

SAP

APP: Gregory Heaton PO Box 210 Merrill Oregon 97133

APP: Daniel Chin Wang Potatoes 17817 Cheyne rd DESCRIPTION OF WATER RIGHT(S)  
K Falls

Address

APP Scott & Matthew Bedford 1231 Telloch dr Tracy, CA

Change in

Date Filed 7/16/2021

Initial notice date 8/3/2021

DPD issued date

PD issued date

PD notice date

Date of FO 11/23/2022 Vol 127 Page 50-55

C-Date

COBU due date

COBU Received date

Certificate issued

Name of Stream well

Trib. of Dadds Hollow Basin, Lost river basin

Use Supp Irrigation County Clatsop

Quantity of water (CFS) No. of Acres

Name of ditch

App# G11040 Per # G18391 Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
7-21-2021	\$900.00	1358916

FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

land owner  
Irrigation District Tori Hill PO Box 129 malin or

Agent Hollie Cannon water right Solutions

CWRE

CC's list

- Oversized map - Location



Oregon  
Kate Brown, Governor

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

November 23, 2022

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

WONG POTATOES INC  
DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

SCOTT & MATTHEW BEDFORD  
1231 TULLOCCH DRIVE  
TRACY, CA 95377

REFERENCE: Split a Permit Application T-13775

Enclosed is a copy of the order approving your Split a Permit application.

Also enclosed is your superseding permit and a copy of the permit covering the remainder of the water right. Please read the documents and abide by the requirements.

If you have any questions related to this transfer, you may contact your caseworker, Arla Davis, by telephone at 503-979-3129 or by e-mail at [Arla.L.Davis@oregon.gov](mailto:Arla.L.Davis@oregon.gov).

Sincerely,

Julie C. Baustian  
Water Rights Services Support  
Transfers and Conservation Section

cc: Danette M. Watson, Watermaster Dist. # 17 (via email)  
Hollie Cannon, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit G-18391,	)	FINAL ORDER
Klamath County	)	APPROVING ASSIGNMENT OF A WATER
	)	RIGHT PERMIT AND ISSUANCE OF
	)	REPLACEMENT WATER RIGHT PERMITS

**Authority**

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR Chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use to assign all or part of the water right permit and to issue replacement permits to reflect an assignment from the current permit holder to one or more additional permit holders.

**Applicants**

Gregory Drew Heaton  
PO Box 210  
Merrill, OR 97633

Daniel Chin/ Wong Potatoes Inc.  
17817 Cheyne Road  
Klamath Falls, OR 97603

Scott and Matthew Bedford  
1231 Tulloch Drive  
Tracy, CA 95377

**Findings of Fact**

**Background**

1. On July 6, 2021, Gregory Drew Heaton, Wong Potatoes Daniel Chin, and Scott and Matthew Bedford, filed an application for partial assignment of Water Right Permit G-18391 and requested issuance of replacement permits. The Department assigned the application number T-13775.
2. On February 12, 2018, the Department approved a partial assignment of Permit G-18391 from Daniel Chin to Gregory Drew Heaton, Scott Bedford, MLM Property, LLC, and Wong Potatoes, Inc.

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 OAR 137-004-080 and OAR 690-01-005 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.

3. On July 26, 2019, the Department approved an extension of time for complete application of water to October 1, 2024.
4. On March 18, 2022, the Department contacted applicant Scott and Matthew Bedford regarding a deficiency, specifically a missing signature on the application from Matthew Bedford.
5. On April 18, 2022, the Department received amended application documents with the required signature, satisfying the deficiency.
6. Notice of the application for transfer was published on May 3, 2022, pursuant to OAR 690-325-0080.
7. Notice of the application for the assignment of the water right permit and request for issuance of replacement water right permits was published in the Department's weekly notice on May 3, 2022, pursuant to ORS 537.325(3)(e) and OAR 690-325-0080. Due to a clerical error, the notice was not published correctly in the Department's weekly notice on May 3, 2022. The notice was republished in the Department's weekly notice on August 2, 2022. No comments were filed in response to the notice. In addition, the Department provided copies of the draft Proposed Final Order, draft replacement permits, the application, map, and existing water right permit to each owner of land upon which the water right permit is appurtenant.
8. On September 7, 2022, the Department issued a Proposed Final Order considering any comments received, and sent a copy to the applicant, each owner of land upon which the water right permit is appurtenant. Notice of the Proposed Final Order was published in the Department's weekly notice on September 13, 2022. No protests were filed in response to the notice.
9. The Permit to be modified and assigned is as follows:
 

<b>Permit:</b>	G-18391 in the names of DANIEL CHIN, WONG POTATOES, INC., GREGORY DREW HEATON, SCOTT BEDFORD
<b>Use:</b>	SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES
<b>Priority Date:</b>	MARCH 1, 2005
<b>Quantity:</b>	MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES
<b>Limit/Duty:</b>	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
<b>Period of Use:</b>	APRIL 1 THROUGH OCTOBER 31
<b>Source:</b>	WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						257.55

10. The Applicants request Permit G-18391 be split and replacement permits be issued as follows:

Permit A: GREGORY DREW HEATON

Use: SUPPLEMENTAL IRRIGATION USE ON 119.4 ACRES  
 Priority Date: MARCH 1, 2005  
 Quantity: MAXIMUM RATE: 1.49 CUBIC FEET PER SECOND (CFS), BEING 1.49 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 119.4 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
 Period of Use: APRIL 1 THROUGH OCTOBER 31  
 Source: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						119.4

**Permit B: DANIEL CHIN/WONG POTATOES, INC.**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 81.5 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 1.02 CUBIC FEET PER SECOND (CFS), BEING 1.02 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 81.5 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	14	SE NW		5.6
Total						81.5

**Permit C: SCOTT AND MATTHEW BEDFORD**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 56.65 ACRES

**Priority Date:** MARCH 1, 2005

**Quantity:** MAXIMUM RATE: 0.71 CUBIC FEET PER SECOND (CFS), BEING 0.71 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**Period of Use:** APRIL 1 THROUGH OCTOBER 31

**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
Total						56.65

**Split a Permit Review Criteria**

The Department has verified the mailing address of each owner of the authorized place of use identified on the map contained in the application as follows:

Name and Address	Acres	Proportionate Rate (cfs)	Twp	Rng	Mer	Sec	Q-Q	Tax Lot
GREGORY DREW HEATON PO BOX 210 MERRILL, OR 97633	119.4	1.49 CFS	41 S	11 E	WM	15	MULTIPLE	400 & 800
DANIEL CHIN/ WONG POTATOES INC. 17817 CHEYNE ROAD KLAMATH FALLS, OR 97603	81.5	1.02 CFS	41 S	11 E	WM	11 & 14		500

SCOTT AND MATTHEW BEDFORD 1231 TULLOCH DRIVE TRACY, CA 95377	56.65	0.71 CFS	41 S	11 E	WM	7		400
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11. The deeds supplied with the application, match the properties proposed for assignment.
12. The applicants affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit.
13. The assignment and issuance of replacement permits would not result in injury to other water right holders.
14. The assignment and issuance of replacement permits would not result in enlargement of the permit.
15. The assignment and issuance of replacement permits does not alter any other terms of Permit G-18391.

#### Conclusions of Law

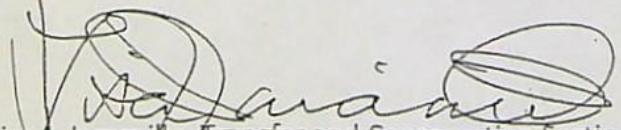
The assignment and issuance of replacement permits proposed by Application T-13775 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325.

Now, therefore, it is ORDERED:

1. The assignment and issuance of replacement permits proposed by Application T-13775 are approved.
2. Permit G-18783 in the name of Gregory Drew Heaton, Permit G-18784 in the name of Daniel Chin/Wong Potatoes, Inc., and Permit G-18785 in the name of Scott and Matthew Bedford are issued to supersede Permit G-18391 (original permit). Permit G-18391 (original permit) is no longer of any force or affect.
3. All other terms and conditions under Permit G-18391 (original permit) are incorporated into Permits G-18783, G-18784 and G-18785 (superseding permits).

Dated in Salem, Oregon on

**NOV 23 2022**

  
 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
 DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
 Oregon Water Resources Department

Mailing Date: NOV 24 2022



STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 127, Page 50, entered on NOV 23 2022. This permit, together with Permit G-18784 and G-18785, supersedes Permit G-18391.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 119.4 ACRES

MAXIMUM RATE: MAXIMUM RATE: 1.49 CUBIC FOOT PER SECOND (CFS), BEING 1.49 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 119.4 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						119.4

**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than

one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

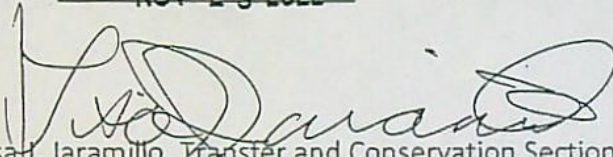
The use of water shall be limited when it interferes with any prior surface or ground water rights.

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee

wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued NOV 23 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WONG POTATOES INC.  
DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 127, Page 5D, entered on NOV 23 2022. This permit, together with Permit G-18783 and G-18785, supersedes Permit G-18391.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 81.5 ACRES

MAXIMUM RATE: MAXIMUM RATE: 1.02 CUBIC FOOT PER SECOND (CFS), BEING 1.02 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 81.5 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

## THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
Total						81.5

**Extension of Time Conditions:****Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than



one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

#### STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

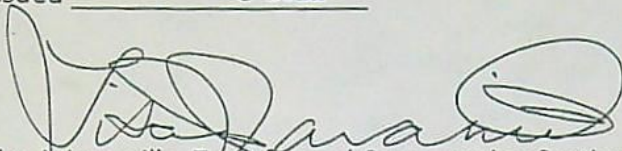
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued NOV 23 2022



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SCOTT AND MATTHEW BEDFORD  
1231 TULLOCH DRIVE  
TRACY, CA 95377

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 127, Page 50, entered on NOV 23 2022. This permit, together with Permit G-18783 and G-18784, supersedes Permit G-13891.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 56.65 ACRES

MAXIMUM RATE: MAXIMUM RATE: 0.71 CUBIC FOOT PER SECOND (CFS), BEING 0.71 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

## THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
Total						56.65

Extension of Time Conditions:Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Original Permit Conditions:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

#### After Use of Water has Begun

##### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

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- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

## STANDARD CONDITIONS

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If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

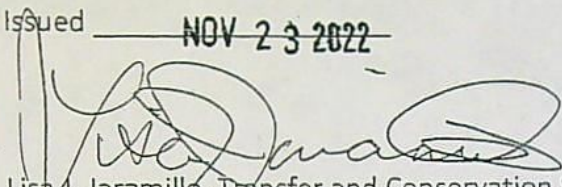
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Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued ~~NOV 23 2022~~



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

SPLIT A PERMIT  
TIME TRACKING SHEET

T- 13775

Date	Item	Caseworker	Time/hrs (¼ hrs)
2/16/22 <del>2/16/22</del>	Review Application, draft Draft PFO and replacement Permits	AUD	2.0 hrs
2/22/22	Peer Review of Draft PFO and replacement Permits	Scott	
5/3/22	Data: Review of replacement Permits	Data	3.0 hrs
5/3/22	Changes to Draft PFO and replacement Permits and issuance of Draft Proposed Final Order, prepare notice of application for weekly public notice.	AUD	1.0 hr
5/3/22	Mail DRAFT PFO, cc of app, existing permit, and draft replacement Permits to all landowners. Weekly Public Notice and workflow	Support	.5
5/3/22	Review comments received and draft Proposed Final Order w/draft replacement Permits and draft public notice	AUD	
5/31/22	Peer review Proposed Final Order w/draft replacement Permits and public notice	Journ <sup>Kelly 2hrs</sup>	
9/7/22	Mail PFO with draft replacement permits to each landowner and commenter. Weekly Public Notice and workflow	Support Shp	.50
9/30/22	Verify no protests have been filed. Prepare Final Order and Replacement Permits.	RAD	.50
	Peer review Final Order and Replacement Permits		1.50
11/15/22	Issue Final Order and Replacement Permits	AUD	.50
	Mail Final Order and Replacement Permits to Landowners. Workflow	Support	.50



Split a Permit Cover Sheet

Transfer T-13775

Transfer Specialist: Aula

Transfer Type: **Split a Permit Transfers** Split a Permit

Applicant Name/Address: WONG POTATOES INC. DANIEL WONG 17817 CHEYNE RD KLAMATH FALLS, OR 97603  SCOTT & MATTHEW BEDFORD 1231 TULLOCH DR TRACY, CA 95377  GREGORY DREW HEATON PO BOX 210 MERRILL, OR 97633	Agent Name/Address: HOLLIE CANNON 409 PINE ST SUITE 311 KLAMATH FALLS, OR 97601	Other Landowner Name/Address:
	Irr. District Name/Address:	Other Landowner Name/Address:
Commentors: Name/Address:		Other Landowner Name/Address: bmk_transfer_local_govt_name

**Water Right Permit Affected**

Records Marked	Records Copied	App File No. or Decree Name	Original Permit No.	Replacement Permit	Replacement Permit	Replacement Permit
<input type="checkbox"/>	<input type="checkbox"/>	G-16400	G-18391	6-18783	6-18784	6-18785

**Key Dates & Initial Actions**

Fees Paid: July 6, 2021	
125.00 Acknowledgement Letter Sent <input type="checkbox"/>	WM District: 17 Initial Notice:

**Processing Dates & Actions**

Draft PFO to Data w/draft Permits: <u>5/2/22</u>	
Draft PFO Mailed: <u>5/3/22</u>	Public Notice: <u>May 3, 2022</u> Comments Rec'd: Yes / No
Proposed Final Order: _____	Public Notice: _____ Protest Period Ends: _____
Final Order: <u>11/23/2022</u>	FO & Permits mailed: <u>11/24/2022</u>

DPFO Review (Optional)	PFO Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Scott</u>	Reviewer: <u>Jean / PK's</u>	Reviewer: <u>Scott / PK's</u>
Date: <u>2/22/22</u>	Date: <u>5/31/22</u> / <u>6/7/22</u>	Date: <u>7/20/22</u> / <u>11/8/22</u>
Changes Made: _____	Changes Made: <u>7/5/22</u>	Changes Made: <u>DUD</u>
Date: _____	Date: <u>DUD</u>	Date: <u>11/15/22</u>
Mailed: <u>5/31/2022</u>	Sig. Bin Date: <u>9-7-2022</u>	Sig. Bin Date: <u>11/15/22</u>

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

In the Matter of Permit G-18391,	)	PROPOSED FINAL ORDER
Klamath County	)	APPROVING ASSIGNMENT OF A WATER
	)	RIGHT PERMIT AND ISSUANCE OF
	)	REPLACEMENT WATER RIGHT PERMITS

**Authority**

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR Chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use to assign all or part of the water right permit and to issue replacement permits to reflect an assignment from the current permit holder to one or more additional permit holders.

