

# Temporary - DROUGHT

Name Gregory Drew Heaton

Address PO Box 210  
Merrill, OR 97633  
drewheatonfarming@outlook.com

Change in POU, POA  
Date Filed 5-31-2022  
Initial notice date 6-14-2022  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 9/20/2022 Vol 175 Page 702

C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_

### DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well

Trib. of Dodds Hollow Basin ; Lost River Basin

Use Supplemental Irrigation County Klamath

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# B-116400 Per # G-18391 Cert # \_\_\_\_\_ PR Date 3/1/2005

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 #
<u>5-31-2022</u>	<u>\$ 300.00</u>	<u>138300</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent \_\_\_\_\_

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

September 20, 2022

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

Reference: Transfer Application T-14023

The above referenced transfer application was denied in the records of the Water Resources Department on September 20, 2022, by Special Order Volume 125, Page 706 (copy enclosed).

The transfer application is of no further force or effect.

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 Right Services Support  
Transfers and Conservation Section

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

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER DENYING AN EMERGENCY
T-14023, Klamath County	)	USE DROUGHT TEMPORARY CHANGE IN
	)	PLACE OF USE AND CHANGE IN POINT OF
	)	APPROPRIATION

**Authority**

Oregon Revised Statute (ORS) 536.750 establishes the process in which a water right holder may submit a request to temporarily transfer the use, place of use or point of diversion of water in the event of a declaration of drought, without complying with the notice and waiting requirements under ORS 540.520. Oregon Administrative Rule (OAR) Chapter 690, Division 019 implements the statutes and provides the Department's procedures and criteria for evaluating drought transfer applications.

**Applicant**

GREGORY DREW HEATON  
PO BOX 210  
MERRILL, OR 97633

**Findings of Fact**

1. On May 31, 2022, GREGORY DREW HEATON filed an application to temporarily change the place of use and change the points of appropriation under Permit G-18391 for the remainder of the 2022 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-14023.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000.
3. The Department contacted the applicant via phone and email regarding deficiencies in the application, specifically a recorded deed of the subject land proposed for transfer and notarized affidavits of consent from the other permit holder of record for Permit G-18391, authorizing the temporary change. The applicant did not provide the necessary documentation to the Department. Temporary Drought Application T-14023 is denied as incomplete.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may 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.

4. The portion of the right to be temporarily transferred is as follows:

**Permit:** G -18391 in the name of DANIEL CHIN (perfected under Permit G-18391)  
**Use:** SUPPLEMENTAL IRRIGATION of 119.4 ACRES  
**Priority Date:** MARCH 1, 2005  
**Rate:** 1.49 CUBIC FEET PER SECOND  
**Limit/Duty:** 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 per acre 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
40 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 3 - 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

5. Temporary Drought Transfer Application T-14023 proposes to temporarily change the point of Appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	10 E	WM	26	NE SE	WELL 3 - 70.6 FEET NORTH AND 26 FEET WEST FROM THE SE1/4 OF SECTION 25 AND 26

6. Temporary Drought Transfer Application T-14023 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	11 E	WM	32	SW SW	1400	20.06
41 S	11 E	WM	5	NE NW	500	38.38

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	5	NW NW	600	19.0
41 S	11 E	WM	5	SW NW	600	3.6
41 S	11 E	WM	6	NW NE	101	38.36
					Total	119.4

**Temporary Drought Transfer Review Criteria**

7. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A description of the current delivery system for Permit G-18391, was not provided by the applicant on Temporary Drought Transfer Application T-14023.
9. The Governor issued an executive order on March 4, 2022, declaring a state of drought emergency in Klamath County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

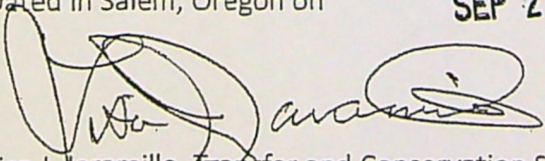
**Conclusions of Law**

The temporary change in place of use and point of appropriation proposed in Temporary Drought Transfer Application T-14023 is not consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

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

1. The temporary change in place of use proposed in Temporary Drought Transfer Application T-14023 is denied.

Dated in Salem, Oregon on **SEP 20 2022**



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

Mailing Date:

