

**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)

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- 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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** \_\_\_\_\_ **List them here:** 86564 - 6-12922  
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 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):**

\_\_\_ Application fee not enclosed/insufficient      \_\_\_ Map not included or incomplete  
 \_\_\_ Land Use Form not enclosed or incomplete  
 \_\_\_ Additional signature(s) required      \_\_\_ Part \_\_\_ is incomplete  
 Other/Explanation \_\_\_\_\_  
 Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

## 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 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 3c by \$230.00, then enter on line 3	3	RECEIVED MAY 25 2022 OWRD
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	7	

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: <u>1</u> (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » »	2	50.00
3	Add entries on lines 1 through 2 above » » » » » » » » » » » <b>Transfer Fee:</b>	3	250.00

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME <i>Gary + Denise Klegseth LLC</i>		PHONE NO.	ADDITIONAL CONTACT NO. <i>541-891-6775</i>
ADDRESS <i>P.O. Box 252</i>			FAX NO.
CITY <i>Merrill</i>	STATE <i>OR</i>	ZIP <i>97633</i>	E-MAIL <i>dklegseth54@gmail.com</i>
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.			

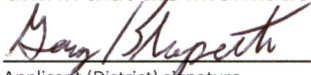
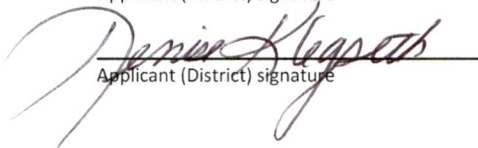
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME		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:

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 (District) signature	<i>Gary Klegseth</i> Print Name (and Title if applicable)	<i>5/20/2022</i> Date
 Applicant (District) signature	<i>Denise Klegseth</i> Print Name (and Title if applicable)	<i>5-20-22</i> 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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BARGAIN AND SALE DEED  
WALTER W. POTTERBURNAM, HUSBAND and JOSE C. POTTERBURNAM, WIFE  
MILDRED C. POTTERBURNAM, HUSBAND and AILEE C. POTTERBURNAM, WIFE  
GARY D. RINGARD and GAYLE L. RINGARD, HUSBAND and WIFE  
and DONALD R. ALDRIDGE, HUSBAND and WIFE, as to the interests therein,  
undivided interest tenants in common with and GARY D. RINGARD,  
undivided interest tenants in common with GAYLE L. RINGARD, HUSBAND and WIFE,  
Klamath County, State of Oregon, more specifically described as:

Lot 1, Section 10, T20N, R10E, W1E, Oregon, County of Klamath,  
Klamath County, State of Oregon, more specifically described as:  
Assessment Account No. 8-110 0100 0070  
Assessment Map No. 81014

It is the intention of the Grantees that the Grantee  
shall have in the above described real property as to the  
1) JOSE C. POTTERBURNAM and MILDRED C. POTTERBURNAM, HUSBAND and  
WIFE, to have and hold an undivided one-half interest therein  
as tenants by the entirety; and  
2) GARY D. RINGARD and GAYLE L. RINGARD, HUSBAND and WIFE,  
to have and to hold an undivided one-third interest therein  
as tenants by the entirety.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THE  
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND RULES OF THE  
BEFORE SIGNING AND ACCEPTING THIS INSTRUMENT, THE PERSON ACCEPTING THE  
TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE LOCAL PLANNING  
DEPARTMENT TO VERIFY APPROVED USES.

THE TRUE AND ACTUAL CONSIDERATION for this conveyance is the  
property or value given or promised which is the whole consideration  
DATE THIS 27th day of July, 1987.