**Applicants**

Gregory Drew Heaton  
PO Box 210  
Merrill, OR 97633

Daniel Chin/ Wong Potatoes Inc.  
17817 Cheyne Road  
Klamath Falls, OR 97603

Scott and Matthew Bedford  
1231 Tulloch Drive  
Tracy, CA 95377

**Findings of Fact**

**Background**

1. On July 6, 2021, Gregory Drew Heaton, Wong Potatoes Daniel Chin, and Scott and Matthew Bedford, filed an application for partial assignment of Water Right Permit G-18391 and requested issuance of replacement permits. The Department assigned the application number T-13775.
2. On February 12, 2018, the Department approved a partial assignment of Permit G-18391 from Daniel Chin to Gregory Drew Heaton, Scott Bedford, MLM Property, LLC, and Wong Potatoes, Inc.
3. On July 26, 2019, the Department approved an extension of time for complete application of water to October 1, 2024.

Pursuant to OAR 690-325-0100, any person may file a protest or standing statement within 45 days after the date of publication of notice of this Proposed Final Order.

4. On March 18, 2022, the Department contacted applicant Scott and Matthew Bedford regarding a deficiency, specifically a missing signature on the application from Matthew Bedford.
5. On April 18, 2022, the Department received amended application documents with the required signature, satisfying the deficiency.
6. Notice of the application for transfer was published on May 3, 2022, pursuant to OAR 690-325-0080.
7. The Permit to be modified and assigned is as follows:

**Permit:** G-18391 in the names of DANIEL CHIN, WONG POTATOES, INC., GREGORY DREW HEATON, SCOTT BEDFORD

**Use:** SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES

**Priority Date:** MARCH 1, 2005

**Quantity:** MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

**Period of Use:** APRIL 1 THROUGH OCTOBER 31

**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						257.55

8. The Applicants request Permit G-18391 be split and replacement permits be issued as follows:

**Permit A: GREGORY DREW HEATON**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 119.4 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 1.49 CUBIC FEET PER SECOND (CFS), BEING 1.49 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 119.4 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						119.4

**Permit B: DANIEL CHIN/WONG POTATOES, INC.**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 81.5 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 1.02 CUBIC FEET PER SECOND (CFS), BEING 1.02 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 81.5 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
Total						81.5

**Permit C: SCOTT AND MATTHEW BEDFORD**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 56.65 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 0.71 CUBIC FEET PER SECOND (CFS), BEING 0.71 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
Total						56.65

9. Notice of the application for the assignment of the water right permit and request for issuance of replacement water right permits was published in the Department's weekly notice on May 3, 2022, pursuant to ORS 537.325(3)(e) and OAR 690-325-0080. No comments were filed in response to the notice. In addition, the Department provided copies of the draft Proposed Final Order, draft replacement permits, the application, map, and existing water right permit to each owner of land upon which the water right permit is appurtenant.

**Split a Permit Review Criteria**

10. The Department has verified the mailing address of each owner of the authorized place of use identified on the map contained in the application as follows:

Name and Address	Acres	Proportionate Rate (cfs)	Twp	Rng	Mer	Sec	Q-Q	Tax Lot
GREGORY DREW HEATON PO BOX 210 MERRILL, OR 97633	119.4	1.49 CFS	41 S	11 E	WM	15	MULTIPLE	400 & 800
DANIEL CHIN/ WONG POTATOES INC. 17817 CHEYNE ROAD KLAMATH FALLS, OR 97603	81.5	1.02 CFS	41 S	11 E	WM	11 & 14		500
SCOTT AND MATTHEW BEDFORD 1231 TULLOCH DRIVE TRACY, CA 95377	56.65	0.71 CFS	41 S	11 E	WM	7		400

11. The deeds supplied with the application, match the properties proposed for assignment.
12. The applicants affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit.
13. The assignment and issuance of replacement permits would not result in injury to other water right holders.
14. The assignment and issuance of replacement permits would not result in enlargement of the permit.
15. The assignment and issuance of replacement permits does not alter any other terms of Permit G-18391.

**Conclusions of Law**

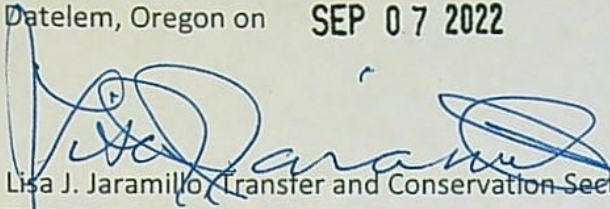
The assignment and issuance of replacement permits proposed by Application T-13775 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325. If protests are not filed pursuant to OAR 690-325-0100, a final order will be issued approving the assignment and issuance of replacement permits.

**Now, therefore, it is ORDERED:**

1. The assignment and issuance of replacement permits proposed by Application T-13775 are approved.
2. Permit G-18783 in the name of Gregory Drew Heaton, Permit G-18784 in the name of Daniel Chin/Wong Potatoes, Inc., and Permit G-18785 in the name of Scott and Matthew Bedford are issued to supersede Permit G-18391 (original permit). Permit G-18391 (original permit) is no longer of any force or affect.

3. All other terms and conditions under Permit G-18391 (original permit) are incorporated into Permits G-18783, G-18784 and G-18785 (superseding permits).

Datelem, Oregon on **SEP 07 2022**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: **SEP 08 2022**



APPLICATION (OAR 680-325-0040)			
CW		CW	
<input checked="" type="checkbox"/>	Appropriately signed	<input checked="" type="checkbox"/>	Appropriate Fees Paid
<input checked="" type="checkbox"/>	All required Attachments Received	<input checked="" type="checkbox"/>	Permit "C" Date has not expired
<input checked="" type="checkbox"/>	Use is for irrigation, nursery, agricultural, stock watering, or temperature control	<input checked="" type="checkbox"/>	Applicant is not a unit of local government, port, water authority, or a district
<input checked="" type="checkbox"/>	Is the Permit located within an Irrigation District? District Name and address provided? <i>N/A</i>	<input checked="" type="checkbox"/>	Check for any other authorized Permit Amendments that are not reflected on the Permit

DETERMINING THE "SPLIT"			
(Make working copy of application and permit to mark on)			
PR	CW		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The maps adequately show the lands assigned to each landowner and meet the requirements of OAR 690-325-0050	<input type="checkbox"/> <input checked="" type="checkbox"/> Application & Permit tabulations match. <i>(Mark on Permit and cert. copies and note corrections needed)</i>

DEPARTMENT REVIEW (OAR 690-325-0070)					
PR	CW		YES	NO	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-325-0070(1)(a) The mailing address of each owner of the authorized place of use has been verified	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notes: <i>Use interactive mapper and assessor's page</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-325-0070(1)(b) The deed(s) supplied with the application match(es) the properties proposed for assignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notes:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-325-0070(1)(c) The most recent water use under the permit, if any, has been exercised within the relevant terms and conditions of the water right permit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Notes:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-325-0070(1)(d) Will the splitting of the Permit result in enlargement of the original Permit? <i>NO</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Notes:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-325-0070(1)(d) Will the splitting of the Permit result in injury to other water right holders? <i>NO</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Notes:

REPLACEMENT PERMITS (OAR 690-325-0110)					
PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are the same conditions from the original permit included on the replacement permits?	<input type="checkbox"/>	<input type="checkbox"/>	Notes:

## DAVIS Arla L \* WRD

---

**From:** MARTIN Duff A \* WRD  
**Sent:** Monday, May 2, 2022 9:14 AM  
**To:** DAVIS Arla L \* WRD  
**Cc:** BAUSTIAN Julie C \* WRD  
**Subject:** RE: Data Review

Hi Arla,

Oh yeah, I did this, I just forgot to tell you I did. Sorry. It took 3 hours.

Thanks,

*Duff Martin*

Data Tech 2

725 Summer St NE Salem, OR 97301



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WATER  
RESOURCES  
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---

**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Sent:** Monday, May 02, 2022 8:31 AM  
**To:** MARTIN Duff A \* WRD <Duff.A.MARTIN@water.oregon.gov>  
**Cc:** BAUSTIAN Julie C \* WRD <Julie.C.BAUSTIAN@water.oregon.gov>  
**Subject:** RE: Data Review

Hey there,

Just wondering if Split a Permit T-13775 has been done? Not being pushy, just checking in. 😊

*Arla L. Davis*

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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---

**From:** DAVIS Arla L \* WRD  
**Sent:** Thursday, April 14, 2022 12:39 PM  
**To:** MARTIN Duff A \* WRD <Duff.A.MARTIN@water.oregon.gov>

Cc: BAUSTIAN Julie C \* WRD <[Julie.C.BAUSTIAN@water.oregon.gov](mailto:Julie.C.BAUSTIAN@water.oregon.gov)>

Subject: Data Review

Hi there,

1 Split a Permit for review please and thank you!

*Arla L. Davis*

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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STATE OF OREGON

COUNTY OF KLAMATH

RECEIVED

PERMIT TO APPROPRIATE THE PUBLIC WATERS

JUL 06 2021

THIS PERMIT IS HEREBY ISSUED TO

OWRD

DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

WONG POTATOES  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

SCOTT BEDFORD  
1231 TULLOCH DRIVE  
TRACY, CA 95377

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 120, Page 14, entered on APR 07 2021. This permit, together with Permit G-18390 supersedes Permit G-16156.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES

MAXIMUM RATE: MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Please use additional pages of Table 2 as needed

**Table 2. Description of Permit #G-18391.**

List all parts of the permit (both assigned and unassigned). For the acreage or place(s) of use in each ¼ ¼, list the Map ID (letter or number from map and Parts 3 and 4) for each parcel. The acreage listed must equal the total acreage on the permit.

Description of Permitted Lands											
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres (if applicable)	Type of Use	POD(s) or POA(s) (name or number from Table 1)	Map ID (letter or number from map and Parts 3 and 4)	
2	S	9	E	15	NE NW	100		15.0	IR	POD #1	"A"
2	S	9	E	15	NE NW	200		4.0	NU	POD #2	"B"
↑EXAMPLE↑											
41	S	11	E	15	NE NW	800	2	0.6	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE NW	400	6	3.0	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE NW	800	6	9.8	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW NW	800	3	3.9	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW NW	800	7	9.4	IS	Well 1 & 2	Map 1
41	S	11	E	15	SW NW	800	8	37.2	IS	Well 1 & 2	Map 1
41	S	11	E	15	SE NW	800	9	37.7	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE SW	800	14	7.9	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW SW	800	15	9.9	IS	Well 1 & 2	Map 1
41	S	11	E	11	SW SW	500		7.2	IS	Well 1 & 2	Map 2
41	S	11	E	14	NE NW	500	3	19.6	IS	Well 1 & 2	Map 2
41	S	11	E	14	NE NW	500	3	14.5	IS	Well 1 & 2	Map 2
41	S	11	E	14	NW NW	500	4	16.8	IS	Well 1 & 2	Map 2
41	S	11	E	14	NW NW	500	4	12.2	IS	Well 1 & 2	Map 2
41	S	11	E	14	SW NW	500	5	5.6	IS	Well 1 & 2	Map 2
41	S	11	E	14	SE NW	500	6	5.6	IS	Well 1 & 2	Map 2
40	S	10	E	7	NE NW	400	1	14.55	IS	Well 1 & 2	Map 3
40	S	10	E	7	NW NW	400		10.3	IS	Well 1 & 2	Map 3
40	S	10	E	7	SW NW	400		10.2	IS	Well 1 & 2	Map 3
40	S	10	3	7	SE NW	400		21.6	IS	Well 1 & 2	Map 3
							TOTAL ACRES	257.55			

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						257.55

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**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be

required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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#### Limited Water Level Decline/Interference Condition

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To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

#### After Use of Water has Begun Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's

and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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#### STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

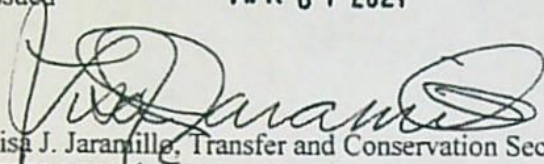
The use of water shall be limited when it interferes with any prior surface or ground water rights.



Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued **APR 07 2021**



Lisa J. Jaramilla, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

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13775

Acres

cfs

G-18391

257.55

$$\begin{array}{r} 2.51 \text{ for } 200.9 = 0.01249 > 0.0125 \\ 6.71 \text{ for } 56.65 = 0.0125 \\ \hline 3.22 \qquad \qquad 257.55 \end{array}$$

Permit A

119.4 acres

Permit B

81.5 acres

Permit C

56.65



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 2, 2022

WONG POTATOES INC.  
DANIEL WONG  
17817 CHEYNE RD  
KLAMATH FALLS, OR 97603

SCOTT & MATTHEW BEDFORD  
1231 TULLOCH DR  
TRACY, CA 95377

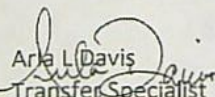
GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

Re: Split a Permit Application T-13775

Enclosed please find the Draft Proposed Final Order proposing approval of an application to Split a Permit and Request for Issuance of Replacement Permits. Also enclosed are copies of the application to split a permit and map, a copy of the original permit and map, and copies of the draft replacement permits.

Subsequent to the mailing of this draft Proposed Order, notice of the application will be published in the Department's weekly notice on May 3, 2022. Anyone can comment to the application within 30 days of the date of publication.