**SEP 21 2022**

**WATER RIGHT TRANSFER COVER SHEET**

*Scott*  
Transfer Specialist: *Arle*

Transfer: T- 14023

Transfer Type: Drought Transfer

<b>Applicant:</b> GREGORY DREW HEATON PO BOX 210 MERRILL, OR 97633 Email: _____ Phone: _____	<b>Agent:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____ Phone: _____
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____	<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Email: _____	<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____	<b>Receiving Landowner:</b> <input type="checkbox"/> N/A Email: _____

**Water Rights Affected**

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-16400	G-18391		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions:**

Rec'd: May 31, 2022	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 300.00	WM District: 17	ODFW District:
Initial Public Notice: UNAVAILABLE	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <i>8/30/22</i> Initials: <i>AD</i>	Date: <i>8/30/22</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: <i>8/31/22</i> Initials: <i>PCS</i>	Date: <i>9/1/22</i> Initials: <i>AD</i>	Date: <i>9/2/22</i>	Date: <i>9/2/22</i>

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. 125 Pages 700

## DAVIS Arla L \* WRD

---

**From:** DAVIS Arla L \* WRD  
**Sent:** Thursday, August 4, 2022 3:32 PM  
**To:** ANGELL Michelle A \* WRD  
**Cc:** WATSON Danette M \* WRD; STARNES Patrick K \* WRD; JARAMILLO Lisa J \* WRD  
**Subject:** RE: Drought Temporary Transfer Application T-14023 for Gregory Drew Heaton

Michelle,

I am not sure who gave him the information that we would be able to complete any transfer in 3 weeks. This transfer needed a GW review performed and TACS did not receive the review from GW staff until July 22, 2022. The Transfer caseworkers would not have given a 3 week timeline for completion of a drought transfer that required a GW review.

That issue aside, I will need the applicant to tell me in writing (email is fine) that he would like to withdraw the transfer. Otherwise I still need the missing application items to move forward with an approval or I can issue a denial on the application as it is incomplete, but I still need confirmation from him directly.

### Arla L. Davis

Water Rights Transfer Specialist  
Transfer and Conservation Section  
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

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**From:** ANGELL Michelle A \* WRD <Michelle.A.ANGELL@water.oregon.gov>  
**Sent:** Thursday, August 4, 2022 3:23 PM  
**To:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Cc:** WATSON Danette M \* WRD <Danette.M.WATSON@water.oregon.gov>  
**Subject:** RE: Drought Temporary Transfer Application T-14023 for Gregory Drew Heaton

Arla,

I talked to Mr. Heaton today and he is very disappointed with WRD. His application was received May 31, 2022 and we told him that a temporary drought transfer would take about 3 weeks. And he needed the signed transfer to give to Klamath Irrigation so he could use their ditch. Since he has not received the transfer he has lost his crop. So he will not be needing the transfer completed .

If you have any questions please call!

Have a great day!

Thank-you  
Michelle Angell  
District #17  
Watermaster office  
541-883-4182

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**From:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
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Hi Michell,

The original email content was directed to the applicant. I cc'd you as there was a note on the application that you assisted with the application. The applicant has been communicating directly with Scott Grew by phone and is aware of the items missing from the application and did finally send us a deed. Scott is not able to continue following up with the applicant so he asked that I would take over as the caseworker for this application. I have given the applicant the deadline of August 19, 2022 to send in the missing/required application items. If he doesn't communicate with me or I don't receive these items, I will have to deny the transfer. We are not able to hold applications, and Scott has been waiting on these items for over two months now and unfortunately we have to move the application forward one way or another. Because it is a permit being proposed for transfer, everyone needs to sign off on the transfer. Permits belong to individuals/companies and do not transfer with landownership alone like a certificate.

The Split a permit is a separate process from the drought and is not complete yet as we had some issues with public notice that we are working on to fix, but there is nothing he needs to do about that process at this time.

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**Sent:** Tuesday, August 2, 2022 1:18 PM  
**To:** DAVIS Arla L \* WRD <Arla.L.DAVIS@water.oregon.gov>  
**Subject:** RE: Drought Temporary Transfer Application T-14023 for Gregory Drew Heaton

Hi Arla,

I only talked with Scott Grew about T-13987 by email. I think he called and I returned his call but never talked to him about this transfer. I believe Mr. Heaton has a split of the permit in the works, how does that affect this. What he wants to temp transfer is only his land. He still needs to get everyone's to sign?

