 COPY & TAPE FEES			\$
0410 RESEARCH FEES			\$
0408 MISC REVENUE: (IDENTIFY)	<u>Assign.</u>		\$ <u>25.00</u>
(New) TC162 DEPOSIT LIAB. (IDENTIFY)			\$

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FW/WRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **49168**

DATED 10/22/01 BY: C. Vance

DENNY LAND & CATTLE COMPANY, LLC

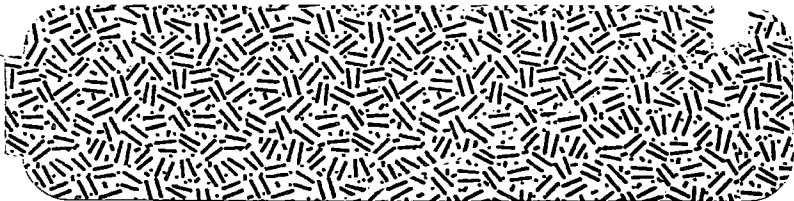
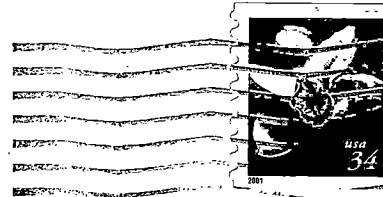
12353

OUR REF. NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
014668		10/1/01	25.00	25.00	0.00	25.00

RECEIVED
OCT 22 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Columbian® - CO158
Dubi-Vue® Check Envelope

REDDING, CA 960
PM 1
17 OCT
2001



Steve

Forgive my stationery

I am sending you a copy
of all the material I have
and highlighted Penny
Sand & Cattle Co property
on the MSP.

Thanks

Bill Beal

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

REQUEST FOR ASSIGNMENT

BY PROOF OF OWNERSHIP (IF PERMIT HOLDER IS NOT AVAILABLE)

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

Denny Land & Cattle Co LLC
(Name of Party Requesting Assignment)

PO Box 219 Burney CA 96013 530-335-2219
(mailing address) (City) (State) (Zip) (Phone #)

CHECK ONE

- ...hereby request assignment in and to application/permit;
- ...hereby request assignment in and to a portion of application/permit;
(You must include a map showing the portion of the application/permit to be assigned.)
- ...I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly;
(Remember to include \$5 for each additional page.)

Application # G-10268, Permit # G-9419;
-OR-

GR Statement # _____, GR Certificate of Registration # _____

Aldrich Ranch Partnership
(Name of Permit Holder of Record)

Rt 2 Box 2764 Hermiston Or. 97858 NA
(mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit 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.

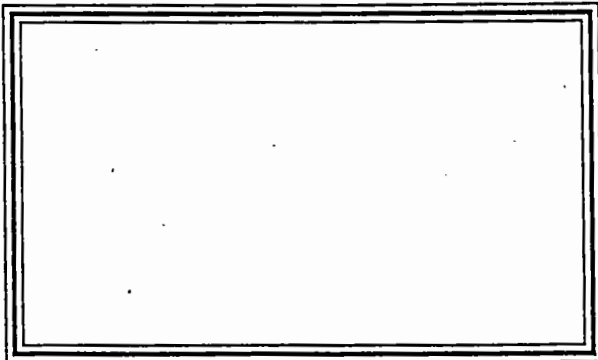
I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 11 day of October, 20 01.

Party Requesting Assignment Denny Land & Cattle Co LLC by Todd Ross

Party Requesting Assignment _____

DO NOT WRITE IN THIS BOX



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
158 12TH STREET NE
SALEM, OREGON 97301-4172

RECEIVED

JAN 07 2002

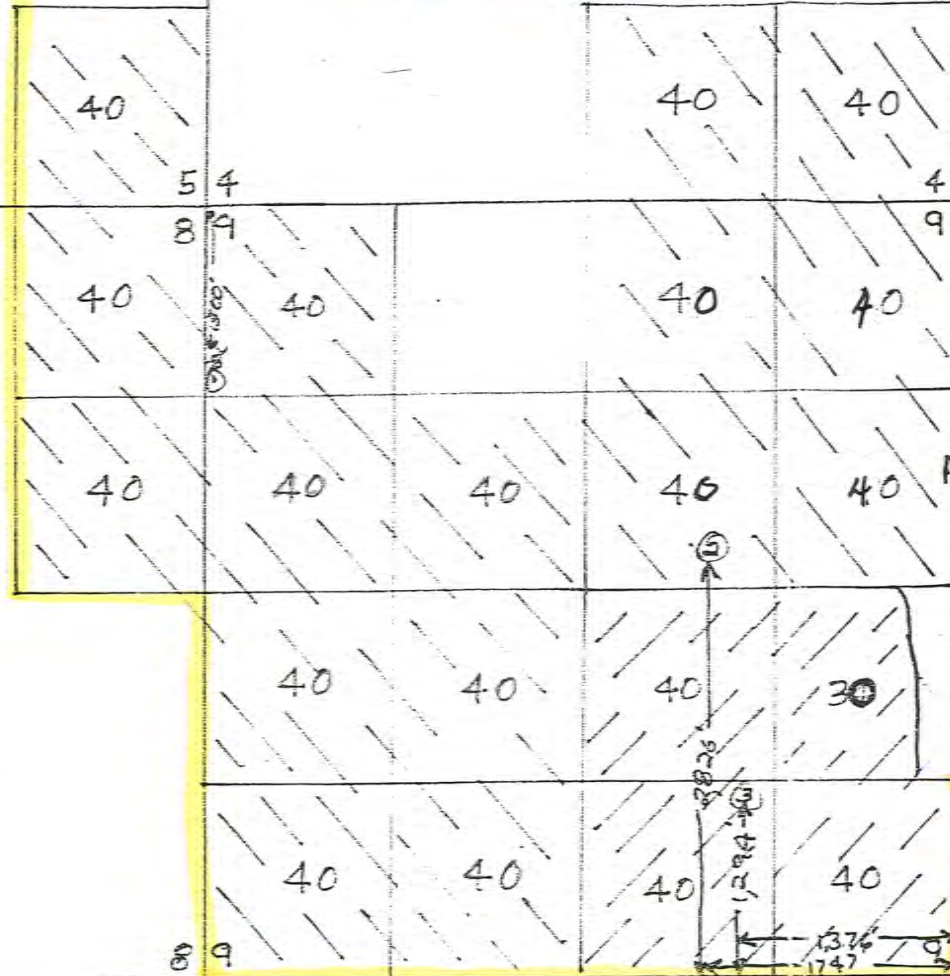
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT.
SALEM, OREGON

T-26 S R 30 E



Denny Land's Cattle Co.

DELETE WT. RIGHT ASSIGNMENT
ALL LANDS IN SECTIONS 10 &
15 - (NOT OWNED BY DENNY LAND
& CATTLE CO, LLC)

Application No. G 10268
Permit No. G 9419

ALDRICH RANCHES

T. 26 S., R. 30 E., W. M.

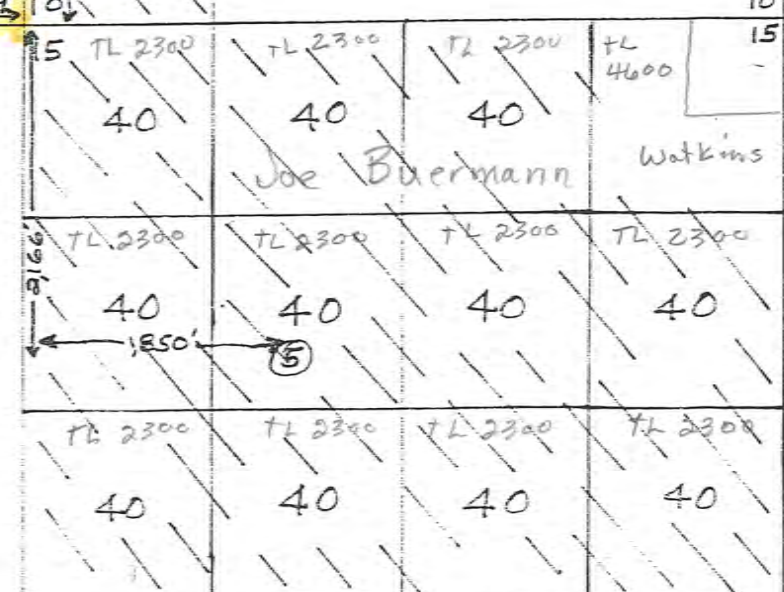
HARNEY COUNTY

PRIMARY

//////

SUPPLEMENTAL

//////



G9419

Application No. G-10268

Permit No. G 9419

RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT

APR 10 1981

Application for a Permit to Appropriate Ground Water

Aldrich Ranches, a partnership consisting of Leonard Aldrich, Eunice Aldrich, Bruce Aldrich and Lavon Aldrich
I, Eunice Aldrich, Bruce Aldrich and Lavon Aldrich
(Name of Applicant)

of Route 2, Box 2764 Hermiston
(Mailing Address) (City)

State of Oregon, 97838 Phone No. 567-8040
(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 5 wells
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 12" - 16" and an estimated depth of 350-400 See EXHIBIT A-1
feet.