Walter W. Potterburnam  
Jose C. Potterburnam  
Mildred C. Potterburnam  
Ailee C. Potterburnam  
Gary D. Ringard  
Gayle L. Ringard  
Donald R. Aldridge

STATE OF OREGON (County of Klamath) ss:  
This instrument was acknowledged before me this 27th day of  
July, 1987, by Walter W. Potterburnam, Jose C. Potterburnam,  
Mildred C. Potterburnam, Ailee C. Potterburnam, Gary D. Ringard,  
Gayle L. Ringard and Donald R. Aldridge, all of whom are  
SOVEREIGN INDEMNITY FOR THE STATE OF OREGON  
BY COMMISSIONER OF LANDS

GRANTOR'S NAME AND ADDRESS: STATE OF Oregon  
COUNTY OF Klamath  
I certify that the within instrument was recorded in the  
records of the County of Klamath, Oregon, on this 27th day of  
July, 1987, in Book 1122, Page 1122.  
WITNESSED my hand and seal of  
County of Klamath,  
Oregon, this 27th day of July, 1987.  
By \_\_\_\_\_  
County Clerk, Klamath County, Oregon  
Fee \$30.00

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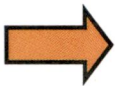
DK

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	ADDRESS	
CITY	STATE	ZIP

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	ADDRESS	
CITY	STATE	ZIP

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 Certificate # 6-12922

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**Description of Water Delivery System**

**MAY 25 2022**

System capacity: 0.40 cfs cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

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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. \_\_\_\_\_

**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.)

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	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	<u>Klam</u> <u>1A956</u>	<u>41 S</u>	<u>10 E</u>	<u>10</u>			<u>701</u>	<u>575' W + 1720' N</u> <u>Sec. 10 + 11, 14, 15</u>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

**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.

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 Certificate # 86504**

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						
<b>EXAMPLE</b>																										
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	10	E	10	NWSE		701		33.44				POU	41	S	10	E	10	SE	SE			33.44			
<b>RECEIVED</b>																										
<b>MAY 25 2022</b>																										
<b>OWRD</b>																										
TOTAL ACRES											33.44	TOTAL ACRES											33.44			

Additional remarks:



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 Certificate # G-12922**

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, 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	1/4	1/4	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	1/4	1/4	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
4	S	10	E	10	NW	SE	701		3.27	Irrigation			POU	4	S	10	E	10	SE	SE			3.27			
<div style="position: absolute; top: 50px; left: 60%; border: 1px solid black; padding: 5px; color: blue; font-weight: bold;">             RECEIVED MAY 25 2022 OWRD           </div>																										
TOTAL ACRES												TOTAL ACRES														
3.27												3.27														

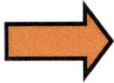
Additional remarks:

**For Place of Use Changes**

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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:



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](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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**Klamath Basin/County Drought Transfer Applications**

**Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)**

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application?  Yes  No\*

*\*Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

STATE ENGINEER  
Salem, Oregon

*Klamath*  
*14956*

# Well Record

STATE WELL NO. *41/10-1011*  
COUNTY *Klamath*  
APPLICATION NO. *U-378 G-4796*

OWNER: *Fotheringham Bros.*

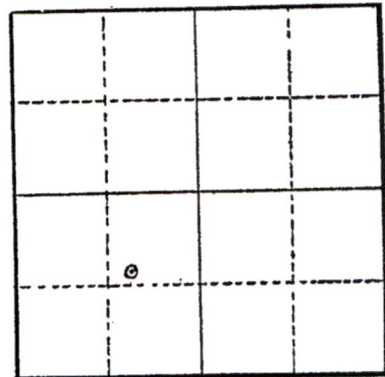
MAILING ADDRESS:

LOCATION OF WELL: Owner's No. *1*

CITY AND STATE:

*1/4* *1/4* Sec. *T.* *N.* *E.*  
*S., R.* *W., W.M.*

Bearing and distance from section or subdivision corner



Altitude at well *4,130*

TYPE OF WELL: *Drilled* Date Constructed

Depth drilled *678* Depth cased *17*

Section *10*

CASING RECORD:

*12* inch

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FINISH:

AQUIFERS:

*"Rock" (agglomerate?) from 641 to 668*

WATER LEVEL:

*40* feet below land surface, *March, 1950*

PUMPING EQUIPMENT: Type \_\_\_\_\_ H.P. \_\_\_\_\_  
Capacity \_\_\_\_\_ G.P.M.

WELL TESTS:  
Drawdown \_\_\_\_\_ ft. after \_\_\_\_\_ hours \_\_\_\_\_ G.P.M.  
Drawdown \_\_\_\_\_ ft. after \_\_\_\_\_ hours \_\_\_\_\_ G.P.M.