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In reviewing the application, the following items are missing and are necessary to approve the transfer:

- Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- Affidavits of consent from all permit holders of records. The Permit holders of record currently are Gregory Drew Heaton, Scott Bedford, Staunton Farms Limited Partnership, and Northwest Farm Credit Services FLCA.

I am setting a deadline of August 19, 2022 for receipt of the items mentioned above. If I have not received the items by this date, I will deny the application as incomplete.

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# 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-14023

Review Due Date: 07/09/2022

Applicant Name: Gregory Drew Heaton

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Michelle Angell for Watermaster Date of Review: 06/15/2022

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

Parshall Flume

Other: \_\_\_

Submerged Orifice

Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14023

In order to avoid enlargement of the right or injury to other rights, 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 97603

Phone: 541-883-41082

Email: Danette.M.Watson@water.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:

\_\_\_\_\_
\_\_\_\_\_

\_\_\_\_\_
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

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14023

GW Reviewer M. Thoma Date Review Completed: 06/16/2022

## Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

## Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

## Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

*This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.*



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1271  
 (503) 986-0900  
 www.wrd.state.or.us

### Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other (DROUGHT)

Application: T-14023

Applicant Name: Gregory Heaton

- Proposed Changes:  POA     APOA     SW→GW     RA  
 USE     POU     OTHER

Reviewer(s): M. Thoma

Date of Review: 06/16/2022

Date Reviewed by GW Mgr. and Returned to WRSD:

JTI 7/22/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other \_\_\_\_\_

- 
1. Basic description of the changes proposed in this transfer: The application proposes to change the POA under Permit G-18391 from two authorized POAs (KLAM 53043 and KLAM 10518) to a proposed POA (KLAM 52932). The proposed change s for 1.49 cfs.
  2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes     No    Comments: \_\_\_\_\_
  3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?  
 Yes     No \_\_\_\_\_  
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): \_\_\_\_\_
  4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?  
 Yes     No    Comments: The proposed change would move the appropriation closer to other existing rights which would increase the level of hydraulic interference to those rights  
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes  No If yes, explain: Wells that are reasonably efficient and fully penetrate the aquifer in the region, would not likely be injured by this transfer due to the thickness of the aquifer and generally-high transmissivity.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes  No Comments: The proposed change would not substantially change the impacts to nearby surface water sources in the area.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: \_\_\_\_\_  Minimal  Significant

Stream: \_\_\_\_\_  Minimal  Significant

Provide context for minimal/significant impact: \_\_\_\_\_

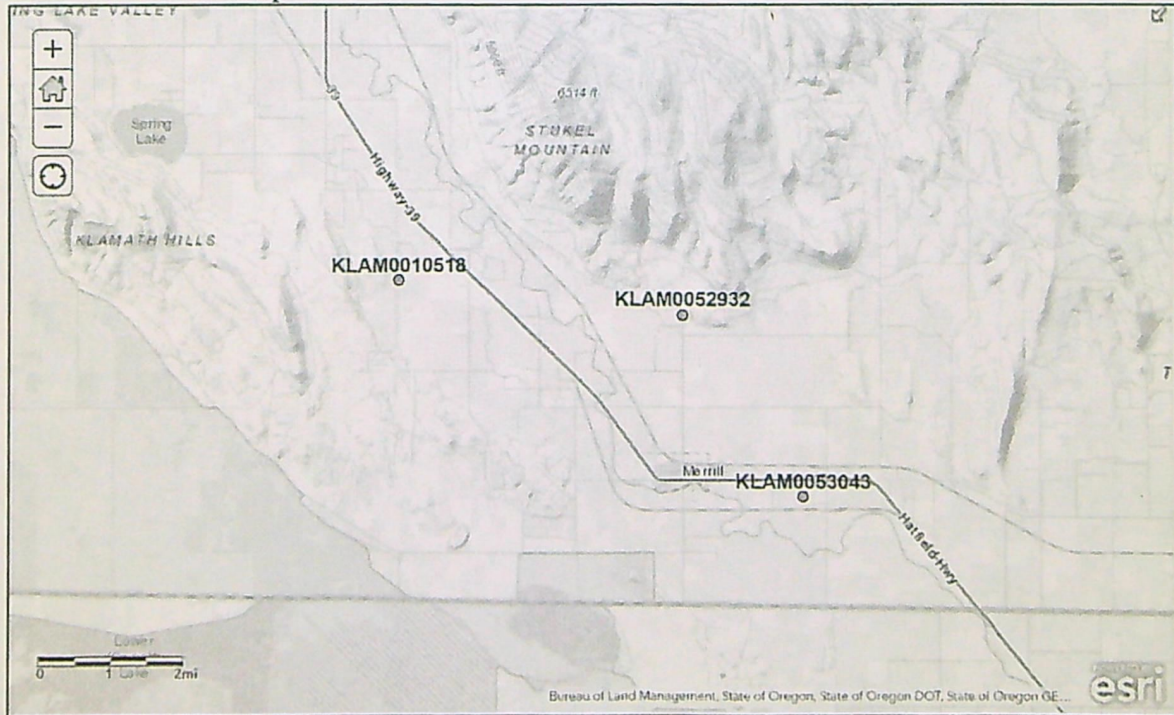
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