2. The well or other source is to be located SEE EXHIBIT A ft. and SEE EXHIBIT A ft.
(N. or S.) (E. or W.)

from the SEE EXHIBIT A corner of SEE EXHIBIT A
(Public Land Survey Corner)

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

being within the SEE EXHIBIT A $\frac{1}{4}$ of the SEE EXHIBIT A $\frac{1}{4}$ of

Sec. 26S Tp. 26S R. 30 E., W. M., in the county of Harney

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
		SEE EXHIBIT B		

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT. SALEM, OREGON

4. It is estimated that 300 feet of the well will require See EXHIBIT A-1 steel casing.
(Kind)

5. Depth to water table is estimated 50-100 Well drilled by Larry Burd and Others
(Feet) See EXHIBIT A-1

Basin 12; Vol. LA Harney Lake wells

G-9419

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 13.88 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 five wells

The use to which this water is to be applied is irrigation and 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,

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT. SALEM, OREGON

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 April 10, 1981

Actual construction work shall begin on or before September 10, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 10th day of September, 19 81

James E. ...
Water Resources Director

EXHIBIT B

ACRES TO BE IRRIGATED

TWNShP	RANGE	SECTION	PRIMARY		ACRES
			$\frac{1}{4}$	SECTION	
26S	30 E., W.M.	4	SW $\frac{1}{4}$ SE $\frac{1}{4}$		40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$		40
		5	SE $\frac{1}{2}$ SE $\frac{1}{2}$		40
		8	NE $\frac{1}{2}$ NE $\frac{1}{2}$		40
			SE $\frac{1}{2}$ NE $\frac{1}{2}$		40
		9	NE $\frac{1}{2}$ NE $\frac{1}{2}$		40
			NW $\frac{1}{2}$ NE $\frac{1}{2}$		40
			SW $\frac{1}{2}$ NE $\frac{1}{2}$		40
			SE $\frac{1}{2}$ NE $\frac{1}{2}$		40
		10	NW $\frac{1}{2}$ NW $\frac{1}{2}$		40
			SW $\frac{1}{2}$ NW $\frac{1}{2}$		40
			SE $\frac{1}{2}$ NW $\frac{1}{2}$		40
		11	NE $\frac{1}{2}$ SW $\frac{1}{2}$		40
			NW $\frac{1}{2}$ SW $\frac{1}{2}$		40
			SW $\frac{1}{2}$ SW $\frac{1}{2}$		40
SE $\frac{1}{2}$ SW $\frac{1}{2}$			40		
15	SW $\frac{1}{2}$ SW $\frac{1}{2}$		40		
	NW $\frac{1}{2}$ NE $\frac{1}{2}$	SW $\frac{1}{2}$ NE $\frac{1}{2}$		40	
		SE $\frac{1}{2}$ NE $\frac{1}{2}$		40	
		NE $\frac{1}{2}$ NW $\frac{1}{2}$		40	
	NW $\frac{1}{2}$ NW $\frac{1}{2}$		40		
	SW $\frac{1}{2}$ NW $\frac{1}{2}$		40		
	SE $\frac{1}{2}$ NW $\frac{1}{2}$		40		
	NE $\frac{1}{2}$ SW $\frac{1}{2}$	NW $\frac{1}{2}$ SW $\frac{1}{2}$		40	
		NE $\frac{1}{2}$ SE $\frac{1}{2}$		40	
	NW $\frac{1}{2}$ SE $\frac{1}{2}$		40		

Denny Land Co LLC



Joe Buerman Property

SUPPLEMENTAL

TWNShP	RANGE	SECTION	$\frac{1}{4}$	SECTION	ACRES
26S	30 E., W.M.	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$		30
			NW $\frac{1}{4}$ SE $\frac{1}{4}$		40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$		40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$		40

Application No. 10268
 Permit No. G 9419
 1 - Exhibit B

RECEIVED
 JAN 07 2002
 WATER RESOURCES DEPT. 1,270
 SALEM, OREGON

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

Well No.

1 1,300 feet S. and 8 feet E.
from the NW corner of SECTION
9 being within the NW
Quarter of the NW Quarter of
Section 9.

2 2,826 feet N. and 1,747 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the NE Quarter of
Section 9.

3 6,294 feet N. and 1,376 feet W.
from the SE corner of SECTION
9 being within the SW
Quarter of the SE Quarter of
Section 9.

4 1,200 feet N. and 500 feet E.
from the SW corner of SECTION
10 being within the SW
Quarter of the SW Quarter of
Section 10.

*See
Exhibit B
Prop*

5 2,166 feet S. and 1,850 feet E.
from the NW corner of SECTION
15 being within the SE
Quarter of the NW Quarter of
Section 15.

Application No. 10268
Permit No. G 9419

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

COPIES

20011707

Julie K. Adam

Recording Requested by:

STATE OF OREGON }
County of Harney } ss

WHEN RECORDED MAIL TO:

I certify that the within instrument was received
for record on the 20 day of September
2001 at 10:47 o'clock A.M. and
recorded Microfilm number 20011707

Northern California Federal Land Bank
Association, FLCA
435 Silverbell Road, P.O. Box 929
Chico, CA 95927

[Signature]
Maria Inurriaga, County Clerk
By: *[Signature]* Deputy

Space Above This Line For Recorder's Use

Loan Number: 0107239

DEED OF TRUST AND ASSIGNMENT OF RENTS

THIS DEED OF TRUST and ASSIGNMENT OF RENTS ("Deed of Trust"), made this 28th day of August, 2001, between Jenny Land & Cattle Company, LLC, a California Limited Liability Company as "Trustor", and AmeriTitle as "Trustee" and Northern California Federal Land Bank Association, FLCA, "Beneficiary", a corporation organized and existing under the laws of the United States of America, with its office at 3435 Silverbell Road, P.O. Box 929, Chico, CA 95927.

GRANT IN TRUST. Trustor IRREVOCABLY GRANTS, CONVEYS AND ASSIGNS to said Trustee, in trust for the benefit of Beneficiary, with power of sale together with right of entry and possession, the property described below in Sections 1.1 through 1.5 inclusive (collectively, the "Property").

- 1.1 The real property (the "Real Property") situated in the County of Harney, State of Oregon, described as follows: in Exhibit "A".
- 1.2. **BUILDINGS, FIXTURES, AND OTHER IMPROVEMENTS.** All buildings, structures, equipment, fixtures (including, but not limited to, trees, vines and shrubs) and improvements of every kind and description now or hereafter constructed or placed on the Real Property; all standing timber and timber to be cut located on the Real Property; and all pumping plants, electrical generators, wind machines, and fencing and storage tanks, now or hereafter used in connection with the Property, all of which are hereby declared to be fixtures. Without limiting the generality of the foregoing, a description of some fixtures may also be included with the description of the Real Property set forth above or in an exhibit hereto.
- 1.3. **LEASES AND OTHER RIGHTS.** All existing and future leases, subleases, licenses, permits, agreements, permits and concessions relating to the use or enjoyment of the Real Property, including all grazing rights, leases, permits and licenses; all oil, gas, and mineral leases, permits and rights used with the Real Property; and all tenements, hereditaments, easements, rights-of-way and appurtenances to the Property.
- 1.4. **WATER ASSETS.** All right, title, and interest at any time of Trustor (or any of its bailees, agents, or instrumentalities), whether now existing or hereafter arising or acquired, whether direct or indirect, whether owned legally, of record, equitably or beneficially, whether constituting real or personal property (or subject to any other characterizations), whether created or authorized under existing or future laws or regulations, and however arising in, including without limitation, the water, water rights and other assets and items described below in Sections 1.4(a) through 1.4(i) inclusive, which shall collectively be called "Water Assets". References to "water" and "water rights" are used herein in the broadest and most comprehensive sense of the term(s). The term "water" includes water rights and rights to water or whatever rights to money, proceeds, property or other benefits are exchanged or received for or on account of any Water Assets or any conservation or other nonuse of water, including whatever rights are achieved by depositing one's share of any Water Assets in any water bank or with any water

RECEIVE

JAN 07 200

WATER RESOURCES
SALEM, OREGON

use, non-use, enjoyment, sale, transfer or other disposition of all or any portion thereof, including those set forth in Paragraph 1.3(i) above, or from any lease, mineral lease, or agreement pertaining to the Property (collectively the "Rents"); whether now existing or hereafter arising and whether now due, past due or to become due; SUBJECT, HOWEVER, to the right, power and authority given to and conferred upon Trustor by Paragraph 19 hereof. This assignment of the Rents shall be perfected automatically without appointment of a receiver or Beneficiary becoming a mortgagee in possession.

3. OBLIGATIONS SECURED. Trustor makes the grant, conveyance, and assignment of the Property as described above for purposes of securing the following indebtedness and other obligations (collectively, "Indebtedness") in any order of priority that Beneficiary may choose:

- (a) payment of the indebtedness and performance of the obligations of Trustor evidenced by the following promissory note(s) (collectively "Note") and/ or the following continuing guaranty(s) (collectively "Guaranty"), and any other documents executed by Trustor in conjunction with the Note or Guaranty:
- a Promissory Note and Loan Agreement dated as of 08/28/2001, in the stated principal amount of \$649,485.00.
- (b) the payment of such additional loans or advances, including advances under a revolving line of credit, with interest thereon, as hereafter may be made to or guaranteed by Trustor, or Trustor's successors or assigns, evidenced by a promissory note, guaranty, loan agreement or otherwise; PROVIDED HOWEVER, THAT, such additional loans or advances will be secured by this Deed of Trust only if the promissory note, guaranty, loan agreement or other document evidencing the obligations of Trustor relative to such loans or advances recites that it is to be secured by this Deed of Trust;
- (c) the payment and performance of the obligations set forth in any document evidencing an extension, renewal, modification, replacement, reamortization, conversion, or restatement of any Indebtedness secured by this Deed of Trust, including without limitation renewal and/or substitute notes, guarantys, and loan agreements.
- (d) the performance of every obligation and agreement of Trustor whether contained or incorporated by reference in this Deed of Trust, or contained in any loan agreement, loan document or guaranty executed by Trustor in favor of Beneficiary, with respect to any loan or advance secured by this Deed of Trust; and
- (e) the payment of all sums expended or advanced by Beneficiary under or pursuant to the terms of this Deed of Trust, together with interest thereon as herein provided.

