

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: Permit G-16156**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year:** ____ **End Year:** ____.
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/or is insufficient <input type="checkbox"/> Land Use Form not enclosed or incomplete <input type="checkbox"/> Additional signature(s) required Other/Explanation _____ Staff: _____ 503-986-0____	<input type="checkbox"/> Map not included or incomplete <input type="checkbox"/> Part _____ is incomplete Date: ____/____/____ 13402
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Part 2 of 5 – Temporary Transfer Application Map Checklist

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Your temporary transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME MLM Property LLC			PHONE NO. 541-205-1191	ADDITIONAL CONTACT NO.
ADDRESS PO Box 195			FAX NO.	
CITY Merrill	STATE OR	ZIP 97633	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME N/A			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why: Due to the drought, Permit G-16156 will be reduced. Therefore, we are requesting permission to use only as much ground water as necessary for the crops already planted. With surface water being our only permitted alternative for an irrigation water supply, when the surface water supply is reduced or not provided we cannot produce crops to pay our bills, feed our family, pay our mortgages on property and equipment, taxes, and also will not be able to satisfy product delivery required in previously executed food supply agreement. There are no surface reservoirs to obtain water from. The decision to deliver all, a portion, or no water to us is made by the Federal and State Agencies, and is out of our control.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.

[Signature]
Applicant signature

Mike McQueen, President
Print Name (and Title if applicable)

3/16/2020
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Scott Bedford			PHONE NO. 209-815-8571	ADDITIONAL CONTACT NO.
ADDRESS 1231 Tulloch Dr.				FAX NO.
CITY Tracy	STATE CA	ZIP 95304	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

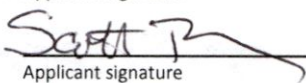
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME N/A			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.

Applicant signature 	Print Name (and Title if applicable) Scott Bedford	Date 3-18-20
Applicant signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Daniel Chin		PHONE NO. 541-281-7570	ADDITIONAL CONTACT NO.
ADDRESS 17817 Cheyne Rd.			FAX NO.
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

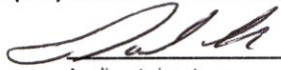


Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME N/A		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.




 Applicant signature Print Name (and Title if applicable) Date

 Applicant signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Wong Potatoes Inc.		PHONE NO. 541-798-5353	ADDITIONAL CONTACT NO.
ADDRESS 17600 Highway 39			FAX NO.
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME N/A		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why: Due to the drought, Permit G-16156 will be reduced. Therefore, we are requesting permission to use only as much ground water as necessary for the crops already planted. With surface water being our only permitted alternative for an irrigation water supply, when the surface water supply is reduced or not provided we cannot produce crops to pay our bills, feed our family, pay our mortgages on property and equipment, taxes, and also will not be able to satisfy product delivery required in previously executed food supply agreement. There are no surface reservoirs to obtain water from. The decision to deliver all, a portion, or no water to us is made by the Federal and State Agencies, and is out of our control.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

I (we) affirm that the information contained in this application is true and accurate.

[Signature] Daniel Chen 3/16/20
 Applicant signature Print Name (and Title if applicable) Date

 Applicant signature _____ _____
 Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.



Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Gregory Drew Heaton			PHONE NO. 541-891-9864	ADDITIONAL CONTACT NO.
ADDRESS PO Box 210				FAX NO.
CITY MERRILL	STATE OR	ZIP 97633	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME N/A			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				


Explain in your own words what you propose to accomplish with this transfer application; and why:

Due to the drought, Permit G-16156 will be reduced. Therefore, we are requesting permission to use only as much ground water as necessary for the crops already planted. With surface water being our only permitted alternative for an irrigation water supply, when the surface water supply is reduced or not provided we cannot produce crops to pay our bills, feed our family, pay our mortgages on property and equipment, taxes, and also will not be able to satisfy product delivery required in previously executed food supply agreement. There are no surface reservoirs to obtain water from. The decision to deliver all, a portion, or no water to us is made by the Federal and State Agencies, and is out of our control.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

I (we) affirm that the information contained in this application is true and accurate.