Please do not hesitate to contact me at [arla.l.davis@oregon.gov](mailto:arla.l.davis@oregon.gov), if you should have any questions or concerns.  
Sincerely,

  
Arla L. Davis  
Transfer Specialist

Transfer and Conservation Section

cc: Split a Permit Application file T-13375  
Dani Watson, District 17 Watermaster *(via e-mail)*

cc w/enc.: Adkins Consulting Engineering, LLP, Agent for the applicant *(via e-mail)*

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit G-18391,  
Klamath County

)  
) **DRAFT**  
) PROPOSED FINAL ORDER  
) APPROVING ASSIGNMENT OF A WATER  
) RIGHT PERMIT AND ISSUANCE OF  
) REPLACEMENT WATER RIGHT PERMITS

**Authority**

ORS 537.225 establishes the process in which a water right permit holder may submit a request for full or partial assignment of a water right permit and issuance of replacement permits. OAR Chapter 690, Division 325 establishes the requirements and procedures to be used by the Department to evaluate an application by a landowner of record holding a water right permit for irrigation, nursery, temperature control, stock watering or agricultural water use to assign all or part of the water right permit and to issue replacement permits to reflect an assignment from the current permit holder to one or more additional permit holders.

**Applicants**

Gregory Drew Heaton  
PO Box 210  
Merrill, OR 97633

Wong Potatoes  
Daniel Chin  
17817 Cheyne Road  
Klamath Falls, OR 97603

Scott and Matthew Bedford  
1231 Tulloch Drive  
Tracy, CA 95377

**Findings of Fact**

**Background**

1. On July 6, 2021, Gregory Drew Heaton, Wong Potatoes Daniel Chin, and Scott and Matthew Bedford, filed an application for partial assignment of Water Right Permit G-18391 and requested issuance of replacement permits. The Department assigned the application number T-13775.
2. On February 12, 2018, the Department approved a partial assignment of Permit G-18391 from Daniel Chin to Gregory Drew Heaton, Scott Bedford, MLM Property, LLC, and Wong Potatoes, Inc.
3. On July 26, 2019, the Department approved an extension of time for complete application of water to October 1, 2024.

4. Notice of the application for transfer was published on May 3, 2022, pursuant to OAR 690-325-0080.

5. The Permit to be modified and assigned is as follows:

**Permit:** G-18391 in the names of DANIEL CHIN, WONG POTATOES, INC., GREGORY DREW HEATON, SCOTT BEDFORD  
**Use:** SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						257.55

6. The Applicants request Permit G-18391 be split and replacement permits be issued as follows:

**Permit A: GREGORY DREW HEATON**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 119.4 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 1.49 CUBIC FEET PER SECOND (CFS), BEING 1.49 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 119.4 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Glot	Acres
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						119.4

**Permit B: DANIEL CHIN, WONG POTATOES, INC.**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 81.5 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 1.02 CUBIC FEET PER SECOND (CFS), BEING 1.02 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 81.5 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
Total						81.5

**Permit C: SCOTT AND MATTHEW BEDFORD**

**Use:** SUPPLEMENTAL IRRIGATION USE ON 56.65 ACRES  
**Priority Date:** MARCH 1, 2005  
**Quantity:** MAXIMUM RATE: 0.71 CUBIC FEET PER SECOND (CFS), BEING 0.71 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 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 a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 1 THROUGH OCTOBER 31  
**Source:** WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

**Authorized Points of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
Total						56.65

**Split a Permit Review Criteria**

7. The Department has verified the mailing address of each owner of the authorized place of use identified on the map contained in the application as follows:

Name and Address	Acres	Proportionate Rate (cfs)	Twp	Rng	Mer	Sec	Q-Q	Tax Lot
GREGORY DREW HEATON PO BOX 210 MERRILL, OR 97633	119.4	1.49 CFS	41 S	11 E	WM	15	MULTIPLE	400 & 800
WONG POTATOES INC. DANIEL CHIN 17817 CHEYNE ROAD KLAMATH FALLS, OR 97603	81.5	1.02 CFS	41 S	11 E	WM	11 & 14		500
SCOTT AND MATTHEW BEDFORD 1231 TULLOCH DRIVE TRACY, CA 95377	56.65	0.71 CFS	41 S	11 E	WM	7		400



8. The deeds supplied with the application, match the properties proposed for assignment.
9. The applicants affirmed the most recent water use under the permit has been exercised within the relevant terms and conditions of the water right permit.
10. The assignment and issuance of replacement permits would not result in injury to other water right holders.
11. The assignment and issuance of replacement permits would not result in enlargement of the permit.
12. The assignment and issuance of replacement permits does not alter any other terms of Permit G-18391.

### Conclusions of Law

The assignment and issuance of replacement permits proposed by Application T-13775 are consistent with the requirements of ORS 537.225 and OAR Chapter 690, Division 325. If protests are not filed pursuant to OAR 690-325-0100, a final order will be issued approving the assignment and issuance of replacement permits.

*If a final order approving the request for assignment and issuance of superseding permits is issued, the order will contain the following conditions:*

1. *The assignment and issuance of replacement permits proposed by Application T-13775 are approved.*
2. *Permit G-18783 in the name of Gregory Drew Heaton, Permit G-18784 in the name of Daniel Chin, Wong Potatoes, Inc., and Permit G-18785 in the name of Scott and Matthew Bedford are issued to supersede Permit G-18391 (original permit). Permit G-18391 (original permit) is no longer of any force or affect.*
3. *All other terms and conditions under Permit G-18391 (original permit) are incorporated into Permits G-18783, G-18784 and G-18785 (superseding permits).*

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: \_\_\_\_\_

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 125, Page \_\_\_\_\_, entered on \_\_\_\_\_. This permit, together with Permit G-18784 and G-18785, supersedes Permit G-18391.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 119.4 ACRES

MAXIMUM RATE: MAXIMUM RATE: 1.49 CUBIC FOOT PER SECOND (CFS), BEING 1.49 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 119.4 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						119.4

**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

**STANDARD CONDITIONS**

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WONG POTATOES INC.  
DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 125, Page \_\_\_\_\_, entered on \_\_\_\_\_. This permit, together with Permit G-18783 and G-18785, supersedes Permit G-18391.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 81.5 ACRES

MAXIMUM RATE: MAXIMUM RATE: 1.02 CUBIC FOOT PER SECOND (CFS), BEING 1.02 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 81.5 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
Total						81.5

**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.



## STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SCOTT AND MATTHEW BEDFORD  
1231 TULLOCH DRIVE  
TRACY, CA 95377

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 125, Page \_\_\_\_\_, entered on \_\_\_\_\_. This permit, together with Permit G-18783 and G-18784, supersedes Permit G-13891.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 56.65 ACRES

MAXIMUM RATE: MAXIMUM RATE: 0.71 CUBIC FOOT PER SECOND (CFS), BEING 0.71 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
Total						56.65

**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

**STANDARD CONDITIONS**

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department



Please use additional pages as needed

Page 3 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME SCOTT GORDON BEDFORD AND MATTHEW SCOTT BEDFORD			MAP ID (LETTER OR NUMBER) MAP 3	PHONE NO. 209-815-8571	ADDITIONAL CONTACT NO.
ADDRESS 1231 TULLOCH DRIVE					FAX NO.
CITY TRACY	STATE CA	ZIP 95377	E-MAIL SSBEDFORD@ATT.NET		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

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

AGENT/BUSINESS NAME HOLLIE CANNON/WATER RIGHT SOLUTIONS LLC			PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.
ADDRESS 3246 HAMMER STREET				FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL HCANNON@WATERRIGHTSOLUTIONS.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				


ORS 536.050(1)(aa) authorizes the Oregon Water Resources Department (OWRD) to collect fees based upon the actual cost of work to process an application under ORS 537.225.

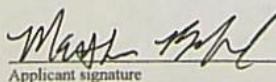
I (we) understand the following:

- Upon receipt of my complete application and the non-refundable application fee in the amount of \$125.00, OWRD will, within fifteen (15) days, notify me in writing of the estimate of the cost of work.
- The non-refundable \$125.00 fee covers the cost of OWRD’s staff to evaluate and provide the cost of work estimate for processing the application.
- Upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost of work in advance to initiate the processing of the application.
- If I decline to enter into a formal contract, OWRD will close my application.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- OWRD does not guarantee a favorable review of the application.

I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.

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


 Applicant signature
 \_\_\_\_\_
 Scott Gordon Bedford
 Name (and title if applicable) (print)
 \_\_\_\_\_
 Date


 Applicant signature
 \_\_\_\_\_
 Matthew Scott Bedford
 Name (and title if applicable) (print)
 \_\_\_\_\_
 4-12-2022
 Date

See Attached CA Certificate

Acknowledgement

Jurat

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (if any) \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Joaquin

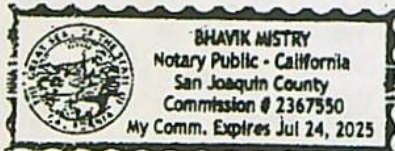
Subscribed and sworn to (or affirmed) before me  
on this 12 day of April, 2022  
by Date Month Year

(1) Matthew Scott Bedford

(and (2) see attached),  
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.

Signature   
Signature of Notary Public



Seal  
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

RECEIVED

APR 18 2022

OWRD

Split A Permit and Request for Issuance  
of Replacement Permits

Oregon Water Resources  
Department  
775 Summer Street NE, Suite A  
97301-1266

Affidavit of Non-Conveyance and  
Reading of Permit G-18391



State of Oregon )  
 ) ss  
County of Klamath )

I/We, SCOTT GORDON BEDFORD AND MATTHEW SCOTT BEDFORD, mailing address 1231 TULLOCH DRIVE, TRACY, CA, 95377, telephone number (209)815-8571, being first duly sworn depose and say:

1. Permit G-18391, has not been conveyed or withheld and remains appurtenant to my/our land.
2. I/We attest that I/we have read Permit G-18391.

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

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

Signed and sworn to (or affirmed) before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

**Applicant Information**

APPLICANT/BUSINESS NAME DANIEL CHIN / WONG POTATOES, INC.			MAP ID (LETTER OR NUMBER) MAP 2	PHONE NO. 541-281-7570	ADDITIONAL CONTACT NO.
ADDRESS 17817 CHEYNE RD					FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL CHINFARMS@GMAIL.COM		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

**Agent Information** – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME HOLLIE CANNON / WATER RIGHT SOLUTIONS LLC			PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.	
ADDRESS 3246 HAMMER ST					FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL HCANNON@WATERRIGHTSOLUTIONS.COM		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.

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



[Signature]  
Applicant signature

Dan Chin  
Name (and title if applicable) (print)

5/27/2021  
Date

**RECEIVED**  
**JUL 06 2021**

\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Name (and title if applicable) (print)

\_\_\_\_\_  
Date

**OWRD**

**Applicant Information**

APPLICANT/BUSINESS NAME SCOTT GORDON BEDFORD AND MATTHEW SCOTT BEDFORD			MAP ID (LETTER OR NUMBER) MAP 3	PHONE NO. 209-815-8571	ADDITIONAL CONTACT NO.
ADDRESS 1231 TULLOCH DR					FAX NO.
CITY TRACY	STATE CA	ZIP 95377	E-MAIL SSBEDFORD@ATT.NET		
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I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.

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



\_\_\_\_\_  
Applicant signature

Scott Gordon Bedford  
Name (and title if applicable) (print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant signature

Matthew Scott Bedford  
Name (and title if applicable) (print)

\_\_\_\_\_  
Date

**13775**

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

WONG POTATOES  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

SCOTT BEDFORD  
1231 TULLOCH DRIVE  
TRACY, CA 95377

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 120, Page 74, entered on APR 07 2021. This permit, together with Permit G-18390 supersedes Permit G-16156.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES

MAXIMUM RATE: MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Please use additional pages of Table 2 as needed

**Table 2. Description of Permit #G-18391.**

List all parts of the permit (both assigned and unassigned). For the acreage or place(s) of use in each ¼ ¼, list the Map ID (letter or number from map and Parts 3 and 4) for each parcel. The acreage listed must equal the total acreage on the permit.

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JUL 06 2021  
OWRD

Description of Permitted Lands												
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre (if applicable)	Type of Use	POD(s) or POA(s) (name or number from Table 1)	Map ID (letter or number from map and Parts 3 and 4)		
2	S	9	E	15	NE	NW	100		15.0	IR	POD #1	"A"
2	S	9	E	15	NE	NW	200		4.0	NU	POD #2	"B"
↑EXAMPLE↑												
41	S	11	E	15	NE	NW	800	2	0.6	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE	NW	400	6	3.0	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE	NW	800	6	9.8	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW	NW	800	3	3.9	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW	NW	800	7	9.4	IS	Well 1 & 2	Map 1
41	S	11	E	15	SW	NW	800	8	37.2	IS	Well 1 & 2	Map 1
41	S	11	E	15	SE	NW	800	9	37.7	IS	Well 1 & 2	Map 1
41	S	11	E	15	NE	SW	800	14	7.9	IS	Well 1 & 2	Map 1
41	S	11	E	15	NW	SW	800	15	9.9	IS	Well 1 & 2	Map 1
41	S	11	E	11	SW	SW	500		7.2	IS	Well 1 & 2	Map 2
41	S	11	E	14	NE	NW	500	3	19.6	IS	Well 1 & 2	Map 2
41	S	11	E	14	NE	NW	500	3	14.5	IS	Well 1 & 2	Map 2
41	S	11	E	14	NW	NW	500	4	16.8	IS	Well 1 & 2	Map 2
41	S	11	E	14	NW	NW	500	4	12.2	IS	Well 1 & 2	Map 2
41	S	11	E	14	SW	NW	500	5	5.6	IS	Well 1 & 2	Map 2
41	S	11	E	14	SE	NW	500	6	5.6	IS	Well 1 & 2	Map 2
40	S	10	E	7	NE	NW	400	1	14.55	IS	Well 1 & 2	Map 3
40	S	10	E	7	NW	NW	400		10.3	IS	Well 1 & 2	Map 3
40	S	10	E	7	SW	NW	400		10.2	IS	Well 1 & 2	Map 3
40	S	10	3	7	SE	NW	400		21.6	IS	Well 1 & 2	Map 3
							TOTAL ACRES	257.55				