The Notes referred to above are payable by Trustor and/or others to the Beneficiary at the times, in the manner and with interest as therein set forth. The Note and other documents evidencing the Indebtedness may contain variable or adjustable interest rate provisions and provisions evidencing revolving lines of credit.

The continuing validity and priority of this Deed of Trust as security for future loans or advances will not be impaired by the fact that at certain times hereafter there may be no outstanding loan or other indebtedness from Trustor to Beneficiary and/or no commitment to make loans or advances.

Notwithstanding the foregoing, this Deed of Trust does not secure any indebtedness or other obligation if the promissory note, guaranty, or any other document evidencing or pertaining to the indebtedness or obligation states that it is unsecured or not secured by real property.

4. PERSONAL PROPERTY SECURITY AGREEMENT. All of the Property will be considered to the fullest extent of the law to be real property for purposes of this Deed of Trust. To the extent that any of the Property, (including without limitation any Water Assets or fixtures), is deemed to constitute, is adjudicated to be, or declared to be personal property, this Deed of Trust shall also be deemed to be a security agreement. Trustor does hereby create and grant to Beneficiary a security interest in all such personal property described herein; and further, grants to Beneficiary all of the rights and remedies of a secured party under the Uniform Commercial Code and other applicable state law, which rights are cumulative.

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

INSTRUMENT # 20011707

- i) The preparation, modification or enforcement of this Deed of Trust, and any other agreement or document incident to the Indebtedness or to the Property;
- o) Advising Beneficiary or Trustee concerning its legal rights and obligations with regard to this Deed of Trust and any other agreement or document incident to the Indebtedness, or to the Property, including advising Beneficiary or Trustee with regard to the extent of their rights, if any, under the provisions of the Farm Credit Act of 1971, as amended, ("Act"), Farm Credit Administration ("FCA") regulations, any policy or program of Beneficiary, or any other state or federal law;
- o) Any litigation, dispute, proceeding, or action (whether or not dismissed, reduced to judgment, or otherwise resolved), and whether instituted by Beneficiary, Trustee or Trustor or any other person, relating to the Indebtedness, the Property or Trustor's affairs;
- i) The furtherance of Beneficiary's or Trustee's interest in any bankruptcy, insolvency, or reorganization case or proceeding instituted by or against Trustor, including any steps to (i) modify or terminate the automatic stay, (ii) prohibit or condition Trustor's use of cash collateral, (iii) object to any disclosure statement or plan, (iv) propose or confirm a plan, and (v) prosecute or defend adversary proceedings or contested matters, and take or defend examinations or discovery, whether or not related to any adversary proceeding or contested matter and whether or not dismissed, reduced to judgment, or otherwise resolved;
- o) The inspection, verification, protection, collection, processing, sale, liquidation, or disposition of the Property; and
- o) Any of the type of Expenses referred to in (a) through (e) above incurred by Beneficiary or Trustee in connection with any guaranty of the Indebtedness.

The Expenses described herein and elsewhere in this Deed of Trust shall be in addition to those set forth in any Security Instrument or any other written agreement between Beneficiary and Trustor.

1. BENEFICIARY MAY ACT FOR TRUSTOR. Should Trustor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation to do so and without notice to or demand upon Trustor and without releasing Trustor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the Property, Beneficiary or Trustee being authorized to enter upon the Property for such purposes; commence, appear in and litigate any action or proceeding purporting to affect the Property or the rights or powers of Beneficiary or Trustee, including any bankruptcy proceeding affecting the Property; pay, purchase, contest, or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; pay such fees, charges, rents or other payments accruing under the grazing permits described in Section 14 below; and in exercising any such powers, incur any liability, expend whatever amounts in its absolute discretion it may deem necessary therefore, including attorney's, accountant's, and appraisal fees, environmental fees and costs of securing evidence of title, and all amounts so expended shall be obligations of Trustor secured by this Deed of Trust. Nothing contained herein shall prohibit Beneficiary from entering the Property, at a reasonable time and upon reasonable notice to Trustor, without incurring or assuming any obligations or liabilities whatsoever, for the sole purpose of inspecting the Property.

2. SUMS EXPENDED BY BENEFICIARY. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at the same rate as is provided for in the note or notes secured by this Deed of Trust. In the event that such sums are not immediately paid, they shall be added, along with the appropriate amount of stock or participation certificates required in connection with the loan, to the principal balance of the indebtedness and shall accrue interest as therein set forth. All such sums shall be secured hereby.

3. ENVIRONMENTAL LAWS AND HAZARDOUS SUBSTANCES.

3.1. DEFINITIONS. Defined Terms as used in this Paragraph 13:

- i) "Environmental Laws" shall mean all federal, state and local laws, ordinances, rules and regulations now or hereafter in force, as amended from time to time, in any way relating to or regulating human health or safety, industrial hygiene or protection of the environment.

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

- e) To facilitate performance of Trustor's obligations under Paragraph 13.3(a), (b), (c), (d) of this Deed of Trust, Trustor shall regularly inspect the Property, monitor the activities and operations of every User and confirm that every User has obtained and fully complies with all permits, licenses and approvals required by all applicable Environmental Laws;
- f) Immediately after Trustor obtains any information indicating any Release or threatened Release, or that Hazardous Substances in, on or under any nearby property could migrate to the Property or a violation of any Environmental Laws may have occurred or could occur regarding the Property, Trustor shall give notice thereof to Beneficiary with a reasonably detailed description of the event, occurrence or condition in question;
- g) If Beneficiary obtains any information that Beneficiary believes in good faith indicates a reasonable possibility of a Release or threatened Release, or that Hazardous Substances in, on or under any nearby real property could migrate to the Property or any violation of any Environmental Laws may have occurred or could occur regarding the Property, then Trustor shall, at the expense of Trustor, promptly after a request by Beneficiary, or Beneficiary may at Trustor's expense any time prior to completion of a judicial or nonjudicial foreclosure, engage a qualified environmental engineer to conduct a comprehensive environmental assessment of the Property and prepare and submit to Beneficiary a written report containing the findings and conclusions resulting from such investigation. Trustor shall, on demand, pay to Beneficiary all sums expended by Beneficiary in connection with any such comprehensive environmental assessment, together with interest thereon after such demand at the interest rate as set forth in the applicable promissory note(s) evidencing the Indebtedness;
- h) Trustor shall permit, or cause any User to permit, Beneficiary or its agents or independent contractors to enter and inspect the Property (including the taking of building materials, soil and groundwater samples) at any reasonable time and after reasonable notice, except in an emergency, whether or not a default has occurred under this Deed of Trust, and including after the commencement of judicial or nonjudicial foreclosure proceedings, for purposes of determining, as Beneficiary deems necessary or desirable: the existence, location or nature of any Hazardous Substances into, onto, or spread beneath or from the Property, that is located or has been spilled, disposed of, discharged or released on, under or about the Property. Trustor acknowledges that all inspections and reviews undertaken by Beneficiary are solely for the benefit and protection of Beneficiary and agrees that Beneficiary shall have no duty to Trustor with respect to Hazardous Substances or Environmental Laws as a result of any such inspections, and such inspections shall not result in a waiver of any default by Trustor. If Trustor or any User fails to comply fully with the terms of this section, Beneficiary may obtain affirmative injunctive relief to compel such compliance; and
- i) If any Release or threatened Release exists or occurs before this Deed of Trust is reconveyed or foreclosed upon, or if Trustor is in breach of any of its representations, warranties or covenants as set forth in this Section 13, Trustor shall immediately give notice of the condition to Beneficiary, and Trustor shall at its own expense cause any Hazardous Substances to be cleaned up and removed from the Property, and the Property shall be restored, in compliance with all applicable Environmental Laws and other laws, ordinances, rules and regulations (the "Remediation Work"). If requested by Beneficiary, Trustor shall submit to Beneficiary, for Beneficiary's prior approval, complete plans and specifications for all Remediation Work to be done before any Remediation Work is performed, except in an emergency. Alternatively, Beneficiary may cause such Remediation Work to be completed at Trustor's expense.

13.4 NOTICE TO GOVERNMENTAL AUTHORITIES. Beneficiary shall have the right, but not the obligation, to advise appropriate governmental authorities of any environmental condition on or affecting the Property that constitutes or may constitute a breach of Trustor's obligations hereunder.

13.5 INDEMNITY OF TRUSTEE AND BENEFICIARY. Trustor and its successors and assigns shall indemnify, defend, protect, and hold harmless Beneficiary, and/or Trustee, its directors, officers, employees, agents, shareholders, successors and assigns and their officers, employees or agents, from and against any and all claims, suits, damages, foreseeable and unforeseeable consequential damages, liens, losses, liabilities, interest, judgments, cleanup costs, demands, actions, causes of action, injuries, administrative proceedings and orders, consent agreements and orders, penalties, costs and expenses (including any fees and expenses incurred in enforcing this indemnity, any out-of-pocket litigation costs, sums paid in settlement of claims, and all consultant, expert and the reasonable fees and expenses of counsel, including in-house legal services) of any kind whatsoever ("Claims") paid, incurred or suffered by, or asserted against Beneficiary and/or Trustee, including but not limited to Claims arising out of loss of life, injury to persons, trespass or damage to or contamination of property or natural resources, or injury to business, in connection with or arising out of the activities of Trustor on the

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

18. **TRUSTEE ACTIONS.** At any time, without affecting the liability of any person for the payment of the Indebtedness, and without otherwise affecting the security hereof, Trustee may: (a) consent to or join in the making of any map or plat of the Property; (b) grant any easement or create any restriction thereof; (c) subordinate this Deed of Trust; (d) extend or modify the term of the loan or loans secured hereby; and (e) reconvey without warranty, all or any part of the Property. Trustor agrees to pay reasonable Trustee's fees for any of the foregoing services.