Yes  No Comments: N/A

7. What conditions or other changes in the application are necessary to address any potential issues identified above: \_\_\_\_\_

8. Any additional comments: \_\_\_\_\_

**Transfer Review Map**



STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **138300**

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

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

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

APPLICATION	
PERMIT	
TRANSFER	T-14023

CASH:  CHECK:#  2704 OTHER: (IDENTIFY)

TOTAL REC'D \$ 300.00

**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	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$300.00
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY)	\$

*46112*  
*Drought*

**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 (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

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

RECEIPT: **138300**

DATED: 05/31/22 BY: [Signature]

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

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **138300**

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

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

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

APPLICATION	
PERMIT	
TRANSFER	T-14023

CASH:  CHECK:#  2704 OTHER: (IDENTIFY)

TOTAL REC'D \$ 300.00

**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	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$300.00
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY)	\$

*46112*  
*Drought*

**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 (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

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

RECEIPT: **138300**

DATED: 05/31/22 BY: [Signature]

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

Application for Water Right *Michelle Angell assisted w/app*  
 Temporary or Drought Temporary Transfer  
 Part 1 of 5 – Minimum Requirements Checklist



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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MAY 31 2022

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

OWRD

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** 1 **List them here:** G-18391  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year** \_\_\_\_\_ **End Year** \_\_\_\_\_
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

\_\_\_ Application fee not enclosed/insufficient      \_\_\_ Map not included or incomplete

\_\_\_ Land Use Form not enclosed or incomplete

\_\_\_ Additional signature(s) required      \_\_\_ Part \_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

## Part 2 of 5 – Temporary Transfer Application Map Checklist

OWRD

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

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

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



**Part 3 of 5 – Fee Worksheet**

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

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MAY 31 2022  
OWRD

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): <u>.49</u> (2a) Subtract 1.0 from the number in 2a above: <u>.49</u> (2b) If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: <u>1</u> (2c) and multiply 2c by \$50, then enter on line 2 »	2	100.00
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » <b>Transfer Fee:</b>	3	300.00

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

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

MAY 31 2022

Part 4 of 5 – Applicant Information and Signature

Applicant Information

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

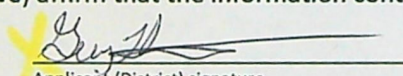
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

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

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

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

 Applicant (District) signature	_____ Print Name (and Title if applicable)	<i>5/25/2022</i> Date
_____ Applicant (District) signature	_____ Print Name (and Title if applicable)	_____ Date

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

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

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

**RECEIVED**

**MAY 31 2022**

**OWRD**

## INSTRUCTIONS for editing the Application Form

OWRD

To add lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

**Microsoft Word 2003**

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

**Microsoft Word 2007**

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

**Microsoft Word 2010**

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

**Other Alternatives:**

- 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 6 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.