SPLIT A PERMIT and REQUEST FOR ISSUANCE  
OF REPLACEMENT PERMITS

APPLICANT'S AGREEMENT

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Gregory Drew Heaton, Wong Potatoes/ Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Information
Contact: Kelly Starnes	Name: Gregory Drew Heaton	Name: Wong Potatoes
Title: Transfer Program Analyst	Address: PO Box 210	Contact: Daniel Chin
Address: 725 Summer Street, NE	Merrill, OR 97633	Address: 17817 Cheyne Road
Suite A	Phone: 541-891-9864	Klamath Falls, OR 97603
Salem, OR 97301-1266	Email: <a href="mailto:drewheatonfarming@outlook.com">drewheatonfarming@outlook.com</a>	Phone: 541-281-7570
Phone: 503 979-3129		Email: <a href="mailto:chinfarms@gmail.com">chinfarms@gmail.com</a>
Email: <a href="mailto:arla.l.heard@oregon.gov">arla.l.heard@oregon.gov</a>		
Applicant's Information	Applicant's Representative	
Name: Scott Gordon Bedford	Name: Water Right Solutions, LLC	
Name: Matthew Scott Bedford	Contact: Hollie Cannon	
Address: 1231 Tulloch Drive	Address: 3246 Hammer Street	
Tracy, CA 95377	Klamath Falls, OR 97603	
Phone: 209-815-8571	Phone: 541-548-5833	
Email: <a href="mailto:ssbedford@att.net">ssbedford@att.net</a>	Email: <a href="mailto:cannon@waterightsolutions.com">cannon@waterightsolutions.com</a>	

**Purpose** The purpose of this Agreement is to process the Split a Permit Application. (Permit Number: G-18391)

1. **Authority** The OWRD has been authorized pursuant to ORS 537.225 to receive and review application for assignment of all or part of the water right permit and for the issuance of a replacement water right permit that reflects that assignment. In addition OAR 690-325-0010 through 0110 establishes the requirements and procedures for evaluating the application. In making this agreement, OWRD shall require the applicant to pay the full cost of evaluating the application.
2. **Restrictions.** Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
5. **Consideration.**
  - a. Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is \$900.00. Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford agrees to pay the full amount of \$900.00 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.

6. **Contract Documents.** This Agreement consists of the following documents which are listed in descending order of precedence: this Agreement and the attached Exhibit A. All attached Exhibits are incorporated into this Agreement by reference.
7. **Confidentiality.** Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
8. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.
9. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant will refund any unspent balance after paying the contractor for the work done.
10. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
11. **Duration of Estimate.** The Estimate of Time to complete the work in Exhibit A (Statement of Work) becomes null and void after thirty- (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant must re-apply for a new estimate.
12. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, statutory waiting periods, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
13. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
14. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
15. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

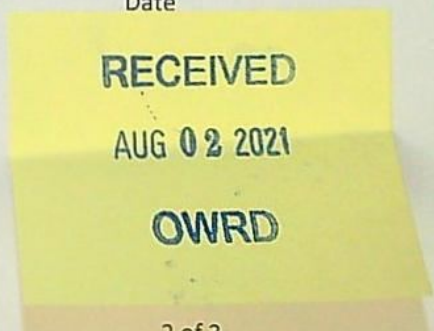
For Applicant: Scott R. Ownen  
 Name/Title:

7-24-21  
 Date

For OWRD: \_\_\_\_\_  
 Dwight French – Administrator WRSD

\_\_\_\_\_  
 Date

Mail signed Agreement to:  
  
 Arla L Davis  
 Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1266





### Applicant Information

APPLICANT/BUSINESS NAME DANIEL CHIN / WONG POTATOES, INC.			MAP ID (LETTER OR NUMBER) MAP 2	PHONE NO. 541-281-7570	ADDITIONAL CONTACT NO.
ADDRESS 17817 CHEYNE RD					FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL CHINFARMS@GMAIL.COM		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

### Agent Information – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME HOLLIE CANNON / WATER RIGHT SOLUTIONS LLC			PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.
ADDRESS 3246 HAMMER ST				FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL HCANNON@WATERRIGHTSOLUTIONS.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.

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

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\_\_\_\_\_ Dan Chin \_\_\_\_\_  
 Applicant signature Name (and title if applicable) (print) Date  
 \_\_\_\_\_  
 Applicant signature Name (and title if applicable) (print) Date

OWRD

### Applicant Information

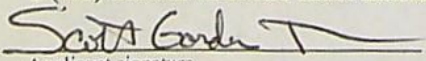
APPLICANT/BUSINESS NAME SCOTT GORDON BEDFORD AND MATTHEW SCOTT BEDFORD			MAP ID (LETTER OR NUMBER) MAP 3	PHONE NO. 209-815-8571	ADDITIONAL CONTACT NO.
ADDRESS 1231 TULLOCH DR					FAX NO.
CITY TRACY	STATE CA	ZIP 95377	E-MAIL SSBEDFORD@ATT.NET		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.					

### Agent Information – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME HOLLIE CANNON / WATER RIGHT SOLUTIONS LLC			PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.
ADDRESS 3246 HAMMER ST				FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL HCANNON@WATERRIGHTSOLUTIONS.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.

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

  
 Applicant signature Scott Gordon Bedford \_\_\_\_\_  
 Name (and title if applicable) (print) Date 6-22-21  
 \_\_\_\_\_  
 Applicant signature Matthew Scott Bedford \_\_\_\_\_  
 Name (and title if applicable) (print) Date



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Please use additional pages as needed

### Part 4 of 5 – Other Landowner Information

Please list the owner(s) of land under the permit who are not submitting the assignment and request for issuance of replacement water right permit.

#### Landowner Information

LANDOWNER/BUSINESS NAME TORI HILL		MAP ID (LETTER OR NUMBER) MAP 1	
MAILING ADDRESS PO Box 129	CITY MALIN	STATE OR	ZIP 97601
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP) 3.0	PROPORTIONATE RATE 0.038 CFS		

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#### Landowner Information

LANDOWNER/BUSINESS NAME		MAP ID (LETTER OR NUMBER)	
MAILING ADDRESS	CITY	STATE	ZIP
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP)	PROPORTIONATE RATE		

#### Landowner Information

LANDOWNER/BUSINESS NAME		MAP ID (LETTER OR NUMBER)	
MAILING ADDRESS	CITY	STATE	ZIP
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP)	PROPORTIONATE RATE		

#### Landowner Information

LANDOWNER/BUSINESS NAME		MAP ID (LETTER OR NUMBER)	
MAILING ADDRESS	CITY	STATE	ZIP
TOTAL NUMBER OF ACRES UNDER THE PERMIT (AS DEPICTED ON MAP)	PROPORTIONATE RATE		

**Part 5 of 5 – Permit Information**

PERMIT # G-18391

Completion date of the permit: OCT. 1, 2024

Name(s) currently appearing on permit: DANIEL CHIN, WONG POTATOES, GREGORY DREW HEATON, SCOTT BEDFORD

Type(s) of use as listed on permit: SUPPLEMENTAL IRRIGATION

Note: Type of use must be one or more of the following uses approved for assignment under ORS 537.225(1) and OAR 690-325-0010: irrigation, nursery, temperature control, stock watering, or agricultural water use.

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

POD/POA Name or Number	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)
Well 1	KLAM 53043	41 S	11 E	7	SW NE		1360 Feet South and 1860 Feet West from the NE Cor of Section 7
Well 2	KLAM 10518	40 S	10 E	29	SW NW		1420 Feet South and 20 Feet East from the NW Cor of Section 29 Note: there is a scrivener's error on Permit G-18391 listing Well 2 in Twp "41" it should be "40". See original permit G-16156.

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**Check the appropriate box, if applicable:**

Check here if any portion of the permit is located within an irrigation or other water district.

IRRIGATION DISTRICT NAME KLAMATH IRRIGATION DISTRICT	ADDRESS 6640 KID LANE	
CITY KLAMATH FALLS	STATE OR	ZIP 97603

Check here if water for any portion of the permit is 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

Additional Remarks:

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

# Application to Split A Permit and Request for Issuance of Replacement Permits (ORS 537.225)

## Part 1 of 5 – Minimum Requirements Checklist

**This 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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Check all items included with this application.

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Completed Application with non-refundable \$125.00 Application Fee, Applicant(s) Information and Signature(s).
- Part 4 – Other Landowner Information and proportionate rate(s).
- Part 5 – Water Right Permit Information. List the permit number to be assigned here: G-18391.

**Attachments:**

- Completed application map prepared by Certified Water Right Examiner (CWRE).
- Completed Affidavit(s) from the applicant(s):
  - Certifying the permit has not been conveyed or withheld, and remains appurtenant to the applicant's land.
  - Certifying the applicant has read the permit.
- Copy(s) of current recorded deed(s) showing that the applicant(s) is/are an owner of the land(s) to which the permit is appurtenant.

**INSTRUCTIONS for editing the Application Form**

Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g., Page 5 of 9 10).

You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

For Staff Accounting Purposes Only – PCA #46110 Object # \_\_\_\_\_

**18775**

## Part 2 of 5 –Application Map Checklist

**This application will be returned if any of the map requirements listed below are not met.**

Please be sure that the map you submit is based upon the original water right application map or permit amendment map and includes all the items listed below and meets the requirements of OAR 690-325-0050. Check all boxes that apply.

The map shall not include any unauthorized change to the authorized place of use outside of its original perimeters as exhibited on the original water right application map or approved permit amendment map nor any unauthorized change to the location of the point(s) of diversion or appropriation as exhibited on the original water right application map or approved permit amendment map.

- Certified Water Right Examiner (CWRE) Stamp and Signature. For a list of CWRE's, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/).
- 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, or up to 30 x 30 inches. For 30 x 30 inch maps, one additional paper copy and an electronic copy in a .pdf, .tiff or .jpg format 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 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.
- The place of use of each applicant's portion of the water right permit shall be clearly defined by outline and shaded or hachured and shall show the number of acres for each portion in each quarter-quarter section, government lot, or quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If the permit has multiple priority dates or uses, the lands to be served by each priority date and on which use is authorized, must be separately identified.
- The place of use of any part of the permit **not** being assigned shall be clearly defined by outline and shaded or hachured and shall show the number of acres for each portion in each quarter-quarter section, government lot, or quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If the permit has multiple priority dates or uses, the lands to be served by each priority date and on which use is authorized, must be separately identified.
- Each applicant's portion of the permit shall be referenced, by either alphabet letter or number, to each applicant(s) listed in the application form.
- The rate and any applicable acre-feet allowance of water use under the permit for each applicant's portion of the permit shall be clearly labeled on the map.
- The location of each authorized point of diversion or appropriation.

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QWRD

Please use additional pages as needed

### Part 3 of 5 – Applicant Information and Signature

#### Applicant Information

APPLICANT/BUSINESS NAME <b>Gregory Drew Heaton</b>		MAP ID (LETTER OR NUMBER) MAP 1	PHONE NO. 541-891-9864	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 210			FAX NO.	
CITY MERRILL	STATE OR	ZIP 97633	E-MAIL DREWHEATONFARMING@OUTLOOK.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

#### Agent Information – This agent is authorized to represent the above applicant in all matters relating to this application

AGENT/BUSINESS NAME <b>Hollie Cannon /Water Right Solutions, LLC</b>		PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.	
ADDRESS 3246 HAMMER ST			FAX NO.	
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL HCANNON@WATERRIGHTSOLUTIONS.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER AND REPLACEMENT PERMIT DOCUMENTS WILL ALSO BE MAILED.				

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*ORS 536.050(1)(aa) authorizes the Oregon Water Resources Department (OWRD) to collect fees based upon the actual cost of work to process an application under ORS 537.225.*

I (we) understand the following:

- Upon receipt of my complete application and the non-refundable application fee in the amount of \$125.00, OWRD will, within fifteen (15) days, notify me in writing of the estimate of the cost of work.
- The non-refundable \$125.00 fee covers the cost of OWRD’s staff to evaluate and provide the cost of work estimate for processing the application.
- Upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost of work in advance to initiate the processing of the application.
- If I decline to enter into a formal contract, OWRD will close my application.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- OWRD does not guarantee a favorable review of the application.

**I (we) affirm that the most recent water use (if any) under my (our) portion of the permit has been exercised within the relevant terms and conditions of the permit.**

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



*Gregory Drew Heaton*  
Applicant signature

Gregory Drew Heaton  
Name (and title if applicable) (print)

8/26/21  
Date

*Melissa Heaton*  
Applicant signature

Melissa A. Heaton  
Name (and title if applicable) (print)

5/26/2021  
Date

13775



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

Application to  
**Split A Permit and Request for  
 Issuance of Replacement  
 Permits**

**Affidavit of Non-Conveyance and  
 Reading of Permit S-54506**

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JUL 06 2021

OWRD

State of Oregon )  
 ) ss  
 County of Lake )

I/We, DANIEL CHIN / WONG POTATOES, INC., mailing address 17817 CHEYNE RD., KLAMATH FALLS, OR 97603, telephone number (541)281-7570, being first duly sworn depose and say:

1. Permit G-18391, has not been conveyed or withheld and remains appurtenant to my/our land.
2. I/We attest that I/we have read Permit G-18391.

[Signature]  
 Signature of Affiant

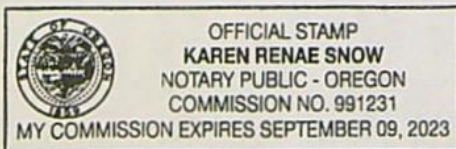
5/28/2021  
 Date

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

\_\_\_\_\_  
 Date

Signed and sworn to (or affirmed) before me this 28 day of May, 2021.

[Signature]  
 Notary Public for Oregon



My Commission Expires: 9-9-2023

13775, =





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

# Application to Split A Permit and Request for Issuance of Replacement Permits

## Affidavit of Non-Conveyance and Reading of Permit S-54506

State of Oregon )  
 ) ss  
 County of Lake )

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I/We, GREGORY DREW HEATON, mailing address PO BOX 210, MERRILL, OR 97633,  
 telephone number (541)891-9864, being first duly sworn depose and say:

1. Permit G-18391, has not been conveyed or withheld and remains appurtenant to my/our land.
2. I/We attest that I/we have read Permit G-18391.