19. **COLLECTION OF RENTS.** Prior to any default by Trustor in the payment, observance, performance and discharge of any condition, obligation, covenant, or agreement of Trustor contained herein, Trustor may, as the agent and fiduciary representative of Beneficiary for collection and distribution purposes only, collect and receive the Rents as they come due and payable; the Rents are to be applied by Trustor to the payment of the principal and interest and all other sums due or payable on any promissory note or guaranty secured by this Deed of Trust and to the payment of all other sums payable under this Deed of Trust and, thereafter, so long as aforesaid has occurred, the balance shall be distributed to the account of Trustor. However, Beneficiary shall have the right before or after the occurrence of any default to notify any account debtor to pay all amounts owing with respect to Rents directly to Beneficiary. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the Indebtedness, enter upon and take possession of the Property or any part thereof, in its own name, sue for or otherwise collect such Rents, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any Indebtedness, and in such order as Beneficiary may determine; also perform such acts of repair, cultivation, irrigation or protection, as may be necessary or proper to conserve the value of the Property; also lease the same or any part thereof for such rental, term, and upon such conditions as its judgment may dictate; also prepare for harvest, remove, and sell any crops that may be growing upon the Property, and apply the proceeds thereof upon the Indebtedness.

20. **TRUSTEE'S EXERCISE OF REMEDIES IS NO CURE OF DEFAULT.** The entering upon and taking possession of the Property, the collection of such Rents, or the proceeds of fire and other insurance policies, or compensation or awards for any taking of or damage to the Property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

21. **REMEDIES.** Upon default by Trustor in payment of all or a portion of the Indebtedness or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary and in accordance with applicable state law. In the event of default, Beneficiary may employ counsel to enforce payment of the Indebtedness, may cause the Trustee to sell the Property in accordance with the power of sale granted herein and the applicable state law, and may exercise such other rights and remedies granted under this Deed of Trust or by law and equity, including but not limited to California Code of Civil Procedure Sections 726.5 and 736 or similar laws of other jurisdictions, which rights and remedies shall be cumulative and not exclusive.

Trustee may sell the Property either as a whole or in separate parcels, and in such order as it may determine. The purchase price shall be payable in lawful money of the United States at the time of the sale. In exercising the power of sale contained herein, Trustee may hold one or more sales of all or any portion of the Property by public announcement at the time and place of sale set forth in the notice thereof, and from time to time thereafter may postpone such sale or sales of all or any portion of the Property to the same or separate days by public announcement at such time fixed by the preceding postponement. Any person, including Trustee or Beneficiary, may purchase at such sale. Beneficiary may credit bid at any such sale, and if Beneficiary is the successful purchaser, it may apply any of the outstanding Indebtedness in settlement of the purchase price.

Beneficiary may resort to and realize upon the security hereunder and any other real or personal property security now or hereafter held by Beneficiary for the obligations secured hereby in such order and manner as Beneficiary may, in its sole discretion, determine; or may resort to any or all such security may be taken concurrently or successively and in one or several consolidated or independent judicial actions or lawful nonjudicial proceedings, or both. If the Indebtedness is also secured by personal property, fixtures or crops, Beneficiary may enforce its security interest in the personal property, fixtures and crops and its lien under this Deed of Trust in any manner and in any order or sequence permitted by applicable law.

All remedies are cumulative and none are exclusive; no election by Beneficiary to pursue one remedy or item of collateral shall be deemed to be a release or waiver of any other item of collateral or a release or modification of the liability of Trustor or any guarantor to pay all Indebtedness or perform in full all obligations to Beneficiary. The procedures governing the enforcement by Beneficiary of its foreclosure and provisional remedies against Trustor shall be governed by the laws of the state in which the

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

described herein and that, when executed, this Deed of Trust, and any document executed by Trustor in connection herewith, shall be valid and legally binding on Trustor. If Trustor is a trust, each trustee executing this Deed of Trust on behalf of the trust also represents, warrants and certifies that this Deed of Trust and any document executed in connection herewith is being executed by all the currently acting trustees of the trust and that the trust has not been revoked, modified, or amended in any manner which would cause any of the foregoing to be incorrect.

30. **NON-MERGER.** No merger will occur as a result of Beneficiary acquiring any other estate in or any other lien on the Property, unless Beneficiary consents to a merger in writing.

31. **MISCELLANEOUS.** As used herein, the word "including" means "including without limitation" and/or "including but not limited to". The captions used in this Deed of Trust are for convenience only and do not define or limit any terms or provisions. No listing of any specific collateral, items, instances or other matters in any way limits the scope or generality of any language of this Deed of Trust.

ADDRESSES WHERE NOTICES TO TRUSTOR ARE TO BE SENT:

Denny Land & Cattle Company, LLC, a California Limited Liability Company -
500 Boylston Street, Suite 1880, Boston, MA 02116

Signature(s):

Denny Land & Cattle Company, LLC, a California Limited Liability Company

By: George P. Denny, III Trust dated June 11, 1981, Member

[Handwritten signature]

George P. Denny, III, Trustee of the George P. Denny, III Trust dated June 11, 1981

By: Denny Trucking Corp., a California Corporation, Member

By: *[Handwritten signature]*

George P. Denny, III, President

Massachusetts

STATE OF California

County of Essex

On 1/10/02 before me, the undersigned Notary Public in and for said County and State, personally appeared George P. Denny, III

personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

[Handwritten signature: Christine Field]

Notary Public in and for said County and State

Christine Field

my Commission exp. 12/2/05



RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

Attachment to Deed of Trust

Dated: August 28, 2001

Loan No. 0107239

JENNY LAND & CATTLE CO., LLC.,

A CALIFORNIA LIMITED LIABILITY COMPANY

Page 1 of 1

INSTRUMENT # 20011707

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 30 E., W.M.:

Sec. 28: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 29: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

Sec. 32: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 33: W $\frac{1}{2}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 34: SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$, EXCEPTING THEREFROM right of way over the N $\frac{1}{2}$ NW $\frac{1}{4}$ conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 355, Deed Records.

ALSO a parcel of land located in the S $\frac{1}{2}$ of Sec. 34, more particularly described as follows:

Parcel No. 1 of Partition Plat No. 90-09-08, recorded September 6, 1990, Instrument No. 901262, Harney County, Plat Records.

In Twp. 26 S., R. 30 E., W.M.:

Sec. 3: Government Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 4: Government Lots 1, 2, 3 and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Sec. 5: Government Lots 1, 2 and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 8: E $\frac{1}{2}$ E $\frac{1}{4}$.

Sec. 9: All.

Sec. 10: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Together with the right to use water for irrigation of the above described property, pursuant to the Oregon State Water Resources Department, Application #G-10268, Permit #G 9419 and Application #G-14136, Permit #G 12841.

RECEIVED

JAN 07 2002

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

October 30, 2001

DENNY LAND AND CATTLE CO. LLC
PO BOX 219
BURNEY CALIFORNIA 96013

REFERENCE: File G-10268, Permit G-9419

Dear Denny Land and Cattle Co. LLC,

Regarding your request for partial assignment of the permit referenced, we are unable to assign this permit without the following information; a map showing that portion of the permit that is to be assigned. In addition, proof of ownership must also be included. This may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly.

If there are other owners of the property described in this permit **you must provide a list of all other owners' names and mailing addresses and attach it to this request, and a statement that you have notified all other owners of this assignment request.**

We have received fees in the amount of \$25.00, there is an additional fee of \$5.00 for recording each additional page of supporting documentation.

We will take no further action regarding this assignment request, until the additional information is received.

If you have questions, please contact me at the address above or phone (503) 378-8455 ext. 274.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

cc: Mitch Lewis Watermaster, District 10

OREGON WATER RESOURCES DEPARTMENT



State of Oregon
Water Resources Department
158 12th ST NE, Salem, OR 97301
(503) 378-8455
www.wrd.state.or.us

FAX TRANSMITTAL

TO: JUNE FAX NUMBER: CANYON CITY
 DATE: FAX 8-3-2001 PAGES: 15, INCLUDING COVER SHEET
 FROM: HERB PHONE: (503) 378-8455 EXT. _____

FOR 2001
 DATE 8- TIME PM
 FROM JUNE MILLER
 FIRM 04
 PHONE () - -
 FAX AREA CODE NUMBER EXTENSION
 MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE FAX
FP NOTES -
AG# G-10268

SIGNED _____ FORM 4007 MADE IN U.S.A.

TELEPHONE SERVICES
 • Billing
 • Customer Service / Personnel
 • Equipment Loan Fund
 • Services

WATER RIGHTS

- Water Rights information
- Adjudications
- Hydroelectric
- Certifications / Final Proofs
- Hearings / Contested Cases

NORTHWEST REGION

- District 16 Watermaster

Pg 1

FAX: (503) 378-6203

MESSAGE

WDLI- 19804
G-10268

ANNUAL INSPECTION REPORT

Aldrich Ranches 1980 B-17

August 8, 1983 Ves Garner

On August 8, 1983 I made the annual inspection of Aldrich Ranch's project near Burns.