Once the application has been unlocked, you may:

- add rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

**Part 5 of 5 – Water Right Information**

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

Water Right Certificate # G-18391

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**Description of Water Delivery System**

**MAY 31 2022**

System capacity: 1.49 cfs cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	KLAM 53043	41 S	11 E	07	SW NE	100	519.8' N + 35' So of NE ¼ ¼ Sec 7
POA 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	Klam 105782	40 S	10 E	29	SW NW	500	111' E + 80' So of ¼ ¼ Sec 29 + 30
POA 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	Klam 52932	40 S	10 E	26	NE SE	700	70.6' N + 26' W of the SE ¼ of Sec 25 + 26
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # G-18391

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
41	S	11	E	15	NENW		800		13.4	irrigation	POA #1		POD	40	S	11	E	32	SW	SW	1400		20.06	Irrigation	POA #2	
					NWNW				13.3					41	S	11	E	05	NE	NW	500		38.38			
					SWNW				37.2										NW	NW	600		19.0			
					SE NW				37.7										SW	NW	600		3.6			
					NE SW				7.9					41	S	11	E	06	NW	NE	101		38.36			
					NW SW				9.9																	
TOTAL ACRES													TOTAL ACRES													
119.4													119.40													

Additional remarks:

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**For Place of Use Changes**

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

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



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

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

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

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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Klamath Basin/County Drought Transfer Applications

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

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

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

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

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



STATE 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

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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

**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.

### 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.

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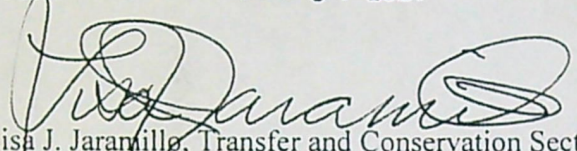
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Completion of construction and complete application of the water to the use was to be made on or October 1, 2011. By Extension of Time Final Order dated July 26, 2019, the completion of construction and complete application of the water to the use 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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# Land Use Information Form



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

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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form

Applicant(s): Gregory Drew Heaton

Mailing Address: P.O. Box 210

City: Merrill State: OR Zip Code: 97633 Daytime Phone: 541-891-9864

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
41 S	11 E	15	NE NW NW NW	800		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
			SW NW			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			SE NW			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
			NE SW NW SW			<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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## B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: \_\_\_\_\_  cubic feet per second     gallons per minute     acre-feet

Intended use of water:  Irrigation     Commercial     Industrial     Domestic for \_\_\_\_\_ household(s)  
 Municipal     Quasi-Municipal     Instream     Other \_\_\_\_\_

Briefly describe:

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

### For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Erik Nobel Title: Planning Dir  
 Signature: [Signature] Phone: 541-851-3648 Date: 5-24-2022  
 Government Entity: Klamath County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



KLAM 53043  
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POA 1

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

NOV 05 2001

WELL I.D. # L 107258  
START CARD # L29475

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

(1) OWNER: 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 1186 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE SEAL

Diameter	From	To	Material	From	To	Sacks or pounds
22	0	54	CONCRETE	0	54	75 SKS
15	54	200				
10	200	987				

Hole seal 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	+1	54	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Liner: \_\_\_\_\_

Final location of shoe(s) 54 FEET

(7) PERFORATIONS/SCREENS:

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

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

<input checked="" type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	<input type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
2600	103		1 hr. 8 hrs

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 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 22770 MALONE RD  
MEHALL ORE 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
805	1165	2600	

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

Material	From	To	SWL
SEE ATTACHED SHEET			

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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.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ WWC Number 601 Date 10/31/01

# 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

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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

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 1/4 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.

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

KLAM  
10518

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JUL 22 1992

POP #2 40S/10E/296  
(START CARD) # 39904

(1) OWNER: Name Sam Waga & Son Well Number WATER RESOURCES # 10518  
Address 17600 Highway 39  
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  $\frac{1}{4}$  NW  $\frac{1}{4}$  \_\_\_\_\_  
Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 17817 CHERWEE 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 \_\_\_\_\_

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
22	0	162	concrete	0	162	150 SCS
12 1/4	162	778				
7 1/2	778	913				

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

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Casing:	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	16" OD	+1.4	162	250	<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) 162 FEET

(7) PERFORATIONS/SCREENS:  
 Perforations Method \_\_\_\_\_  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

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

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

Pump  Bailer  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1800	57		1 hr. 4 hrs