[Signature]  
 Signature of Affiant

5/27/2021  
 Date

Melissa Heaton  
 Signature of Affiant

5-27-2021  
 Date

Signed and sworn to (or affirmed) before me this 27 day of MAY, 2021.



[Signature]  
 Notary Public for Oregon

My Commission Expires: 9-09-2023

13775



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

# Application to Split A Permit and Request for Issuance of Replacement Permits

## Affidavit of Non-Conveyance and Reading of Permit S-54506

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State of Oregon )  
 ) ss  
 County of Lake )

I/We, SCOTT GORDON BEDFORD AND MATTHEW SCOTT BEDFORD, mailing address 1231 TULLOCH DR., TRACY, CA 95377, telephone number (209)815-8571, being first duly sworn depose and say:

1. Permit G-18391, has not been conveyed or withheld and remains appurtenant to my/our land.
2. I/We attest that I/we have read Permit G-18391.

SCOTT  
 Signature of Affiant

6-22-21  
 Date

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

\_\_\_\_\_  
 Date

Signed and sworn to (or affirmed) before me this 5cc Attached day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

13775

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

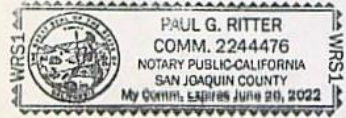
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of San Joaquin )
On June 22, 2021 before me, Paul G. Ritter, Notary Public.
Date Here Insert Name and Title of the Officer
personally appeared Scott Gordon Bedford
Name(s) of Signer(s)

who 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(ies), 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_
Corporate Officer -- Title(s): \_\_\_\_\_ Corporate Officer -- Title(s): \_\_\_\_\_
Partner -- Limited General Partner -- Limited General
Individual Attorney in Fact Individual Attorney in Fact
Trustee Guardian or Conservator Trustee Guardian or Conservator
Other: \_\_\_\_\_ Other: \_\_\_\_\_
Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

KLAM 53043  
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Well #1

STATE OF OREGON  
 WATER SUPPLY WELL REPORT  
 (as required by ORS 537.765)

NOV 05 2001

WELL I.D. # L 107258  
 START CARD # 429475

Instructions for completing this report are on the last page of this form.  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

(1) OWNER: DAN CHIN Well Number \_\_\_\_\_

Name DAN CHIN  
 Address 17817 CHEYNE RD  
 City KLAMATH FALLS State ORE Zip 97603

(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 1186ft.  
 Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE				SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds	
<u>22</u>	<u>0</u>	<u>54</u>	<u>CONCRETE</u>	<u>0</u>	<u>54</u>	<u>75 SKS</u>	
<u>15</u>	<u>54</u>	<u>200</u>					
<u>10</u>	<u>200</u>	<u>987</u>					

Hole casing size 16" x 1/2" 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: <u>16</u>	<u>+1</u>	<u>54</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 54 Feet

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material		Casing	Liner
					Tele/pipe size	Material		
							<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
Yield gal/min	Drawdown	Drill stem at	Artesian Time
<u>2600</u>	<u>103</u>		<u>8 hrs</u>

Temperature of water 60°F 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 KLAMATH Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 41S N or S Range 11E E or W. WM.  
 Section 7 SW 1/4 NE 1/4  
 Tax Lot R106030 of \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 22770 MALONE RD  
MEHUL OAC 97633

(10) STATIC WATER LEVEL:  
55 ft. below land surface. Date 10/2/01  
 Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found 805 Ft.

From	To	Estimated Flow Rate	SWL
<u>805</u>	<u>1165</u>	<u>2600</u>	

(12) WELL LOG:  
 Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>SEE ATTACHED SHEET</u>			

Date started SEP 13 01 Completed OCT 12 01

(unbonded) Water Well Constructor Certification:  
 I certify that the work I performed on the construction, 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.  
 WWC Number \_\_\_\_\_  
 Signed \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction date 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.  
 WWC Number 601  
 Signed \_\_\_\_\_ Date 10/31/01

13775

# STOREY DRILLING SERVICES

P.O. Box 98 • MIDLAND, OREGON 97634  
 (541) 884-3990 • (800) 245-8122  
 Fax #: (530) 528-2562

22560 ADOBE ROAD • RED BLUFF, CALIFORNIA 96080  
 CONTRACTOR'S LICENSES:  
 OR #601 • CA #583153 • NV #38199

Mr. Dan Chin  
 17817 Cheyne Road  
 Klamath Falls, Oregon 97603



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NOV 05 2001

WATER RESOURCES DEPT.  
 SALEM, OREGON

START: September 17, 2001  
 FINISH: October 12, 2001

WELL LOCATION: Corner of Malone Road & Hwy 39; ¼ mile due east of Merrill, Oregon  
 SW¼ NE¼ S7 T41S R11E

LOG

0 - 12	Brown sand with streaks yellow clay
12 - 22	Yellow clay
22 - 60	Green clay
60 - 734	Gray clay
734 - 749	Black lava
749 - 752	Black basalt
752 - 760	Hard gray basalt
760 - 774	Black basalt
774 - 830	Hard gray basalt
830 - 831	Brown basalt
831 - 852	Broken black basalt
852 - 853	Hard gray basalt
853 - 860	Black basalt
860 - 863	Brown basalt
863 - 872	Black basalt
872 - 882	Hard gray basalt
882 - 940	Broken black basalt
940 - 980	Black basalt
980 - 990	Hard gray basalt
990 - 1004	Broken black basalt
1004 - 1012	Black basalt
1012 - 1049	Hard gray basalt
1049 - 1072	Black basalt
1072 - 1091	Hard gray basalt
1091 - 1109	Black basalt
1109 - 1140	Hard gray basalt
1140 - 1168	Brown lava
1168 - 1186	Hard broken gray basalt

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55 feet 2 inches of 16 inch O.D. steel casing set & cemented at 54 feet.  
 15 inch diameter hole from 54 feet to 200 feet; 9 7/8 inch diameter hole from 200 to 987 feet;  
 8 3/4 inch diameter hole from 987 feet to 1186 feet  
 Static water level at 55 feet; Temperature 66° Fahrenheit  
 Airlifted approximately 1000 GPM at 231 feet.  
 Test pumped 2600 GPM at 103 feet.

WELL # 2

40S/10E/296C  
39904

STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 537.765)

KLAM  
10518

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JUL 22 1992

(START CARD) #

(1) OWNER: Name SAM WAGG & SON Well Number 39  
Address 17600 HIGHWAY  
City KLAMATH FALLS State ORE Zip 97603

(9) LOCATION OF WELL by legal description:  
County KLAMATH Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 40S N. or S. Range 10E E or W. WM.  
Section 29 SW NW  
Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 17817 CHEWIE RD. K. FALLS, ORE.

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 913 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

(10) STATIC WATER LEVEL:  
45 ft. below land surface. Date 7/12/92  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 97 FT

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks	pounds
22	0 162	CONCRETE	0 162	150	505
12 1/4	162 778				
7 1/8	778 913				

From	To	Estimated Flow Rate	SWL
97	121	UNK	
869	913	1800 GPM	

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
16" OD	+1.4	162	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: \_\_\_\_\_

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
Brown sandy topsoil	0	2	
YELLOW CHALK WITH STRIPES SAND	2	52	
Brown SAND STONE	52	87	
BLACK SAND (COARSE)	87	97	
BLACK SAND & POT GRAVEL	97	121	
GREY STICKY CLAY	121	669	
HARD GREEN BLACK BASALT	669	805	
RED LAVA	805	809	
HARD BLACK BASALT	809	824	
HARD BROWN GREY BASALT	824	854	
HARD BROWN BASALT	854	857	
BLACK BASALT/BROWN LAVA & ASH	857	869	
BROWN LAVA & ASH CLAY	869	879	
BLACK BASALT	879	886	
BLACK BASALT & BROWN LAVA	886	913	

(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"/>

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Date started 6/29/92 Completed 7/10/92

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min 1800 Drawdown 57 Drill stem at \_\_\_\_\_ Time 1 hr. 4 hrs

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

Temperature of Water 69°F 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: \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, 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 well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ WWC Number 601  
Date 7/14/92



THIS SPACE RESERVED

2017-007161  
Klamath County, Oregon  
06/29/2017 02:32:00 PM  
Fee: \$52.00

After recording return to:

Gregory Drew Heaton and Melissa A. Heaton

PO Box

Merrill, OR 97633

Until a change is requested all tax statements shall be sent to the following address:

Gregory Drew Heaton and Melissa A. Heaton

PO Box

Merrill, OR 97633

File No. 167546AM

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### STATUTORY WARRANTY DEED

**Northwest Farm Credit Services PCA,**

Grantor(s), hereby convey and warrant to

**Gregory Drew Heaton and Melissa A. Heaton, as tenants by the entirety**

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

**See Attached Exhibit 'A'**

The true and actual consideration for this conveyance is \$537,390.00.

The above-described property is free of encumbrances except 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 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 Grantor

13775

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 20<sup>th</sup> day of June, 2017.

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Northwest Farm Credit Services, PCA

By: [Signature]  
Emily Duerst, Relationship Manager II/AVP

State of OREGON ) ss  
County of MARION )

On this 20 day of June, 2017, before me, USTINA A ZENUHIN a Notary Public in and for said state, personally appeared Emily Duerst, Relationship Manager II/AVP of Northwest Farm Credit Services, PCA 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.

[Signature]  
Notary Public for the State of OREGON  
Residing at: SALEM OR  
Commission Expires: 7-10-2020





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EXHIBIT 'A'

Township 41 South, Range 11 East of the Willamette Meridian

The S1/2, S1/2 N1/2, and S1/2 N1/2 N1/2 of Lot 8; S1/2, S1/2 N1/2 and S1/2 N1/2 N1/2 Of Lot 9; N1/2 N1/2 N1/2 of Lot 14; N1/2 N1/2 N1/2 of Lot 15; all in Section 15, Township 41 South, Range 11 East of the Willamette Meridian.

Saving and excepting therefrom that portion deeded to Kelly B. Wilson and Glennis J. Wilson, and described as follows: A parcel of land situate in portions of Government Lots 9 and 14, Section 15, Township 41 South, Range 11 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the fence corner marking the point of intersection of the Southerly line of the N1/2 N1/2 N1/2 of Government Lot 14, Section 15, Township 41 South Range 11 East of the Willamette Meridian and the Westerly right-of-way line of Wilson Road, as the same are presently located and constructed, from which point the Northwest corner of said Section 15 bears North 42 degrees 58' 35" West 3837.67 feet distant; thence Westerly along the fence marking the said Southerly line of the N1/2 N1/2 N1/2 of Lot 14, 399.55 feet to a point; thence North 159.15 feet to a point; thence North 79 degrees 42' 30" East 142.32 feet to a point; thence East 259.5 feet, more or less, to a point in the fence marking the Westerly right-of-way line of Wilson Road; thence Southerly along said Westerly right-of-way line fence 186.8 feet, more or less, to the point of beginning.

Farm Unit D, or Lots 6 and 7 and the N1/2 N1/2 N1/2 of Lot 8 and the N1/2 N1/2 N1/2 of Lot 9, in Section 15, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM the East 368 feet thereof.

SAVING AND EXCEPTING THEREFROM any portion thereof in any canals, roads or highways as per approved Property Line Adjustment 5-99.

- 13775 -

2010-005274  
Klamath County, Oregon



05/04/2010 03:17:34 PM Fee: \$42.00

MTC 8/4/10

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon  
GRANTOR'S NAME:  
HSBC Bank USA, N.A., as Trustee on behalf of  
Ace Securities Corp. Home Equity Loan Trust,  
Series 2007-HE4, Asset Backed Pass-Through  
Certificates  
GRANTEE'S NAME:  
Tori D. Hill  
SEND TAX STATEMENTS TO:  
Tori D. Hill  
24220 Wilson Road  
Merrill, OR 97633  
AFTER RECORDING RETURN TO:  
Tori D. Hill  
24220 Wilson Road  
Merrill, OR 97633  
Escrow No: 20090025567-FTPOR03

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24220 Wilson Road  
Merrill, OR 97633

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SPECIAL WARRANTY DEED - STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

HSBC Bank USA, N.A., as Trustee on behalf of Ace Securities Corp. Home Equity Loan Trust, Series 2007-HE4, Asset Backed Pass-Through Certificates Grantor, conveys and specially warrants to

Tori D. Hill  
Grantee, the following described real property free and clear of encumbrances created or suffered by the grantor except as specifically set forth below:

SEE LEGAL DESCRIPTION ATTACHED HERETO

ENCUMBRANCES:  
Rights of the public, Reservations or Exceptions, premises, Specially assessed as Farm Use Land 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$190,000.00.

Dated 2/4/10; if a corporate grantor, it has caused its name to be signed by order of its board of directors.



HSBC Bank USA, N.A., as Trustee on behalf of Ace Securities Corp. Home Equity Loan Trust, Series 2007-HE4, Asset Backed Pass-Through Certificates

BY: [Signature]  
ITS: Robert Kaltenbach, Senior Manager

State of Florida  
County of Orange

This instrument was acknowledged before me on February 4, 2010 by Robert Kaltenbach, Senior Manager as \_\_\_\_\_ of \_\_\_\_\_.

[Signature]  
Notary Public - State of Florida  
My commission expires: 06/04/2011

NOTARY PUBLIC-STATE OF FLORIDA  
Lesa Scholm  
Commission # DD681657  
Expires: JUNE 04, 2011  
BONDED THRU ATLANTIC BONDING CO, INC.

13775

5/11/11

LEGAL DESCRIPTION

The East 368 feet of Farm Unit D, or Government Lots 6 and 7 and the N1/2 N1/2 N1/2 of Government Lot 8, and the N1/2 N1/2 N1/2 of Government Lot 9, in Section 15, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, as approved per Property Line Adjustment 5-99.

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

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JUL 06 2021

OWRD

13775.