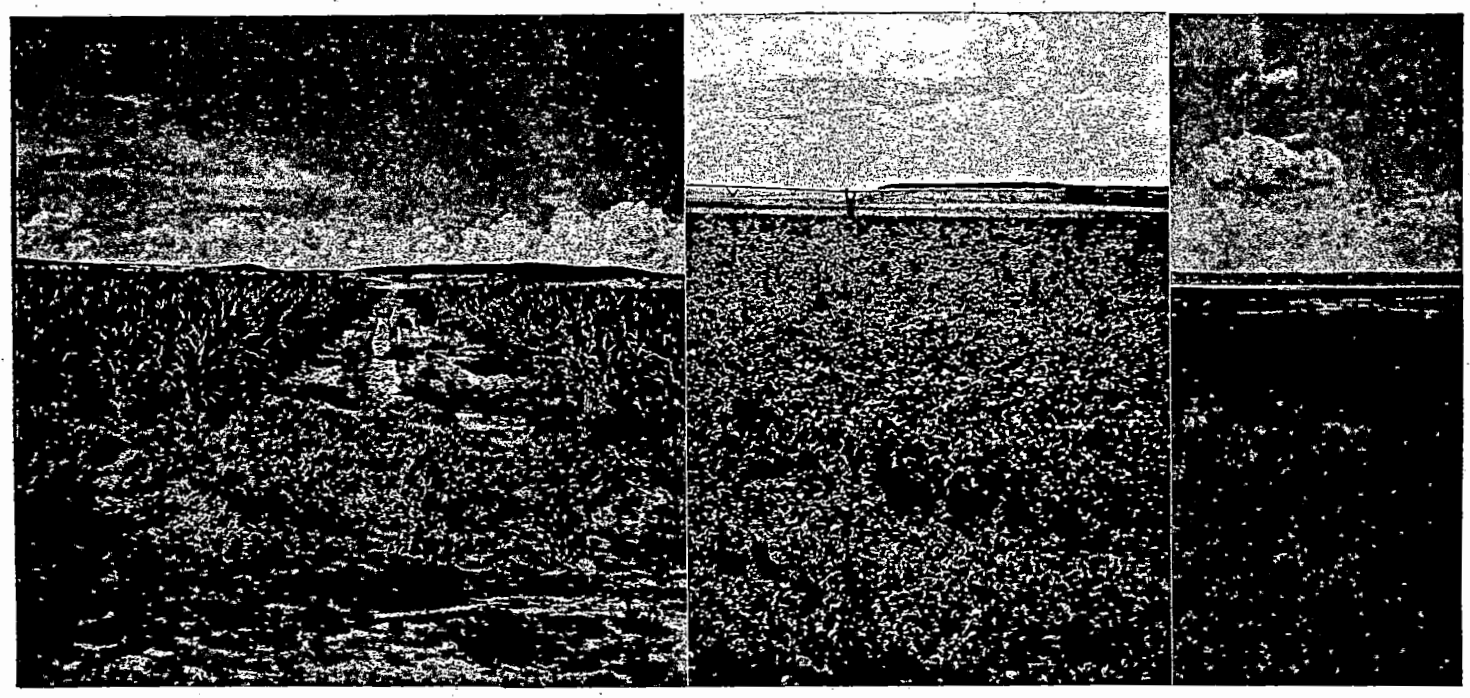
The project was to have been three wells and three pivots but was enlarged to five pivots. The project now has seven pivots.

All of the equipment is in use and appears in good repair. All crops appear to be good to excellent.

Crops are as follows: (see map)

- Pivot I 130 acres of potatoes
- Pivot II 130 acres of silage corn
- Pivot III 270 acres of alfalfa
- Pivot IV 130 acres of barley
- Pivot V 130 acres pasture
- Pivot VI 90 acres of potatoes
- Pivot VII 65 acres of barley

The potatoes had a good stand and were nearly matured. I dug two plants and got several nice spuds.



INSPECTION REPORT

Aldrich Ranches 1980 B-17.

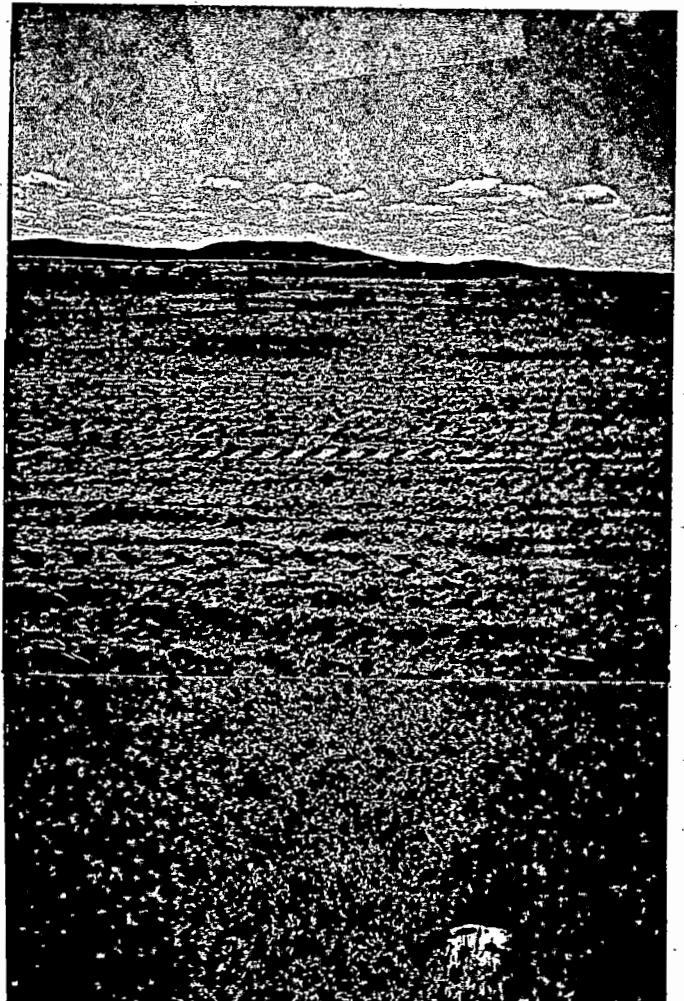
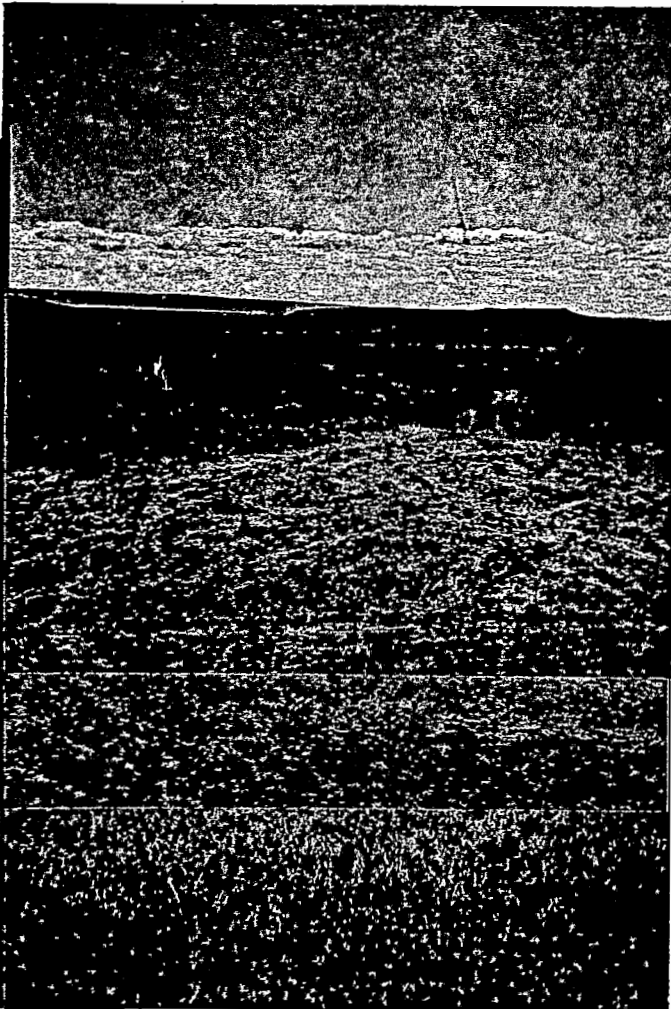
June 15, 1982 Ves Garner

On June 15, 1982 I met with a farm hand to inspect Aldrich farm's project near Burns. The farm hand said that Bruce Aldrich now owns the Doug Campbell Ranch just north of Wrights point. He said they traded the Double 0 for the Campbell Ranch.

All wells, pumps, and pivots are as previously inspected; however, two new pivots have been added to the farm. A new Valley 1/4 mile is now operating in the 80 acre area (SE 1/4 NE 1/4 & NE 1/4 SE 1/4, Section 15) east of the large pivot. This new pivot is planted to field corn. The large pivot has an excellent stand of alfalfa.

Another new pivot is located on the SW 1/4 NE 1/4 and SE 1/4 NW 1/4, Section 9. This pivot is also planted to field corn. The corn is now about 4 inches tall.

Of the four 1/4 mile pivots remaining, one is planted to potatoes, two to grain, and one to permanent pasture. All these crops look to be doing very well.



INSPECTION REPORT

Aldrich Ranches #159

On July 23, 1981, I inspected the Aldrich Ranch project near Burns in Harney County. No one was available at the time of my inspection.