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: \_\_\_\_\_

(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

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

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

Material	From	To	SWL
Brown sandy topsoil	0	2	
Yellow chalk with streaks sand	2	52	
Brown sand stone	52	87	
Black sand (loam)	87	97	
Black sand & pea gravel	97	121	
Grey sticky clay	121	669	
Hard brown black basalt	669	805	
Red lava	805	809	
Hard black basalt	809	854	
Hard broken grey basalt	854	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	

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

(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.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_  
Date \_\_\_\_\_

(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 [Signature] WWC Number 601  
Date 7/14/92

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KLAM 52932

POP 3

STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 53776.5)

SEP 17 2001

WELL ID # L45598

(START CARD) # 108712

WATER RESOURCES DEPT.  
SALEM, OREGON 97331

(1) OWNER

DAVID HILL  
18343 HILL RD  
KLAMATH FALLS OR 97603

(9) LOCATION OF WELL by legal description :

County KLAMATH Latitude Longitude  
Township 40 S Range 10 E  
Section 26 NE 1/4 SW 1/4  
Tax Lot 700 Lot Block Subdivision  
Street Address of Well (or nearest address)  
1900 HILL RD

(2) TYPE OF WORK : NEW WELL

(3) DRILL METHOD : ROTARY MUD

(4) PROPOSED USE: Irrigation

(10) STATIC WATER LEVEL:

.....97 ft. below land surface Date August 18, 2001  
Artesian pressure Date

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval No Depth of Completed Well 465 ft.  
Explosives used NO Type Amount

HOLE		SEAL		AMOUNT	
Diameter	From To	Material	From To	Sacks	
23"	0 125	CEMENT	0 124	105	
15.1/2"	125 220				
10"	220 465				

How was seal Placed C  
Backfil placed from ft. to ft. Material  
Gravel placed from ft. to ft. Size of Gravel

(11) WATER BEARING ZONES :

From	To	Estimated Flow Rate	SWL
125	465	3000 GPM	97

(6) CASING / LINER:

Dia.	From To	Gage	Material
CASING 16"	+1 125	250	STEEL / WELDED

Final location of shoe (s)

(12) WELL LOG:

SOIL	Ground Elevation		
	FROM	TO	SWL
BROWN CLAY	0	1	
BOULDERS	1	5	
BROWN CLAY	5	7	
BROWN CLAY- SANDY	7	12	
BLUE CLAY- SANDY	12	100	
GREY BASALT	100	119	
BROWN+ GREY BASALT	119	125	97
GREY BASALT+ RED CINDERS	125	291	97
BROWN+GREY BASALT	291	300	97
BROWN+GREY BASALT W/RED CINDERS	300	340	97
BROWN+GREY BASALT	340	342	97
BROWN+GREY BASALT	342	360	97
RED CINDERS+ GREY BASALT	360	390	97
GREY+ BROWN BASALT	390	465	97

(7) PERFORATIONS / SCREENS:

METHOD	TYPE	MATERIAL
From To	Slot size Number	Dia. Tele / pipe size

Date started July 2, 2001

Completed August 18, 2001

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

TESTING METHOD	PUMP
Yield GPM	Drawdown Drill stem at Time
3000	3' 4 HOUR

Temperature of Water 74 F Depth Artesian Flow Found

Was a water analysis done? NO By whom

Did any strata contain water not suitable for intended use? No

(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.

*Mike Lopez* DATE 9-14-01 WWC # 1452

(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.