THIS SPACE RESERVED FOR R

2017-014334  
Klamath County, Oregon  
12/15/2017 03:43:01 PM  
Fee: \$52.00

After recording return to:  
Scott Bedford and Matthew Bedford  
1231 Tulloch Dr  
Tracy, CA 95304

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JUL 06 2021  
OWRD

Until a change is requested all tax statements shall be sent to the following address:  
Scott Bedford and Matthew Bedford  
1231 Tulloch Dr  
Tracy, CA 95304  
File No. 202891AM

**SPECIAL WARRANTY DEED**

**Northwest Farm Credit Services, PCA,**

Grantor(s) hereby conveys and specially warrants to

Gordon Scott  
**Scott Bedford and Matthew Bedford,** not as tenants in common but with rights of survivorship

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:

**SEE ATTACHED EXHIBIT "A"**

The true and actual consideration for this conveyance is \$225,000.00.

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 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 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.

13775

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 14<sup>th</sup> day of November, 2017.

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JUL 06 2021

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Northwest Farm Credit Services PCA

By [Signature]  
Emily Duerst, Relationship Manager/AVP

State of OREGON } ss  
County of MARION }

On this 14 day of November, 2017, before me, USTINA A ZENUHIN a Notary Public in and for said state, personally appeared Emily Duerst as Relationship Manager/AVP of Northwest Farm Credit Services, PCA, 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.

[Signature]  
Notary Public for the State of OREGON  
Residing at: SALMON, OR  
Commission Expires: 07-10-2020



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Vol M00 Page 2958

AFTER RECORDING, RETURN TO:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

2000 MAY -5 PM 5:00 TAX STATEMENTS TO:

Wong Potatoes, Inc.  
17600 Highway 39  
Klamath Falls OR 97603

2000 JAN 28 PM 12:32

Vol M00 Page 16295

DEED

Sam Wong & Son, Inc., an Oregon corporation, Grantor, conveys to Wong Potatoes, Inc., an Oregon corporation, Grantee, that certain real property located in Klamath County, Oregon described on Exhibits "A", "B", and "C" attached hereto and incorporated herein by this reference. Said real property is also described in the Deeds recorded in Volume M86 at Page 7235; Volume M73 at Page 2755; and Volume M86 at Page 7233 of the Deed Records of Klamath County, Oregon.

Said land is included in the following Klamath County Tax lots:

- 4111-01000-00500
- 4111-01000-01400
- 4000-01000-01100
- 4111-01100-00900
- 4111-01400-00500
- 4111-01500-00200
- 4010-00800-01001

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THIS DEED IS BEING RE-RECORDED  
TO CORRECT ATTACHED LEGAL DESCRIPTION

This Deed is made in furtherance of the reorganization of Grantor and no consideration stated in dollars has been paid herefore.

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

Dated this 14 day of ~~December, 1999~~ <sup>JANUARY 2000</sup>

SAM WONG & SON, INC.

By: George W. Chin  
George W. Chin, President

By: Janet J. Chin  
Janet J. Chin, Secretary

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on ~~December 14~~ <sup>January 14</sup>, ~~1999~~ <sup>2000</sup> by George W. Chin and Janet J. Chin, President and Secretary of Sam Wong & Son, Inc.



Beverly A. Moore  
Notary Public for Oregon  
My Commission Expires: 2-1-02

241 20 RR

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JUL 06 2021

Page 3 Special Warranty Deed  
Escrow No. 202891AM

EXHIBIT "A"  
LEGAL DESCRIPTION

OWRD

Beginning at a point on the west boundary of Section 7, Township 40 South, Range 10 East, Willamette Meridian, which point is  $S0^{\circ}12' \frac{1}{2}'' E$ , 657 feet from the Northwest corner of said Section 7; thence  $S0^{\circ}12' \frac{1}{2}'' E$ , along said section line, a distance of 1634.0 feet, to a point which is  $N0^{\circ}12' \frac{1}{2}'' W$ , 346.0 feet, from the Southwest corner of the NW1/4 of said Section 7 and which point is the Northwest corner of a parcel of Land shown as "PARCEL TWO" in a deed from J. Clyde Griffith, et ux, to Buford M. Kaylor, et ux, recorded in Klamath County Deed Records, Volume 180, page 128; thence  $S89^{\circ}54' \frac{1}{2}'' E$ , along the North boundary of said "PARCEL TWO", which line is parallel to the North boundary of said Section 7, a distance of 660.0 feet; thence  $S0^{\circ}12' \frac{1}{2}'' E$ , 16.0 feet; thence  $S89^{\circ}54' \frac{1}{2}'' E$ , 1452.0 feet; thence  $N0^{\circ}12' \frac{1}{2}'' W$ , 1474.0 feet, more or less, to the lower water mark on the West bank of Lost River; thence  $N47^{\circ}39' W$ , along said low water line, 597.0 feet; thence, continuing along said low water line,  $N11^{\circ}20' E$ , 440.0 feet, more or less, to the North boundary of said Section 7; thence  $N89^{\circ}54' \frac{1}{2}'' W$ , along said boundary, a distance of 943.0 feet, more or less, to the Northeast corner of a parcel of land deeded by Karl F. Dehlinger, et ux, to Innis Roberts, et ux, and described in a deed in Klamath County Deed Records, Volume 260, page 25; thence  $S17^{\circ}20' \frac{1}{2}'' E$ , along the east boundary of said Innis Roberts property, a distance of 682.0 feet, thence  $S89^{\circ}39' \frac{1}{2}'' W$ , along the South boundary of said Innis Roberts property, a distance of 1019.5 feet more or less to the point of beginning, being a portion of the NW1/4 of Section 7, Township 40 South Range 10 East of the Willamette Meridian.

EXCEPTING THEREFROM a tract of land situated in the Northwest quarter of Section 7, Township 40 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at a point on the West line of said Section 7, said point being  $S00^{\circ}12'30'' E$  657.00 feet from the Northwest corner of said Section 7, said point also being 27.8 feet, more or less, Westerly from the Easterly right of way line of the Klamath Falls - Malin State Highway as constructed, thence  $S00^{\circ}12'30'' E$  along the West line of said Section 1645.00 feet, more or less, to the Northwest corner of a parcel of land shown as "Parcel 2" and described in Deed Volume 180 at page 128, Klamath County Deed Records, thence  $S89^{\circ}54'30'' E$  along the North boundary of said "Parcel 2" and parallel with the North line of said Section 660.00 feet, thence  $S00^{\circ}12'30'' E$  16.00 feet, thence  $S89^{\circ}54'30'' E$  parallel with the North line of said Section 86.79 feet, more or less, to the centerline of an existing irrigation ditch, thence along the center-line of said ditch the following courses and distances;  $N15^{\circ}40'23'' E$  452.11 feet,  $N16^{\circ}07'41'' E$  425.04 feet,  $N01^{\circ}50'48'' E$  408.69 feet,  $N01^{\circ}56'16'' E$  402.78 feet,  $N17^{\circ}08'30'' W$  9.00 feet to a 5/8 inch iron pin on the South boundary of that tract of land described in deed Volume 260 at page 25, Klamath County Deed Records, thence  $N89^{\circ}58'56'' W$  (South  $89^{\circ}39'30'' W$  West by said deed record) 795.70 feet thence  $S89^{\circ}39'30'' W$  West along the South boundary of that tract of land described in Deed Volume M67 at page 5054, Klamath County Deed records, 221.50 feet to the point of beginning.

13775

## STATE OF OREGON

## COUNTY OF KLAMATH

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

RECEIVED

JUL 06 2021

THIS PERMIT IS HEREBY ISSUED TO

OWRD

DANIEL CHIN  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

WONG POTATOES  
17817 CHEYNE ROAD  
KLAMATH FALLS, OR 97603

SCOTT BEDFORD  
1231 TULLOCH DRIVE  
TRACY, CA 95377

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a partial assignment of the Permit confirmed on February 12, 2018; and a Split a Permit, approved by Special Order Volume 120, Page 74, entered on APR 07 2021. This permit, together with Permit G-18390 supersedes Permit G-16156.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 1 (KLAM 53043) IN DODDS HOLLOW BASIN; WELL 2 (KLAM 10518) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 257.55 ACRES

MAXIMUM RATE: MAXIMUM RATE: 3.22 CUBIC FEET PER SECOND (CFS), BEING 2.51 CFS FROM WELL 1 FOR SUPPLEMENTAL IRRIGATION ON 200.9 ACRES AND 0.71 CFS FROM WELL 2 FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

## WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	29	SW NW	WELL 2 - 1420 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF SECTION 29
41 S	11 E	WM	7	SW NE	WELL 1 - 1360 FEET SOUTH AND 1860 FEET WEST FROM THE NE CORNER OF SECTION 7

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.



THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	10 E	WM	7	NE NW	1	14.55
40 S	10 E	WM	7	NW NW		10.3
40 S	10 E	WM	7	SW NW		10.2
40 S	10 E	WM	7	SE NW		21.6
41 S	11 E	WM	11	SW SW		7.2
41 S	11 E	WM	14	NE NW	3	19.6
41 S	11 E	WM	14	NE NW		14.5
41 S	11 E	WM	14	NW NW		12.2
41 S	11 E	WM	14	NW NW	4	16.8
41 S	11 E	WM	14	SW NW		5.6
41 S	11 E	WM	14	SE NW		5.6
41 S	11 E	WM	15	NE NW	2	0.6
41 S	11 E	WM	15	NE NW	6	12.8
41 S	11 E	WM	15	NW NW	3	3.9
41 S	11 E	WM	15	NW NW	7	9.4
41 S	11 E	WM	15	SW NW	8	37.2
41 S	11 E	WM	15	SE NW	9	37.7
41 S	11 E	WM	15	NE SW		7.9
41 S	11 E	WM	15	NW SW	15	9.9
Total						257.55

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**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2023**.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be

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A tract of land situated in Sections 8 and 17, Township 40 South Range 10 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows: Beginning at a point on the North line of said Section 17 from which the Northwest corner of said Section 17 bears N. 89°49'21" W., 30.00 feet; thence S. 00° 05'09" E. parallel to the West line of said Section 17, 256.00 feet; thence S. 89°49'21" E. parallel to the North Line of said Section 17, 2379 feet more or less to the Mean High Water Line of Lost River; thence Northerly on said Mean High Water Line the following courses and distances: N. 15°12'02" E., 324.30 feet; N. 09°32'48" E., 223.70 feet; N. 16°32'48" W., 370.44 feet; and N. 25°02'09" W., 424.66 feet; thence leaving said Mean High Water Line, N. 89°49'21" W., 2211.42 feet to a point lying 30.00 feet East of the West line of said Section 8; thence S. 00°16'30" W., parallel to the West Line of said Section 8, 1016.92 feet to the point of beginning.

State of Oregon, County of Klamath  
Recorded 1/28/00, at 12:32 p.m.  
In Vol. M00 Page 2966  
Linda Smith,  
County Clerk Fee \$ 31-

13775

EXHIBIT A  
PAGE 1 OF 1

required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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### Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water levels shall be measured between March 15 and April 15. Reports shall be submitted to the Department within 30 days of measurement. The reference levels against which future annual measurements will be compared have been established by measurements made in April 2004. These reference levels are 47.57 feet below land surface datum for Well 1 and 55.32 feet below land surface datum for Well 2.

### After Use of Water has Begun

#### Seven Consecutive Annual Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water level measurements reveal an average water level decline of three or more feet per year for five consecutive years; or
- B. Annual water level measurements reveal a water level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water level measurements reveal a water level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's

and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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### STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

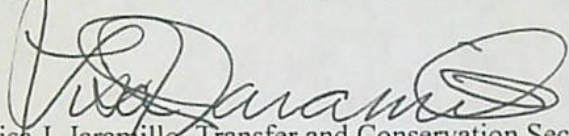
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use was extended to on for before October 1, 2024. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued **APR 07 2021**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

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PARCEL 1:

All that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and of Government Lot 11, of Section 11, Township 41 South, Range 11 East, Willamette Meridian, which lies Southwesterly of a line drawn parallel to and distant 200 feet Southwesterly of the center line of the railway of the Great Northern Railway Company as now located and constructed; said center line being more particularly described as follows: Beginning at a point in the westerly boundary of said Section 11 distant 977.00 feet Northerly from the Southwest corner thereof; thence Southeasterly along a straight line making a southeasterly included angle of 61 $^{\circ}$ 46 $\frac{1}{2}$ ' with said Westerly boundary, 531.9 feet; thence Southeasterly along the arc of a 1 $^{\circ}$ 0' curve to the left, 2830.00 feet; thence Easterly on tangent 2141.00 feet, more or less; to an intersection with the Easterly boundary of said Section 11 at a point distant 36.8 feet Northerly from the Southeast corner thereof. The said strip of land containing 12.35 acres, more or less, in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and 0.22 of an acre, more or less, in Government Lot 11 of said Section 11, Township 41 South, Range 11 East, Willamette Meridian, exclusive of right of way previously granted for highway and for a Government Irrigation and drainage canal, SAVING AND EXCEPTING a piece or parcel of land situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 11, T. 41 S., R. 11 E.W.M. in Klamath County, Oregon, being more particularly described as follows: Beginning at a 5/8 inch iron pin in the East right of way boundary of the Adams Point County Road, as the same is presently located and constructed from which the monument marking the Southwest corner of Sec. 11, T. 41 S., R. 11 E.W.M., bears N. 89 $^{\circ}$ 57'10" W. 30.0 feet and S 0 $^{\circ}$ 02'50" W. 251.75 feet distant; thence N 0 $^{\circ}$ 02'50" E along the easterly right of way boundary of said County Road 475.20 feet to an iron pin at its intersection with the Southwesterly right of way boundary of the Burlington-Northern Railroad; thence along said Railroad right of way S 61 $^{\circ}$ 34'10" E. 389.7 feet to a point; thence along a circular curve to the left (which has a central angle of 0 $^{\circ}$ 40'40", a radius of 5929.65 feet, and a long chord which bears S 61 $^{\circ}$ 54'34" E 70.33 feet) a distance of 70.4 feet to a 5/8 inch iron pin; thence continuing along a circular curve to the left (which has a central angle of 5 $^{\circ}$ 55'50", a radius of 5929.65 feet, and a long chord which bears S 65 $^{\circ}$ 13'00" E. 613.75 feet) a distance of 613.80 feet to a 5/8 inch iron pin; thence, leaving said Railroad right of way, N. 89 $^{\circ}$ 57'10" W. 962.4 feet, more or less, to the point of beginning, containing 4.96 acres, more or less.