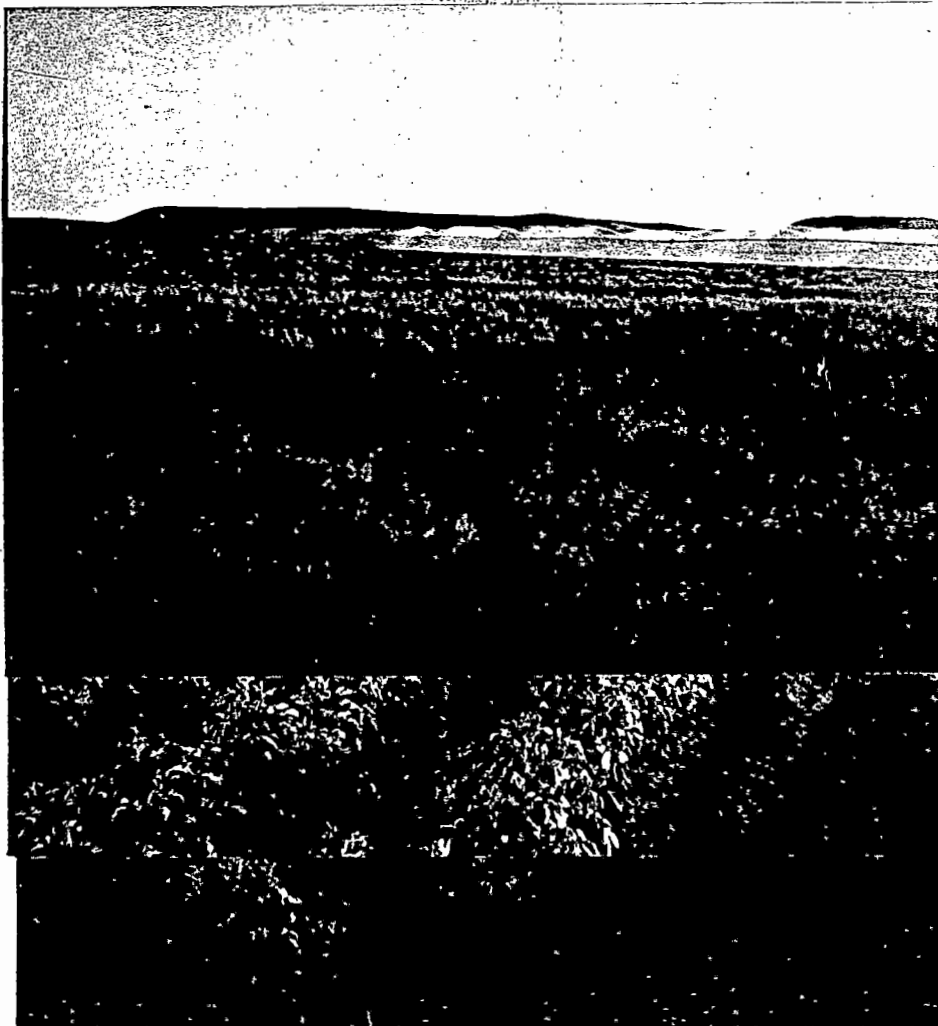
The project as proposed involved constructing three new wells, three pumps, buried mainline, and three new pivots. The project had been revised during construction as described in the previous inspection conducted on April 30, 1981.

As of this date, the entire system is complete, all pivots are operating and all land is cleared, cultivated and seeded. The crops on project lands look very good, estimate barley yield to 2½-3 tons per acres, alfalfa should average between 4-5 ton per acre, the pasture looks good, and the circle of potatoes look very good.

Engineer: *Gary Williams*

Dated July 23, 1981

BARLEY CROP
LOOKING S.W.



INSPECTION REPORT
Aldrich Ranches 1980 B-17
4/30/81 V.G.

On April 30, 1981 I met with Leonard and Bruce Aldrich to inspect their project near Burns. Bruce, Leonard's son, now lives on a part of the family's property, about 2000 acres, on the west side of Harney Lake. Bruce is managing the Harney County properties.

The irrigation system for the original project land is now entirely complete and in operation. Leonard said they decided to add two more wells and pivots to the farm and if there are any loan funds remaining they would be used on the additional two wells and pivots.

The project, as now developing, has essentially four separate systems described as follows:

Pivots 1 and 2: E1/2 NE1/4, Section 8
W1/2 NW1/4, Section 9
SW1/4, Section 9

Use a common well at SW corner NW1/4 NW1/4, Section 9. About 3000 feet 12 inch, 10 inch, and 8 inch PVC pipeline connects the two pivots and well.

Motor: 150 hp Newman Electric - #S14772901

Pump: Johnston Turbin 10 inch discharge

Note: NW pivot running and gage shows 100 psi at well with turbine only pumping.

Booster Pump: Used to supply southerly pivot and is located at the well.

Motor: General Electric 75 hp - #ES224010

Pump: Cornell Centrifugal

Model 5RB754

Serial #32384 13 1/2

INSPECTION REPORT
Aldrich Ranches
Page 2

Pivot 3: 13 Tower Pivot in the NW portion of Section 15;
supplied by original well

Motor: Newman Electric 200 hp
Serial #514731113

Pump: Goulds Turbine 10 inch discharge

Pipe: About 3300 feet 12 inch and 10 inch PVC

Pivot 4: Replaces wheel lines in the SE1/4, Section 9
New 14 inch well at pivot
No pump this date

Pivot: Valley 8 Tower
Model 4865
Serial #37846

Pivot 5: Operates in the S1/2 SE1/4, Section 4 and the N1/2
NE1/4, Section 9

Uses a well located about 200 feet N and 1320 feet
east from the center of Section 9

14 inch diam. well - no pump or pipe this date

Pivot: Valley 8 Tower
Model 4865
Serial #37845

Crops - 1981 Season

Alfalfa

Potatoes

Pasture

Grain



Inspection Report
Aldrich Ranches 1980 B17
1/9/81 V.G.

On January 9, 1981, I again inspected the project of Aldrich Ranch near Burns. No one was on the project at the time of the inspection.

On my previous inspection, a well was being drilled at the center SW $\frac{1}{4}$, Section 9. I could not find a well at this location this date. A large stockpile of 12", 10" and 8" 160 psi pvc pipe was at this location and a center pivot has been fully installed.

I did find a new well at about the SW corner, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, and all the parts of a pivot not yet installed. No pump as yet.

I find an existing well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10 which appeared to have been re-constructed. The existing pump and column had been removed.

In the NW portion of Section 15, I find another stockpile of 12", 10" and 8" 160 psi pvc pipe and all the parts of another center pivot.

Pivots

E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 8 & W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 9
Valley Model #4865 8 Tower
Serial #35024

SW $\frac{1}{4}$ Sec. 9
Valley Model #4865 8 Tower
Serial #35023

NW portion Sec. 15
Valley Model 4871 14 Tower
Serial #36896

It appears there is sufficient pipeline to tie the pivots in Sections 8 and 9 together and also supply the pivot in Section 15 from the old well in Section 10.

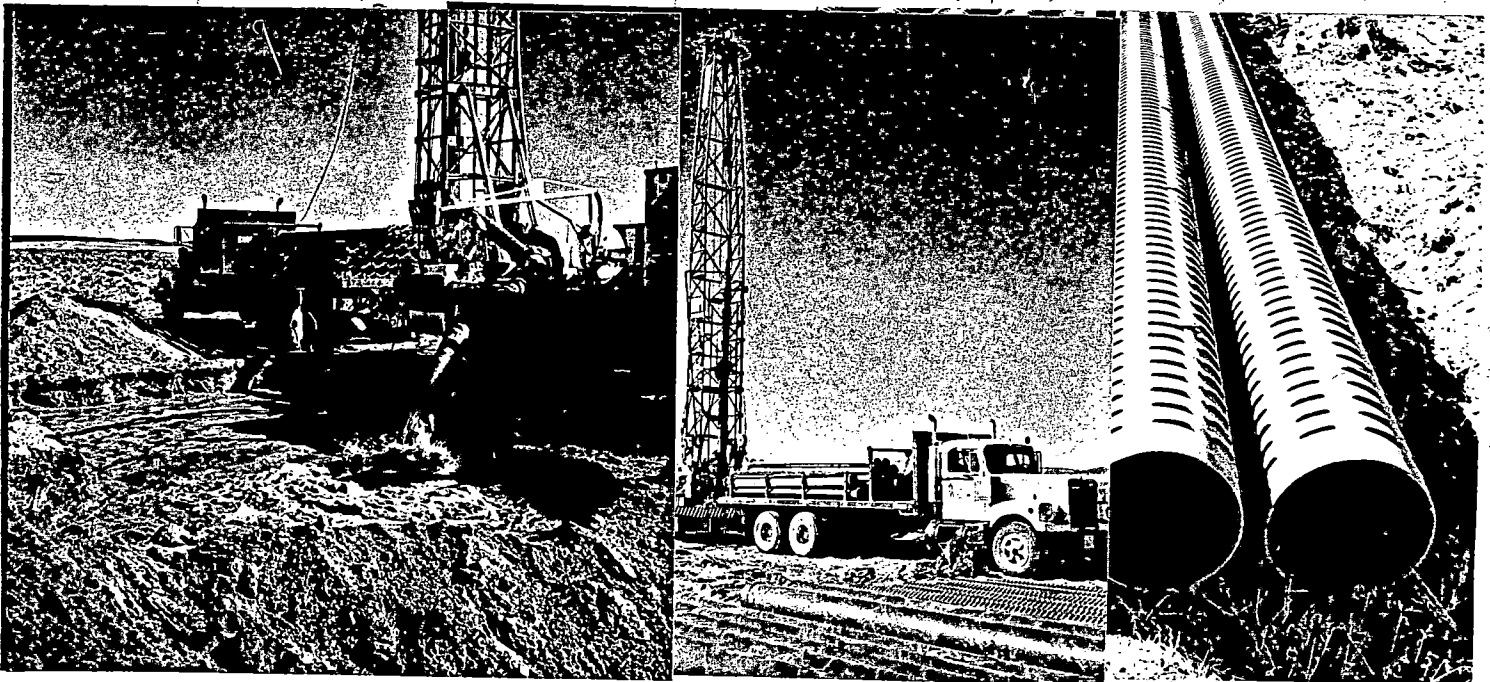
The developer should be contacted for the specific plan since there appears to be some changes. Additional inspections are required.