 Applicant signature	<i>Gregory Heaton</i> Print Name (and Title if applicable)	<u>3/13/20</u> Date
_____ Applicant signature	_____ Print Name (and Title if applicable)	_____ Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

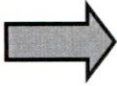
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Klamath Irrigation District	ADDRESS 6640 Kid Ln	
CITY Klamath Falls	STATE Oregon	ZIP 97603

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME Klamath County	ADDRESS 305 Main Street	
CITY Klamath Falls	STATE OR	ZIP 97601

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

Water Right Permit G-16156

Description of Water Delivery System

System capacity: 0.72 cubic feet per second (cfs) OR _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Currently, water is applied to the NE 1/4 NE 1/4, SE 1/4 NE 1/4, and NE 1/4 SE 1/4 of Section 16 through aboveground pipe that leads to wheel lines.

Irrigated land in NW 1/4 NW 1/4, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 SW 1/4, and NE 1/4 SW 1/4, of Section 15 are irrigated by pivot line.

Irrigated land in SW 1/4 SW 1/4 of Section 11 is irrigated by wheel line.

Irrigated land in NW 1/4 NW 1/4, NE 1/4 NW 1/4, SW 1/4 NW 1/4, and SE 1/4 NW 1/4 of Section 14 are irrigated by wheel lines.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

Table with 10 columns: POD/POA Name or Number, Is this POD/POA Authorized on the Certificate or is it Proposed?, If POA, OWRD Well Log ID# (or Well ID Tag # L-___), Twp, Rng, Sec, 1/4 1/4, Tax Lot, DLC or Gov't Lot, Measured Distances (from a recognized survey corner). Rows include Well 1, Well 2, and Well 3.

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
Appropriation/Well (POA)
Point of Diversion (POD)
Additional Point of Appropriation (APOA)
Additional Point of Diversion (APOD)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
Point of Appropriation/Well (POA)
Character of Use (USE)
Additional Point of Appropriation (APOA)
Point of Diversion (POD)
Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Permit G-16156

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
"	"	"	" " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
41	S	11	E 16 NW NE	600	9	6.4	Supplemental Irrigation	Well 1	2005	POA	41	S	11	E 16 NW NE	600	9	6.4	Supplemental Irrigation	Well 3	2005				
41	S	11	E 16 NE NE	600	6	15.2	Supplemental Irrigation	Well 1	2005	POA	41	S	11	E 16 NE NE	600	6	15.2	Supplemental Irrigation	Well 3	2005				
41	S	11	E 16 SW NE	600	9	1.7	Supplemental Irrigation	Well 1	2005	POA	41	S	11	E 16 SW NE	600	9	1.7	Supplemental Irrigation	Well 3	2005				
41	S	11	E 16 SE NE	600	10	32.7	Supplemental Irrigation	Well 1	2005	POA	41	S	11	E 16 SE NE	600	10	32.7	Supplemental Irrigation	Well 3	2005				
41	S	11	E 16 NE SE	1501	11	1.5	Supplemental Irrigation	Well 1	2005	POA	41	S	11	E 16 NE SE	1501	11	1.5	Supplemental Irrigation	Well 3	2005				
TOTAL ACRES						57.5							TOTAL ACRES						57.5					

Additional remarks: _____

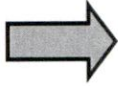
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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: KA 1000



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME MIKE MCKOEN			PHONE (HM) 541-205-1191	
PHONE (WK)		CELL		FAX
ADDRESS PO BOX 195				
CITY MERRILL		STATE OR	ZIP 97633	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME KLAMATH IRRIGATION DISTRICT			PHONE (HM) 541-882-6661	
PHONE (WK)		CELL		FAX
ADDRESS 6640 KID LN				
CITY KLAMATH FALLS		STATE OR	ZIP 97603	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	G-16400	G-16156		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