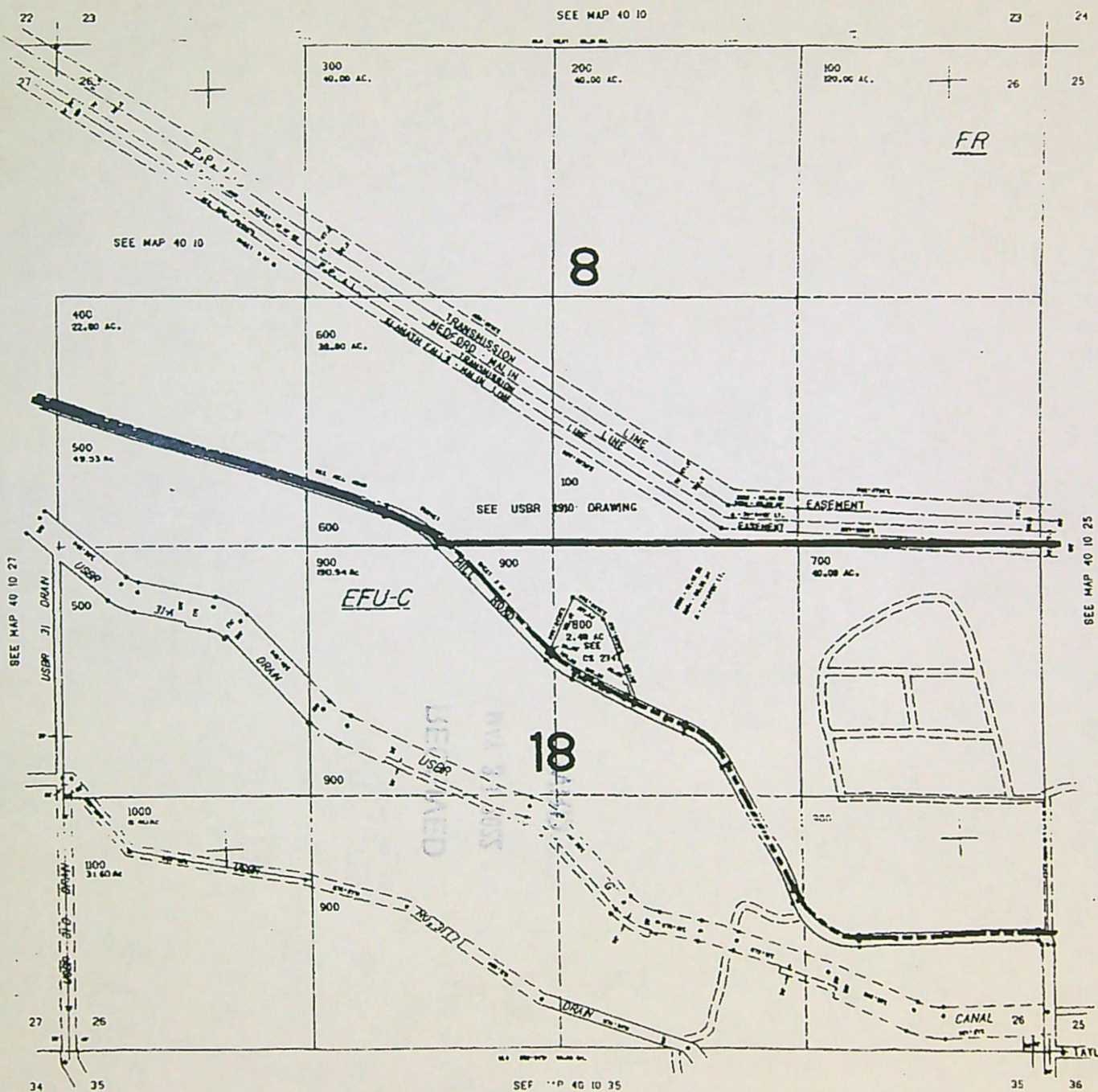
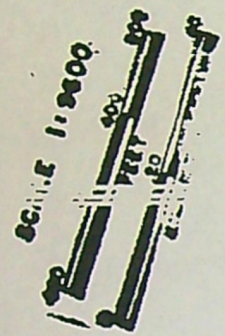
*John Connelly* DATE 9-14-01 WWC # 693

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

# KLAMATH COUNTY

1-400

40 10 26



KLAM 52932

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

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MAY 31 2022

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State of Oregon )  
 ) ss  
 County of Klamath )

I, Gregory Drew Heaton, in my capacity as owner,  
 mailing address PO Box 210, Merrill, OR 97633  
 telephone number (541) 891-9864, being first duly sworn depose and say:

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

- Personal observation       Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # \_\_\_\_\_; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
6-18391	41 S	11 E		15	NENW		13.1
					NWNW		16.1
					SWNW		40.0
					SENW		39.1
					NWSW		5.5
					NESW		4.5

OR

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

(continues on reverse side)

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

[Signature]  
Signature of Affiant

5/25/2022  
Date

Signed and sworn to (or affirmed) before me this 25 day of May, 2022

State: Oregon  
County: Klamath

[Signature]  
Notary Public for Oregon



My Commission Expires: Sept. 9, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph  <p style="text-align: center;"><b>RECEIVED</b> <b>MAY 31 2022</b> <b>OWRD</b></p>	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos:            OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>            OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>            Google Earth – <a href="http://earth.google.com">earth.google.com</a>            TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