INSPECTION REPORT
Aldrich Ranches #159
9-24-80 V.G.

On September 24, 1980 I inspected the project of Aldrich Ranches near Burns.
I spoke with the well driller working on the project.

On this date the only work apparently being done is the drilling of well
#1. None of the land appears to be cleared.

The well driller is Western Water Wells of Burns. Contractors #659. They
just started drilling and were 65 feet down using reverse - circulation -
rotary. Water shown in photos was piped in to drill the well.



INSPECTION REPORT
Aldrich Ranches 1980 B-17
July 23, 1985 Ves Garner

On July 23, 1985 I met with Leonard and Bruce Aldrich and made the annual inspection of Aldrich Ranches' project near Burns in Harney County.

The project now has three wells and seven pivots which irrigate about 935 acres used in rotation to raise spuds, corn silage, grain, alfalfa hay and pasture.

Crops are: 2½ pivots spuds; 1 pivot alfalfa; 1 pivot pasture; 2½ pivots oats. All crops appear real good and equipment well maintained.

cc: Water Rights
G-10268

KOTTKAMP & O'ROURKE

ATTORNEYS AT LAW

331 S. E. 2ND STREET

P. O. BOX 490

PENDLETON, OREGON 97801

JOHN H. KOTTKAMP
ROBERT E. O'ROURKE
STEPHEN M. BLOOM

TELEPHONE
AREA CODE 503
276-2141

July 12, 1983

RECEIVED
JUL 14 1983
WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Tom Shook
Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Re: Application No. 10268
(Permit No. G9419)
Aldrich Ranches

Dear Mr. Shook:

This is to confirm that the date of completion
of construction for the above Permit is October 1, 1982.

KOTTKAMP & O'ROURKE

By:

Bob O'Rourke

REO:ch

KOTTKAMP & O'ROURKE

ATTORNEYS AT LAW

331 S. E. 2ND STREET

P. O. BOX 490

PENDLETON, OREGON 97801

JOHN H. KOTTKAMP
ROBERT E. O'ROURKE
STEPHEN M. BLOOM

TELEPHONE
AREA CODE 503
276-2141

June 29, 1983

RECEIVED

JUL 5 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Attn: Mr. Ralph Jackson

Re: Permit No. G 9419

Dear Mr. Jackson:

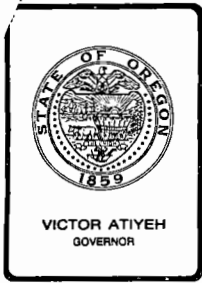
I talked to you several weeks ago about the above Permit. Enclosed is Form B.

The Permit is for five wells. There are five wells in production but the fifth well is not located exactly as it was shown on the map. It is located further to the East and is either in the Northeast Quarter Southeast Quarter or the Southeast Quarter Northeast Quarter of Section 15. Its exact location can be determined when the final proof survey is made.

KOTTKAMP & O'ROURKE

By: 

REO:ch
Encl.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

December 30, 1981

Bob O'Rourke
Kottkamp and O'Rourke
Attorneys at Law
P.O. Box 490
Pendleton, OR 97801

Dear Mr. O'Rourke:

REFERENCE: File G-10268

I am writing in response to your letter of December 22, 1981, requesting to know when a permit might be issued for the Aldrich application.

Please be advised that the permit was issued on September 10, 1981 and was mailed to the applicant, Aldrich Ranches, at their address in Hermiston. The permit is numbered G-9419.

Sincerely,

Ralph H. Jackson
Supervisor
Application/Permit Section

RHJ:tw

COPY

KOTTKAMP & O'ROURKE

ATTORNEYS AT LAW

331 S. E. 2ND STREET

P. O. BOX 490

PENDLETON, OREGON 97801

TELEPHONE
AREA CODE 503
276-2141

JOHN H. KOTTKAMP
ROBERT E. O'ROURKE
STEPHEN M. BLOOM

December 22, 1981

RECEIVED

DEC 24 1981

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Re: Application NO. G-10268

ALDRICH

Gentlemen:

When might we expect a permit to be issued on
the above Application?

KOTTKAMP & O'ROURKE

By:



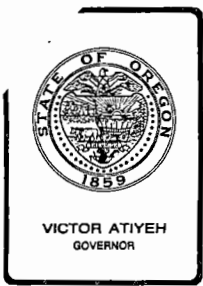
REO:ch

September 25, 1981

Aldrich Ranches
Route 2, Box 2764
Hermiston, Oregon 97838

G-10268

G-9419.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508
or
1-800-452-7813
(message line)

August 28, 1981

Aldrich Ranches, Incorporated
Route 2, Box 2764
Hermiston, OR 97838

REFERENCE: File G-10268

Thank you for returning Application G-10268 and the accompanying map.

Your application is now in satisfactory form and will be considered for issuance of a permit with the next group to be processed.

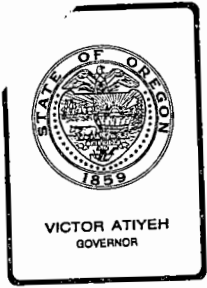
Sincerely,

CHRIS L. HUGHES
Water Rights Engineer

CLH:wpc

6303A
6631A

COPY



Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813

June 5, 1981

Aldrich Ranches
c/o Kottkamp & O'Rourke
Attorneys at Law
PO Box 490
Pendleton, OR 97801

Dear Sirs:

The application in the names of Aldrich Ranches describing the proposed use of 31.8 cubic feet per second of water from five wells for irrigation and supplemental irrigation of 1,274.0 acres, map, and fees of \$403.20, has been reviewed. Our Receipt 23598 is enclosed.

Information regarding each of the five wells as requested by Items 1,4, and 5 must be submitted.

The amount of water to be used from each well for each use should be further described by Item 7.

Item 10 should describe which wells will be equipped with which pumps.

The application refers to 154.0 acres of water right covered by Certificate 46262. However, the actual acreage of land allowed and described by Certificate 46262 is 150.0 acres, a copy is enclosed. The application and map should be amended accordingly.

The dimensions to the wells as described by Item 3 of the application must appear on the application map.

The statement in the Remarks Section should be examined carefully. A permit issued as written would allow for the use of Well 4 on the 1,124 acres only in the event of a deficiency in the supply from Wells 1,2,3, and 5. Also the use of water from Wells 1,2,3, and 5 could not be used on the 150 acres unless there was a deficiency in the supply of water from Well 4.

COPY

Aldrich Ranches
June 5, 1981
page two

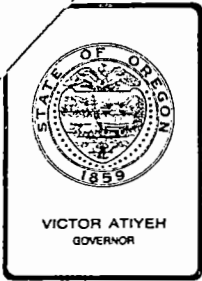
The amount of water requested is one-fortieth of a cubic foot per second of water per acre. However, unless a satisfactory justification of more than one-eightieth cfs is made, one-eightieth cfs per acre is all that will be allowed.

I am returning the application and map for correction and completion. This application is endorsed so that in order to retain its priority date it must be received in this office on or before August 6, 1981.

Sincerely,

STEPHEN C. BROWN
Water Rights Engineer

SCB:wpc
5321A



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8453

August 14, 1981

Bob O'Rourke
Kottkamp & O'Rourke
PO Box 490
Pendleton, Oregon 97801

REFERENCE: File G-10268

Your letter to Steve Brown regarding Alrich Ranches Application G-10268 has been referred to me for comment on certain policy matters. The application has been received and will be processed by a water rights engineer.

As you know, a water right application is a request for authorization to develop a certain project for use of water. The requirements of a ground water application are set forth in ORS 537.615 and further defined in OAR Chapter 690, Division 10 (copy enclosed).

The applicant must describe his intended project. The issuance of the permit sets the conditions and limitations of the use of water.

Frequently, adjustments are made at the time of final proof survey within the intent of the application and limitations and conditions of the permit. If, as you indicate, these wells are developed in a common aquifer, there should be no problem in making the adjustments you mention at the time of proof.

The difference in the rate and duty between surface water and ground water is not arbitrary, but a matter of historical practice, availability of water, method of application, and many other factors. Rates and duties for surface water have been established by adjudication decrees ranging from one-twentieth cubic foot per second to one-eightieth cfs per acre and from two to five acre-feet per acre per year.

In Harney County, the Silvies River Decree allowed one-eightieth cfs and two acre-feet. The Silver Creek Decree allowed diversion of one-sixtieth cfs per acre to April 30 and one-eightieth cfs thereafter with a 2½ acre-foot limit during the months of March, April, May and June. The Donner and Blitzen Decree allows one-fortieth cfs from March 15 to June 15 and one-eightieth to October 1 with a 3 acre-foot limit.

The one-eightieth cfs and 3 acre-foot was established for ground water, based on the presumption that the well would be developed on or very

Bob O'Rourke
File G-10268
page two

near the place of use, be delivered without loss in a pipe, and only the quantity of water necessary for the crop would be applied when required.