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4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

email, phone, postal mail, in person, or other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

[Signature]
Applicant Signature

Mike McKosher
Name (print)

3/16/2020
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

[Signature]
Signature of District Manager /Water Supplier

SARZA, Gene R
Name (print), Title

20 MAR 2020
Date



THIS SPACE RESERVED FOR

2017-004165
Klamath County, Oregon
04/21/2017 10:27:00 AM
Fee: \$47.00

After recording return to:
MLM Property LLC, an Oregon Limited Liability
Company
PO Box 195
Merrill, OR 97633

Until a change is requested all tax statements
shall be sent to the following address:
MLM Property LLC, an Oregon Limited Liability
Company
PO Box 195
Merrill, OR 97633
File No. 163324AM

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SPECIAL WARRANTY DEED

Northwest Farm Credit Services, PCA,

Grantor(s) hereby conveys and specially warrants to

MLM Property LLC, an Oregon Limited Liability Company,

Grantee(s) and grantee's heirs, successors and assigns the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the County of **Klamath** and State of Oregon, to wit:

That portion of Government Lot 1 lying South of J canal; that portion of Government Lot 2 lying South of J canal and Easterly of the State Highway; and that portion of Government Lots 9 and 10 lying Easterly of the State Highway and all of Government Lot 6 all in Section 16, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon

SAVING AND EXCEPTING therefrom any portion thereof in any canals, roads or highways

The true and actual consideration for this conveyance is . \$320,000.00

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record, if any, as of the date of this deed and those shown below, if any:

SPECIAL EXCEPTION: Title to the described real property being sold is only warranted for the period of time Grantor has held and does hold fee title. There are no warranties or representations made by the Grantor beyond those expressed herein. Grantee has made its own investigation and accepts the property in its present condition free of representations and warranty by the Grantor.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor except those claiming under the above described encumbrances.

13402

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 18th day of April, 2017

Northwest Farm Credit Services, PCA

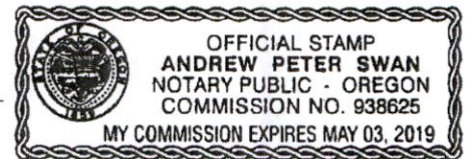
By: 
Emily Duerst, Relationship Manager II/AVP

State of Oregon } ss
County of Marion }

On this 18th day of April, 2017, before me, Andrew Peter Swan a Notary Public in and for said state, personally appeared Emily Duerst, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pete Swan
Notary Public for the State of Oregon
Residing at: Sedro Woolley, Oregon
Commission Expires: 5/31/2019



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2016-012254

Klamath County, Oregon



00195243201600122540030030

11/16/2016 02:08:32 PM

Fee: \$52.00

AFTER RECORDING RETURN TO:

Parks & Ratliff, P.C.
620 Main Street
Klamath Falls OR 97601

GRANTOR'S NAME AND ADDRESS:

Diane P. McKoen, Successor Trustee of the
Leo F. McKoen, Jr., Living Trust,
UAD 07-09-13
18412 O'Keefe Rd.
Tulelake, CA 96134

GRANTEE'S NAME AND ADDRESS:

Michael J. McKoen
P. O. Box 195
Merrill, OR 97633

SEND TAX STATEMENTS TO:

Michael J. McKoen
P. O. Box 195
Merrill, OR 97633

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BARGAIN AND SALE DEED

DIANE P. McKOEN, SUCCESSOR TRUSTEE OF THE LEO F. McKOEN, JR., LIVING TRUST, U.A.D. 07-09-13, hereinafter referred to as grantor, conveys to **MICHAEL J. McKOEN**, hereinafter referred to as grantee, the following described real property situated in the County of Klamath, State of Oregon, to-wit:

(See Exhibit "A" attached hereto and incorporated herein by this reference.)