USE OF WATER *Irrigation* Temp. \_\_\_\_\_ °F., 19\_\_\_\_\_  
SOURCE OF INFORMATION *USGS (see also U-353)*

DRILLER or DIGGER

ADDITIONAL DATA:  
Log *X* Water Level Measurements \_\_\_\_\_ Chemical Analysis \_\_\_\_\_ Aquifer Test \_\_\_\_\_

REMARKS:

*Water level draws down 80 ft. when pumped at 2,400 gpm.*

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STATE ENGINEER  
Salem, Oregon

OWRD

State Well No. 41/10-10L1  
County Klamath  
Application No. U-378  
G-4796

Well Log

Owner: Fotheringham Bros. Owner's No. 1

Driller: Storey Bros. Date Drilled 1950

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
Soil and hardpan	0	11	11
Yonna formation:			
Chalk rock, lowest 125 ft. white & blue	11	170	159
"Rock"	170	172	2
Shale, blue, lowest 17 ft. rocklike	172	196	24
"Rock"	196	202	6
Clay, lowest 22 ft. black	202	226	24
"Rock"	226	228	2
Clay, hard, black, sticky	228	310	82
Chalk rock, blue, gritty	310	459	149
"Rock"	459	461	2
Chalk rock	461	462 $\frac{1}{2}$	1 $\frac{1}{2}$
"Rock"	462 $\frac{1}{2}$	463	$\frac{1}{2}$
Chalk rock, gravelly	463	465	2
"Rock"	465	466	1
Chalk rock, gravelly	466	468	2
Yonna formation (?):			
"Rock"	468	487	19
Clay	487	490	3
"Rock"	490	498	8
Clay	498	505	7
"Rock"	505	615	110
Clay, red and blue	615	629	14
"Rock"	629	630	1



# 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.

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State of Oregon )  
 ) ss  
 County of Klamath )

I, Gary + Denise Klegseth LLC in my capacity as owner

mailing address PO Box 252, Merrill, OR 97633

telephone number (\_\_\_\_\_) \_\_\_\_\_, 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:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
86504	41	S	10	E		10	NWSE		33.44
6-12922	41	S	10	E		10	NWSE		3.27

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)





3. The water right was used for: (e.g., crops, pasture, etc.): Irrigation

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.

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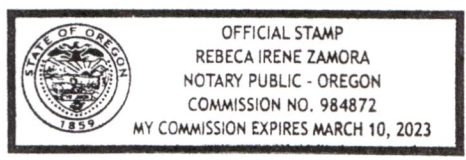
OWRD

Henry Blyath  
Signature of Affiant

Dennis Hagseth

5/23/2022  
Date

Signed and sworn to (or affirmed) before me this 23<sup>rd</sup> day of May, 2022.



Rebeca Irene Zamora  
Notary Public for Oregon

My Commission Expires: March 10, 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 <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<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"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



**From land**  
T415 RIDE SEC 10

1. 100%

2. 100%

3. 100%

4. 100%

5. 100%

6. 100%



From 100%

# Application for Water Right Transfer



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

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## Consent by Deeded Landowner

State of Oregon )  
County of Klamath )ss  
 )

I Mildred Fotheringham in my/our capacity as owner,  
mailing address PO Box 148, Merrill, OR 97633  
telephone number 541-798-5870, duly sworn depose and say that I/We  
consent to the proposed change(s) to Water Right Certificate Number 6-12922  
described in a Water Right Transfer Application (T-\_\_\_\_\_),  
(transfer number, if known)

submitted by \_\_\_\_\_

on the property in tax lot number(s) 701,

Section 10 Township 41S North/South Range 10 East/West, W.M.

located at 13807 Lower Lake Rd, Merrill, OR  
(site address)

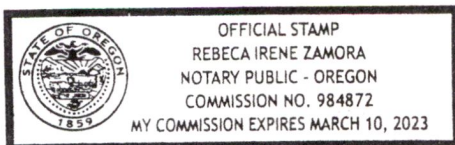
Mildred Fotheringham  
Signature of Affiant

5-23-2022  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 23<sup>rd</sup> day of May, 2022.



Rebeca Irene Zamora  
Notary Public for Oregon

My commission expires March 10, 2023