PARCEL 3:

Lots 3, 4, and N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$  of Lot 5, and the N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$  of Lot 6 of Section 14, Township 41 S., Range 11 East Willamette Meridian, excepting the right of way heretofore reserved by the United States for the "J" Canal.

PARCEL 2:

Also, an easement 20 feet in width which has its northeasterly boundry parallel to and contiguous with the southwesterly right of way boundry of the Burlington-Northern Railroad from the most northwesterly corner to the most southeasterly corner of the above described parcel of land; for the purpose of construction, reconstruction, operation and maintenance of the irrigation ditch.

State of Oregon, County of Klamath  
 Recorded 05/05/00, at 3:33 p. m.  
 In Vol. M00 Page 16295  
 Linda Smith,  
 County Clerk Fee\$ 20<sup>00</sup>

State of Oregon, County of Klamath  
 Recorded 1/28/00, at 12:32 p.m.  
 In Vol. M00 Page 2958  
 Linda Smith,  
 County Clerk Fee\$ 41-  
 13775

JUL 06 2021

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## EXHIBIT "B"

A portion of Lot 5, Section 10, Township 41 South, Range 11 East of the Willamette Meridian, described as follows: Beginning at the one-quarter corner common to Section 9 and 10 of said Township and Range; thence South  $89^{\circ} 58'$  East 3.51 chains, more or less, to the projection of the center line of the 9-E-2-Drain; thence South  $34^{\circ} 26'$  East along the said center line 14.11 chains to its intersection with the North line of  $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{2}$  of said Section 10; thence West along said North line to the West line of said Section 10; thence North along said West line to the point of beginning.

- The  $SW\frac{1}{2}SE\frac{1}{2}$  and that portion of Lot 7 ( $NW\frac{1}{2}SE\frac{1}{2}$ ), Section 10, Township 41 South, Range 11 East of the Willamette Meridian, lying Southerly of the Great Northern Railway Right of Way.

- All that portion of Government Lot 1 in Section 15, Township 41 South, Range 11 East of the Willamette Meridian, lying West of the East line of the  $SW\frac{1}{2}$  of the  $SE\frac{1}{2}$  of Section 10, Township 41 South, Range 11 East of the Willamette Meridian, extended South to the South line of said Lot 1.

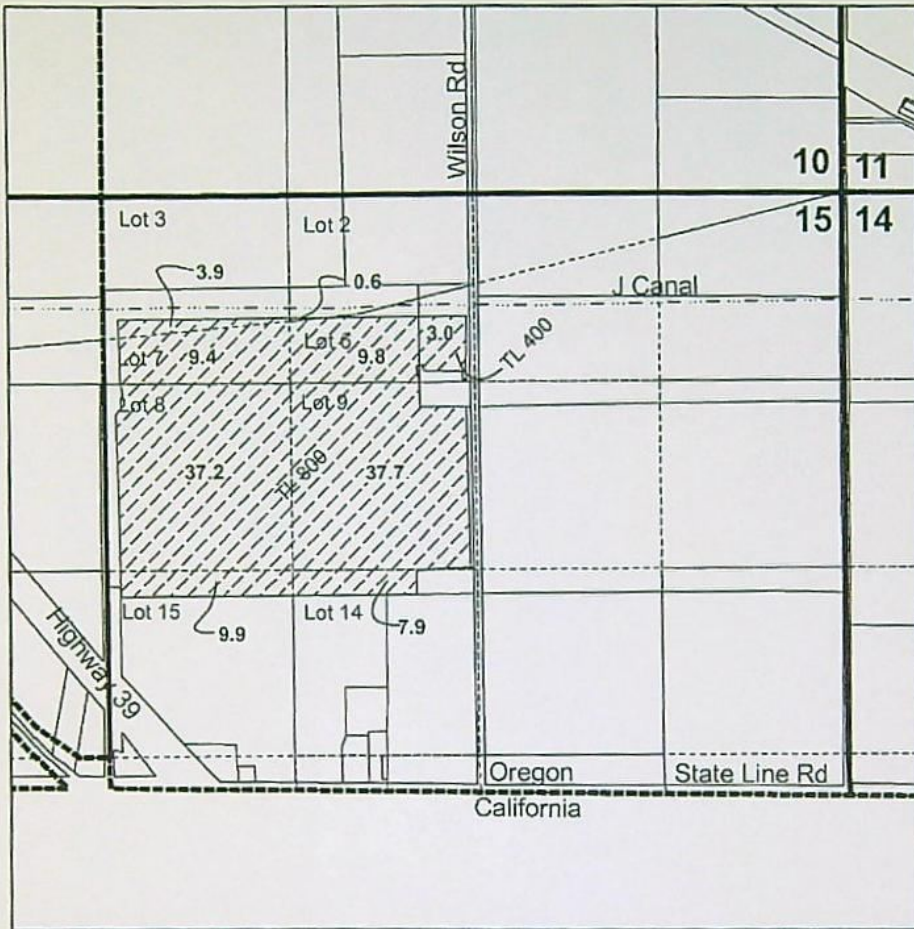
A portion of Section 10, Township 41 South, Range 11 East of the Willamette Meridian, described as follows: Beginning at the one-quarter corner common to Sections 9 and 10 of said Township and Range; thence South  $89^{\circ} 58'$  East 3.51 chains, more or less, to the projection of the center line of the 9-E-2 drain; thence South  $34^{\circ} 26'$  East along said center line 14.11 chains to its intersection with the North line of the  $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{2}$  of said Section 10; thence Easterly along said North line of  $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{2}$ , 30.80 chains, more or less, to the East line of the  $SW\frac{1}{2}$  of said Section 10; thence Northerly along the East line of the  $SW\frac{1}{2}$  of said Section 10, 10 chains, more or less, to the northeast corner of the  $NE\frac{1}{2}SW\frac{1}{2}$  of said Section 10; thence Westerly along the Northerly line of said  $NE\frac{1}{2}SW\frac{1}{2}$  to the intersection of the said Northerly line with the Southwesterly right of way line of the Great Northern Railway Company railroad right of way; thence Northwesterly along said Southerly railroad right of way line to its intersection with the West line of said Section 10; thence Southwesterly along said West line of said Section 10 to the place of beginning. EXCEPTING THEREFROM that portion described as follows: A triangular parcel of land located in the Northeast corner of the Northeast corner of the  $SW\frac{1}{2}$  of Section 10, Township 41 South, Range 11 East of the Willamette Meridian, described as follows: Commencing at the Northeast corner of the  $SW\frac{1}{2}$  of Section 10, Township 41 South, Range 11 East of the Willamette Meridian, extending thence West along the Northerly line of said  $SW\frac{1}{2}$  366 feet, more or less, to the intersection of said line with the Northeasterly right of way line of the Great Northern Railway; thence Southeasterly along the Northeasterly right of way line of said Railway a distance of 399 feet, more or less, to the North-South center line of said Section 10; thence North along said center line a distance of 162 feet, more or less, to the point of beginning.

EXHIBIT "B"

13775

# Application Map Portion of Permit G-18391 Split to Gregory Drew Heaton

Map 1  
T 41 S, R 11 E, Sec 15



### Legend

- G-18391 Split to Heaton 119.4 Ac
- Wells
- TID J Canal

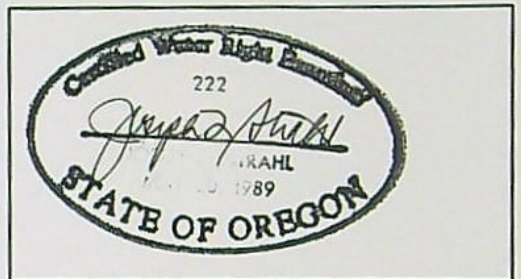
RECEIVED

JUL 06 2021

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1 inch = 1,320 feet

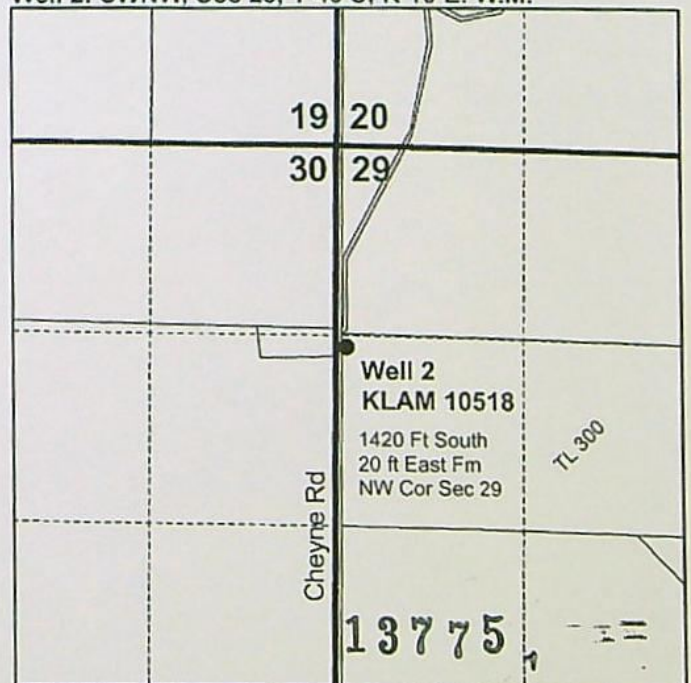


Note: This map is not intended to provide legal dimensions or locations of property ownership lines.

**Well 1 : SWNE, T 41 S, R 10 E, Sec 7**



**Well 2: SWNW, Sec 29, T 40 S, R 10 E. W.M.**

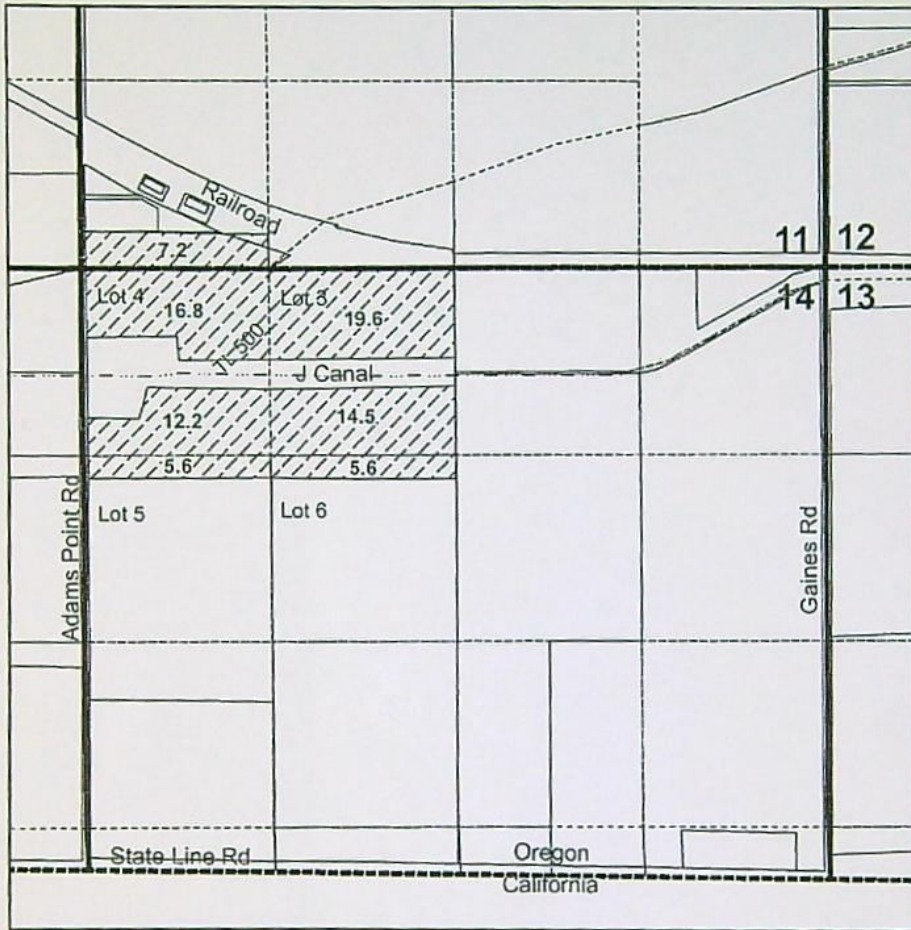




# Application Map

## Portion of Permit G-18391 Split to Daniel Chin / Wong Potatoes, Inc

Map 2  
T 41 S, R 11 E, Sec 11 & 14



### Legend

- POU G-18391 for 81.5 Ac
- Wells
- TID J Canal



1 inch = 1,320 feet

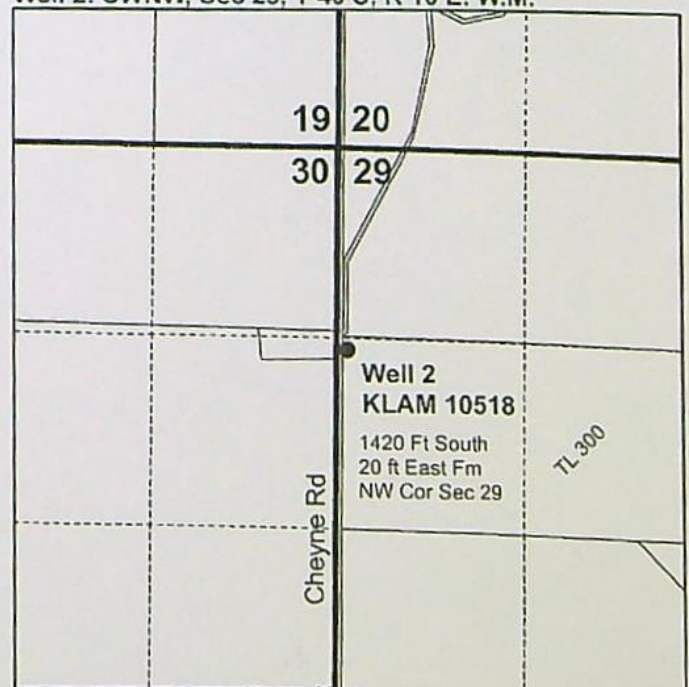


Note: This map is not intended to provide legal dimensions or locations of property ownership lines.