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration; i.e., distribution of the assets of the Leo F. McKoen, Jr., Living Trust, U.A.D. 07-09-13

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 1 day of November, 2016.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED

13402

USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

LEO F. McKOEN, JR., LIVING TRUST, U.A.D. 07-09-13

By: Diane P. McKoen
Diane P. McKoen, Successor Trustee

STATE OF OREGON; County of Klamath) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 1 day of NOV., 2016, by Diane P. McKoen as Successor Trustee of the Leo F. McKoen, Jr., Living Trust, U.A.D. 07-09-13.

Kay Heath
NOTARY PUBLIC FOR OREGON
My Commission expires: 9-24-18



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EXHIBIT "A"

(Attached to and made a part of Bargain and Sale Deed wherein Diane P. McKoen, Successor Trustee of the Leo F. McKoen, Jr., Living Trust, U.A.D. 07-09-13, is Grantor, and Michael J. McKoen is Grantee, dated the 1 day of NOV, 2016.)

REAL PROPERTY DESCRIPTION

PARCEL 1:

A parcel of land in Government Lot 11, Section 16, T. 41 S., Range 11, E.W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at the intersection of the East line of said Section 16 with the Northeasterly right of way line of Oregon Highway No. 39; thence N. 39°38'52" W, along said right of way line a distance of 712.19 feet to a 5/8" iron pin on the North line of said Lot 11; thence leaving said right of way line N. 89°59'44" E. a distance of 454.39 feet to the East line of Section 16; thence S. 0°00'16" E. along said Section line a distance of 548.41 feet to the point of beginning. LESS AND EXCEPTING the East 30 feet thereof contained in the right of way of the USRS No. 42 Drain theretofore conveyed by Dora Pope, *et vir*, to the United States by deed recorded in Volume 69, page 151, records of Klamath County, Oregon. The above described tract contains 2.50 acres, more or less.

SUBJECT TO: Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest in the event said use should be changed, which obligations Grantee assumes and agrees to pay and perform.

Property ID #: R879799

Map Tax Lot #: R-4111-01600-01501-000

(KID)

PARCEL 2:

Lots 16 and 17 and all that part of Lots 15 and 18, lying West of a line running North and South and distant 1049 feet West of the East line of said Lots 15 and 18 all in Section 16, Township 41 South, Range 11, EWM.

SUBJECT TO: Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest in the event said use should be changed, which obligations Grantee assumes and agrees to pay and perform.

Property ID #: R107208

Map Tax Lot #: R-4111-01600-01200-000

(TID # 4039-1)

PARCEL 3:

Farm Unit "A", according to the Farm Unit plat, or Lot 11 of Section 17, Township 41 South, Range 11 EWM.

SUBJECT TO: Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest in the event said use should be changed, which obligations Grantee assumes and agrees to pay and perform.

Property ID #: R107217

Map Tax Lot #: R-4111-01700-00400-000

(TID # 4030)

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MAK 25 2020

KLAM 57387

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210)

05-12-2010

WELL LABEL # L 92055

START CARD # 1009942

(1) LAND OWNER Owner Well I.D. First Name LEE Last Name MCKOEN Company THREE M MINT, INC. Address P.O. BOX 195 City MERRILL State OR Zip 97633

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD [] Rotary Air [X] Rotary Mud [] Cable [] Auger [] Cable Mud [] Reverse Rotary [] Other

(4) PROPOSED USE [] Domestic [X] Irrigation [] Community [] Industrial/ Commercial [] Livestock [] Dewatering [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION Special Standard [] Attach copy) Depth of Completed Well 1,224.00 ft.

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, sacks/lbs. Rows include Bentonite and Cement.