The historical circumstance for surface water was to divert the water when it was available, not necessarily when the crop needed it, and deliver it through a long ditch to be applied by flood irrigation.

I am enclosing a copy of that part of Circular 628 from OSU entitled "Consumptive Use and Net Irrigation Requirements for Oregon", pertaining to the Harney Valley. From this, it would appear that 3 acre-feet per acre per year would be more than adequate for the crops studied.

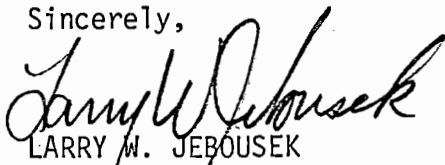
The appropriation of ground water is more akin to diverting solely from a storage reservoir, rather than a stream in that the source is relatively static rather than immediately flowing downstream if not used. Because of this feature, the rate of appropriation of one-eightieth cfs is generally not enforced unless there is undue interference between wells or in a critical ground water area where a reasonable rotation cannot be established. A higher rate for a proportionally shorter period of time is commonplace.

It would require continuous pumping for 120 consecutive days at the rate of one-eightieth cfs to equal 3 acre-feet per acre. The quantities you cite for the two parcels in question would take approximately 100 days of continuous pumping to reach 3 acre-feet.

With this information, does your client still wish to pursue justifying a higher duty? If so, considerably more information will be required to clearly establish that the 3 acre-feet will not satisfactorily irrigate most crops in the Harney basin.

The application will be routinely processed for the established rate and duty.

Sincerely,



LARRY W. JEBOUSEK
Administrator
Water Rights Division

LWJ:lcj
cc: Water Development Loan Program

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

KOTTKAMP & O'ROURKE

ATTORNEYS AT LAW

331 S. E. 2ND STREET

P. O. BOX 490

PENDLETON, OREGON 97801

JOHN H. KOTTKAMP
ROBERT E. O'ROURKE
SAMUEL E. TUCKER

TELEPHONE
AREA CODE 503
276-2141

July 27, 1981

Water Resources Department
Mill Creek Office Park
555 13th Street, N. E.
Salem, Oregon 97310

Attn: Stephen C. Brown
Water Rights Engineer

Re: Application No. G-10268
Aldrich Ranches

Dear Mr. Brown:

Enclosed with this letter is the above application together with exhibits. I have provided information with respect to items 1, 4 and 5 to the extent that information is available. The amount of water to be used from each well will not be determined until a pumping history has been experienced. The period of time between now and when the final proof survey is made should provide accurate information as to the pumping capacity of each well over a sustained period of time. It appears that the wells are pumping from a common aquifer and therefore, I don't believe that it should be necessary to arbitrarily assign a specific yield to each of the wells at this time.

As requested in your letter of June 5, we have included the information about the pumps used at each well.

The application has been revised to conform to 150 acres being included in Certificate 46262 instead of 154 acres.

The revised application contains the dimensions of the wells as requested by your letter to the extent such information is available.

With respect to the retention and use of the existing right for well number four (Certificate No. 46262) there does not appear to be any way to retain the priority of that water right and also to provide for the supplemental irrigation of the land covered by that right other than the approach we are taking in this application.

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Department
July 27, 1981
Page 2

The final point raised in your June 5 letter has to do with the rate and duty of water to be allowed by the permit. I have discussed this subject with representatives of the Water Resources Department on a number of previous occasions. It is my opinion that the determining factor in granting the permitted rate of flow and annual duty is the need for the water for the stated purpose and the amount which can be used beneficially for that need. The rather arbitrary approach of granting either 1/40th of a cfs or 1/80th of a cfs per acre seems to rely more upon whether the source is ground water or surface water than the concept of beneficial use. An unfortunate correlary of the 1/40th and 1/80th rates are the four and one-half acre foot per acre and three acre foot per acre annual duties which follow respectively.

Enclosed with this letter is a statement of Leonard Aldrich. This statement is to be a part of the application. To the extent that it is not sufficient to allow the department to grant the water right as requested, the applicant reserves the right to provide additional documentation on this issue.

Several points should be considered with respect to the rate and duty. The applicant has applied for and received a loan from the Water Resources Department. The loan is secured by a mortgage on the property. In evaluating the property to determine whether or not a loan should be made, the Water Resources Department included in the list of conditions certain minimum pumping requirements. One of those conditions is that 900 gpm would be available for the 130 acre systems and 1800 gpm would be available for the 275 acre system. This converts to 6.9 gpm per acre and 6.5 gpm per acre respectively. The equivalents of these numbers are in excess of 1/80th cfs per acre.

The second point is the process of issuing a final water right. After the permit is issued the permit holder must then develop the property and make an appropriation of the water to beneficial use. During this period of time the amount of water and land actually put to use can be determined and a history can be developed to identify the actual amount of water needed and used. On several occasions the department has issued a final Certificate for a lesser amount

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

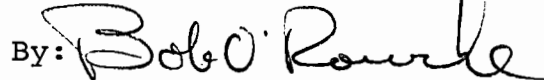
Water Resources Department
July 27, 1981
Page 3

of water than granted by the permit. The reason for the reduction was that the permit holder had never used the full permit entitlement. Obviously then the final proof survey and issuance of a Certificate is an adjustment process to bring the allowances of the permit into balance with beneficial use.

If there is any doubt about the rate and duty necessary to grow crops (the amount which can be beneficially used) why not allow a larger amount at the permit stage and then remove any excess allowances at the Certificate stage? This would certainly provide less legal entanglements than trying to increase the allowances in the Certificate over what they were in the permit. My clients feel very strongly about the questions of rate and duty and we intend to stay with this issue until it is correctly resolved. I would enjoy discussing this with you or others in your department.

KOTTKAMP & O'ROURKE

By:



REO:dr
Encl.

cc: Mr. Larry Jebousek
Water Resources Department
Mill Creek Office Park
555 13th Street, N. E.
Salem, Oregon 97310

RECEIVED

JUL 29 1981

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION NO. G-10268

STATEMENT OF LEONARD ALDRICH

This statement is made in support of the above Application. The Application, as filed, asked for 1/40th of a cubic foot per second per acre. Request is also made for 4½ acre feet per acre per year.


I am 52 years of age and have been involved in farming continuously for 35 years. During that period I have been closely involved in the farming of approximately 15,000 different acres in Umatilla and Morrow Counties, Oregon, and Benton County, Washington.

The crops which I have raised are: watermelon, wheat, potatoes, alfalfa, beans and corn. All of these crops have been raised under irrigation. I have extensive experience in both flood irrigation and sprinkler irrigation. With respect to the sprinkler irrigation, I have used all of the various types of sprinkler irrigation.

The weather in the three counties described above can generally be described as hot and dry. The soils which I have farmed in the above three counties can generally be described as sandy. I am presently involved in the farming of approximately 2,500 irrigated acres including the land described in Application No. G-10268.

When we first began developing the land in Harney County (the land covered by the above Application) we thought that the annual requirement for irrigation water by the plants would be less than the requirements in the Umatilla and Morrow County areas. In those areas it has been my experience and it is my opinion that an annual duty of approximately 4 acre feet per acre is needed to successfully grow crops. It has also been my experience and it is my opinion that the necessary rate of flow to successfully grow crops is approximately 8½ gallons per minutes per acre. This amount is not needed at all times but does provide a sufficient flow for the critical times when crop demand is high and weather conditions are adverse. Based upon the short experience which we have had with the property in Harney County, it is my opinion that the demands for irrigation water will be as great as they are in Umatilla and Morrow Counties. For the last several weeks it has been necessary to irrigate continuously.

DATED: July _____, 1981.


Leonard Aldrich

KOTTKAMP & O'ROURKE

ATTORNEYS AT LAW

331 S. E. 2ND STREET

P. O. BOX 490

PENDLETON, OREGON 97801

JOHN H. KOTTKAMP
ROBERT E. O'ROURKE
SAMUEL E. TUCKER

TELEPHONE
AREA CODE 503
276-2141

April 9, 1981

RECEIVED

APR 10 1981

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Re: Aldrich Ranches
Harney County

Gentlemen:

Enclosed with this letter is an Application for Ground Water from five wells in Harney County together with Exhibits, the map and a check payable to you in the amount of \$403.20. Please forward all correspondence related to this Application to myself. Thank you.

KOTTKAMP & O'ROURKE

By:

Bob O'Rourke

REO:ch
Encl.

Application No. G 10268
Permit No.



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

January 15, 2002

DENNY LAND & CATTLE CO, LLC
PO BOX 219
BURNEY, CA 96013

REFERENCE: File G-10268

The partial assignment of Permit G-9419 from Aldrich Ranches Partnership to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with your receipt number 49168 covering the recording fee of \$25 you submitted.

Sincerely

JERRY SAUTER
Water Rights Program Analyst

JS; jf

Enclosure

cc: Watermaster # 10
Data Center, OWRD
E Region

~~Aldrich Ranches Partnership, Rt 2 Box 2764, Hermiston, OR 97838~~

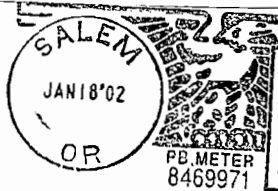
Oregon

WATER RESOURCES
DEPARTMENT

Commerce Building
158 12th Street NE
Salem, OR 97301-4172

Address Service Requested

PRESORTED
FIRST CLASS



ALDRICH RANCHES PARTNERSHIP
RT 2 BOX 276
HERMISTON, OR 97838

MAIL SERVICE
MAIL SERVICE
MAIL SERVICE

RECEIVED
JAN 24 2002
WATER RESOURCES DEPT.
SALEM, OREGON