Well 1 : SWNE, T 41 S, R 10 E, Sec 7



Well 2: SWNW, Sec 29, T 40 S, R 10 E. W.M.



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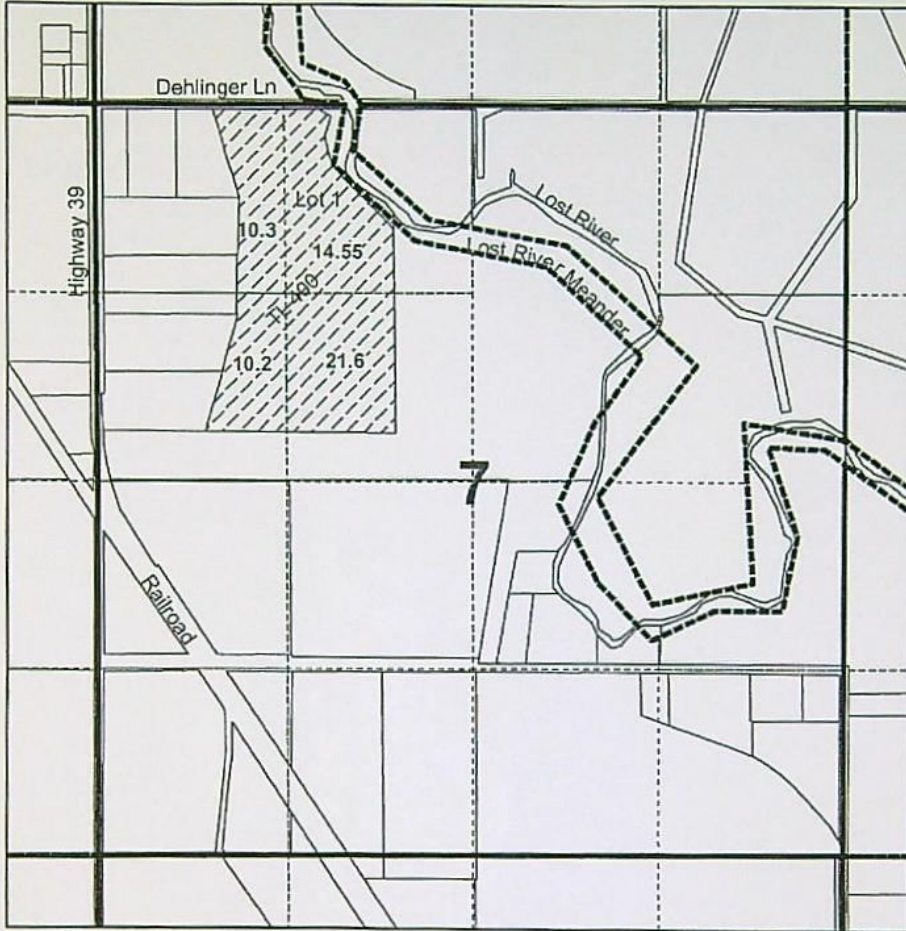
RECEIVED

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# Application Map Portion of Permit G-18391 Split to Scott Bedford

Map 3  
T 40 S, R 10 E, Sec 7



## Legend

- POU G-18391 for 56.65 Ac
- Wells

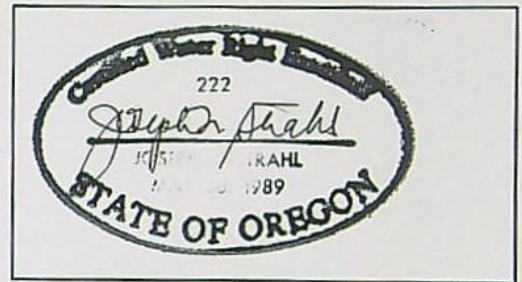


1 inch = 1,320 feet

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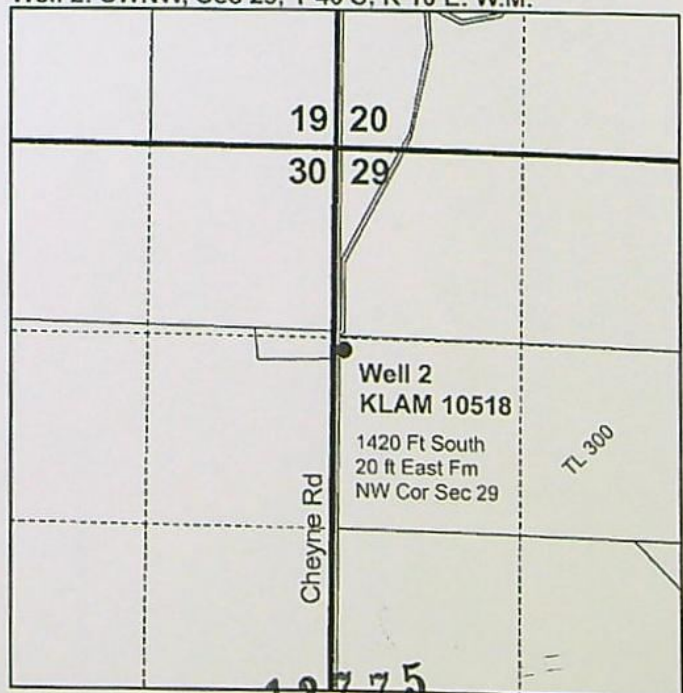


Note: This map is not intended to provide legal dimensions or locations of property ownership lines.

Well 1 : SWNE, T 41 S, R 10 E, Sec 7



Well 2: SWNW, Sec 29, T 40 S, R 10 E. W.M.



13775

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **135896**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Drew Heaton Farming  
 BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	1-13775

CASH:  CHECK:#  2584 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 900.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

0407 COPY & TAPE FEES 46110 \$ \_\_\_\_\_  
 0410 RESEARCH FEES \$ \_\_\_\_\_  
 0408 MISC REVENUE: (IDENTIFY) Split a Permit \$ 900.00  
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_  
 0240 EXTENSION OF TIME \$ \_\_\_\_\_

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____
0203 GROUND WATER	EXAM FEE	0204	RECORD FEE
\$ _____	\$ _____	\$ _____	\$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
\$ _____	\$ _____	\$ _____	\$ _____
LANDOWNER'S PERMIT		0220	LICENSE FEE
		\$ _____	\$ _____

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_  
 0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \$ \_\_\_\_\_

RECEIPT: **135896**

DATED: 7-21-2021 BY: Mandy Gordon

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JUL 21 2021

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SPLIT A PERMIT and REQUEST FOR ISSUANCE  
OF REPLACEMENT PERMITS  
APPLICANT'S AGREEMENT

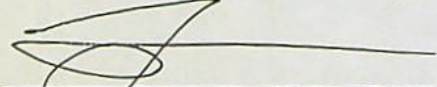
This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Gregory Drew Heaton, Wong Potatoes/ Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford hereafter Applicant, hereafter known together as the parties.

<b>OWRD Information</b> Contact: Kelly Starnes Title: Transfer Program Analyst Address: 725 Summer Street, NE Suite A Salem, OR 97301-1266 Phone: 503 979-3129 Email: <a href="mailto:arla.l.heard@oregon.gov">arla.l.heard@oregon.gov</a>	<b>Applicant's Information</b> Name: Gregory Drew Heaton Address: PO Box 210 Merrill, OR 97633 Phone: 541-891-9864 Email: <a href="mailto:drewheatonfarming@outlook.com">drewheatonfarming@outlook.com</a>	<b>Applicant's Information</b> Name: Wong Potatoes Contact: Daniel Chin Address: 17817 Cheyne Road Klamath Falls, OR 97603 Phone: 541-281-7570 Email: <a href="mailto:chinfarms@gmail.com">chinfarms@gmail.com</a>
<b>Applicant's Information</b> Name: Scott Gordon Bedford Name: Matthew Scott Bedford Address: 1231 Tulloch Drive Tracy, CA 95377 Phone: 209-815-8571 Email: <a href="mailto:ssbedford@att.net">ssbedford@att.net</a>	<b>Applicant's Representative</b> Name: Water Right Solutions, LLC Contact: Hollie Cannon Address: 3246 Hammer Street Klamath Falls, OR 97603 Phone: 541-548-5833 Email: <a href="mailto:cannon@waterightsolutions.com">cannon@waterightsolutions.com</a>	

**Purpose** The purpose of this Agreement is to process the Split a Permit Application. (Permit Number: G-18391)

1. **Authority** The OWRD has been authorized pursuant to ORS 537.225 to receive and review application for assignment of all or part of the water right permit and for the issuance of a replacement water right permit that reflects that assignment. In addition OAR 690-325-0010 through 0110 establishes the requirements and procedures for evaluating the application. In making this agreement, OWRD shall require the applicant to pay the full cost of evaluating the application.
2. **Restrictions.** Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Statement of Work.** The Statement of Work is contained in Exhibit A attached hereto and incorporated by reference into this Agreement. OWRD agrees to perform this work in accordance with the terms and conditions of this Agreement.
5. **Consideration.**
  - a. Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford shall pay OWRD in advance for actual costs incurred by OWRD as specified in the Statement of work attached and incorporated as Exhibit A. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$900.00**. Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford agrees to pay the full amount of **\$900.00** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.

6. **Contract Documents.** This Agreement consists of the following documents which are listed in descending order of precedence: this Agreement and the attached Exhibit A. All attached Exhibits are incorporated into this Agreement by reference.
7. **Confidentiality.** Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
8. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.
9. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant will refund any unspent balance after paying the contractor for the work done.
10. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
11. **Duration of Estimate.** The Estimate of Time to complete the work in Exhibit A (Statement of Work) becomes null and void after thirty- (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant must re-apply for a new estimate.
12. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, statutory waiting periods, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
13. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
14. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
15. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

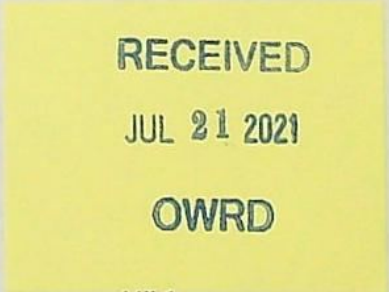
For Applicant:   
 Gregory Drew Heaton Name/Title: Owner

7-16-2021  
 Date

For OWRD: \_\_\_\_\_  
 Dwight French – Administrator WRSD

\_\_\_\_\_  
 Date

Mail signed Agreement to:  
  
 Arla L Davis  
 Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1266



RECEIVED

JUL 21 2021

OWRD

Exhibit A

Statement of Work

Permit Number: G-18391

Name of Applicant: Gregory Drew Heaton, Wong Potatoes/Daniel Chin, Scott Gordon Bedford and Mathew Scott Bedford

Split a Permit Process  
Itemized Estimate Sheet  
For  
Permit Application

Action Item	Est. Time (hr.)
Review Application for Completeness	1.0
Verify mailing address of each owner of the authorized place of use	0.5
Verify deed(s) match(es) properties proposed for assignment	1.5
Verify most recent water use under the permit has been exercised within relevant terms and conditions of permit	0.5
Assess application for enlargement of the original permit and injury to other water right holders	1.0
Review and prepare draft documents	6.0
Peer review, issue, mail, and publish draft PFO	1.5
Peer review, issue, mail, and publish PFO	1.5
Peer review, issue and mail Final Order	1.5
<b>Total hours</b>	<b>15.0</b>

**Total estimated cost is 12 hours at \$60.00\* per hour, totaling \$900.00.**

\* - This figure is representative of the average compensation for staff time, with benefits and overhead, for the staff persons working on this file. You may request a detailed accounting upon completion of this project.

Completion of Draft Proposed Final Order: **September 15, 2021**

*\*Dates are contingent on the Applicant's expeditious resolution of any deficiency and may be affected by Department's work load.*

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **135769**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Drew Heaton  
BY: Melissa Heaton

APPLICATION	
PERMIT	G-18391
TRANSFER	

CASH:  CHECK:#  35601 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$  
OTHER: (IDENTIFY) \$

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46110

0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

**WATER RIGHTS:**

EXAM FEE		RECORD FEE
0201 SURFACE WATER \$	0202	\$
0203 GROUND WATER \$	0204	\$
0205 TRANSFER \$		
EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$	0219	\$
LANDOWNER'S PERMIT	0220	\$

0252 OTHER (IDENTIFY) Split a Permit \$125.00

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **135769**

DATED: 7-6-2021 BY: Mindy Carlson





**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 28, 2021

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

WONG POTATOES INC.  
DANIEL WONG  
17817 CHEYNE RD  
KLAMATH FALLS, OR 97603

SCOTT & MATTHEW BEDFORD  
1231 TULLOCH DR  
TRACY, CA 95377

Reference: Application T- 13775

On July 6, 2021, OWRD received your signed contract to split a permit. The contract was accompanied by \$125.00. Our receipt number 135769 is enclosed.

The Department will issue a Draft Proposed Final Order with Draft Permits for your review within thirty days. Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #17 (via email)  
Hollie Cannon, Agent  
Tori Hill, Landowner

Enclosure

# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13775

Review Due Date: 08/27/2021

Applicant Name: Gregory Heaton

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Michelle Angell for Watermaster      Date of Review: 07/29/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No    If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
  
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No    Generally characterize the frequency of any regulation or explain why regulation has not occurred:
  
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
 Yes  No  Records not available.
  
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?  Yes  No    If "Yes", explain:
  
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected?  Yes  No    If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No

9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain:

10. For POU or USE changes:  N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes  No If "Yes", explain:

11. For POU changes that involve micro-irrigation:  N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes  No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes  No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer?  Yes  No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry?  Yes  No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer?  Yes  No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?  Yes  No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer?  Yes  No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?  Yes  No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?  Yes  No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes  No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights?  No  Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

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 diversion/appropriation (new and existing) OR at each new point of diversion/appropriation  with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.

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.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install **staff gages\***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

Weir

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: \_\_\_

Oregon Water Resources Department

Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13775

- Checkboxes for flow meter requirements: 'In order to avoid enlargement of the right or injury to other rights, a a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer: at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation.'

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Danette Watson

District: #17

Address: 305 Main St

City/State/Zip: Klamath Falls, OR 97601

Phone: 541-883-4182

Email: Danette.M.Watson@oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

\*\*\*\*\*

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Two horizontal lines for describing the alternate measurement device.

Watermaster signature District Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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