How was seal placed: Method [] A [] B [X] C [] D [] E [X] Other BEN. POURED DRY Backfill placed from ft. to ft. Material Filter pack from ft. to ft. Material Size Explosives used: [] Yes Type Amount

(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd

Shoe [] Inside [] Outside [] Other Location of shoe(s) Temp casing [] Yes Dia From To

(7) PERFORATIONS/SCREENS Perforations Method Screens Type Material Perf/S Casing/ Screen green Liner Dia From To Scm/slot width Slot length # of slots Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [] Bailer [X] Air [] Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature 74 °F Lab analysis [] Yes By Water quality concerns? [] Yes (describe below) From To Description Amount Units

(9) LOCATION OF WELL (legal description) County Klamath Twp 41.00 S N/S Range 11.00 E E/W WM Sec 16 NE 1/4 of the SE 1/4 Tax Lot 100 Tax Map Number Lot Lat Long DMS or DD DMS or DD Street address of well [] Nearest address [X]

HIGHWAY 39 AND STATE LINE RD.

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Predeepening Completed Well 05-06-2010 46 Flowing Artesian? [] Dry Hole? []

WATER BEARING ZONES Depth water was first found 184 SWL Date From To Est Flow SWL(psi) + SWL(ft) 04-26-2010 184 186 20 28 05-05-2010 1,161 1,221 1,500 46

(11) WELL LOG Ground Elevation Material From To Sand 0 3 Yellow Clay 3 9 Brown and Grey Sand 9 12 Yellow Clay 12 20 Blue Clay 20 25 Blue Clay with Black Sand 25 27 Blue Clay 27 31 Blue Clay with Coarse and Fine Sand 31 34 Sticky Blue Clay 34 37 Brown Clay 37 41 Sticky Grey Clay 41 102 Grey Clay with Brown Claystone 102 105 Grey Claystone 105 110 Blue and Grey Pumice with Blue Clay 110 113 White and Grey Clay 113 127 White clay, Grey Clay, Shells 127 129 Light Blue Clay 129 157 Blue Claystone 157 159 Grey and Light Blue Clay 159 170

Date Started 04-23-2010 Completed 05-06-2010

(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date Electronically Filed Signed

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1844 Date 05-12-2010 Electronically Filed Signed COLTER CHANCELLOR (E-filed) Contact Info (optional)

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of KLAMATH)

I, MIKE MCKOEN, in my capacity as PROPERTY OWNER,
 mailing address PO BOX 195, MERRILL, OR, 97633
 telephone number (541)205-1191, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Permit #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
G-16156	41	S	11	E	WM	16	NW	NE	6	6.4
G-16156	41	S	11	E	WM	16	NE	NE	6	15.2
G-16156	41	S	11	E	WM	16	SW	NE	6	1.7
G-16156	41	S	11	E	WM	16	SE	NE	10	32.7
G-16156	41	S	11	E	WM	16	NE	SE	10	1.5

OR

- Confirming Certificate # ____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

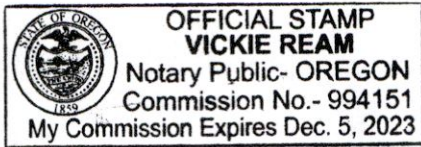
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3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Mirza
Signature of Affiant

3/16/2020
Date

Signed and sworn to (or affirmed) before me this 16th day of March, 2020.



Vickie K. Ream
Notary Public for Oregon

My Commission Expires: 12/5/2023

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Letter of Transmittal

To: Oregon Water Resources Department
725 Summer Street NE, Ste. A
Salem, OR 97301-1266

Date: March 24, 2020

RE: Permit G-16156

We are sending you:

- Attached Under separate cover via _____ the following items:
 Shop Drawings Prints Plans Samples Pay Requests
 Specifications Submittals Change orders Sign & Return Other

Copies/Pgs	Date	Description
1	3/24/20	Drought Temporary Transfer for permit G-16156
1	3/24/20	Fee Check #11760 \$810.00

These are transmitted as checked below:

- For approval
 For your use
 As requested

Sincerely,

Deirdre Horton

Deirdre Horton
Office Assistant

CC: McKoen & Son
3217-02

Delivered via: UPS Ground

There is a pending SAP
 T-13375-ARLA
 has T-13375