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Search

Identify Non-Water Right Features

Tax Lots

**Identify Tax Lots**      [OR Map](#)

Off  
 On

County:                    Klamath  
Taxlot:                    R-4111-01500-00800-000  
Owner1:                  HEATON GREGORY DREW & MELISSA A  
Owner2:  
Owner Address:        PO BOX 210, MERRILL, OR 97633  
Site Address:            N/A, N/A  
Acres:                    119.4  
TRSQQ:                  WM0.0050.00E0XXXX  
Effective Date:        May 1, 2021

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

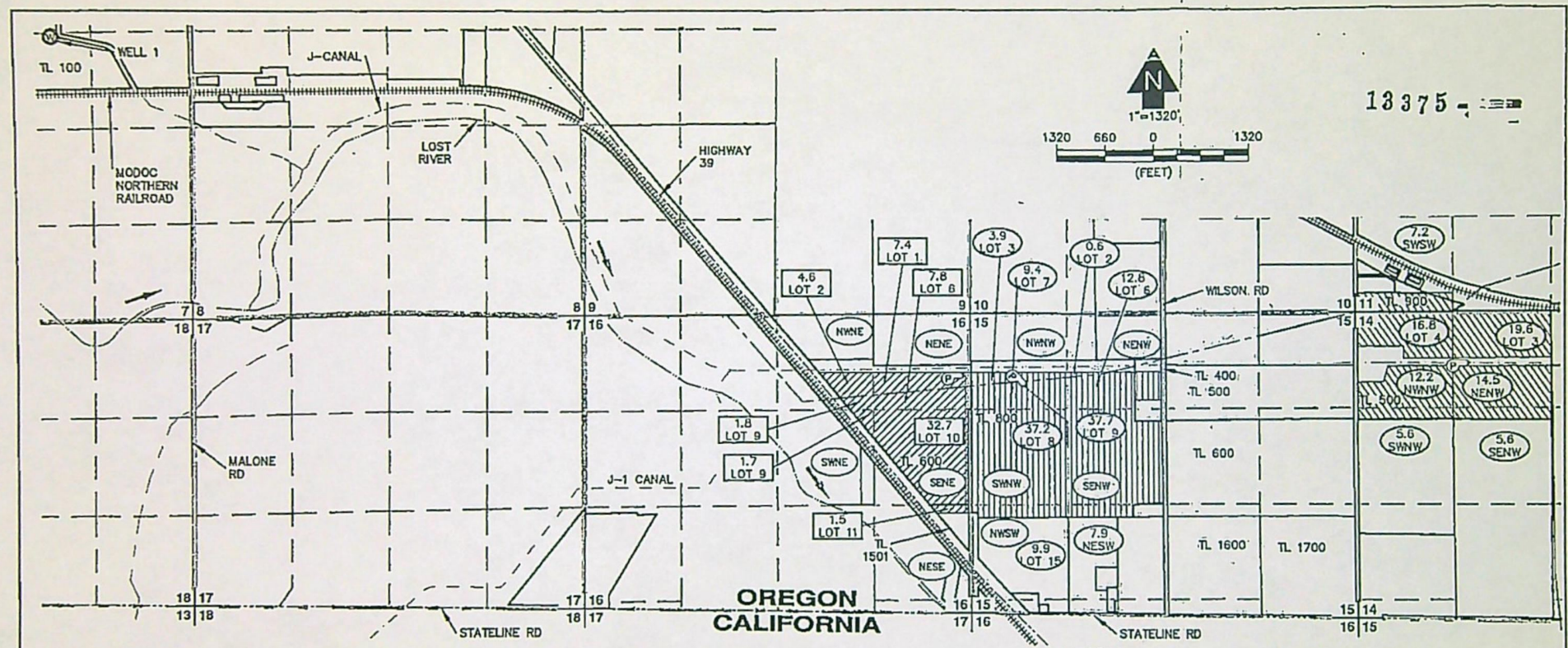
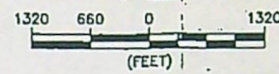
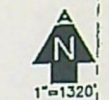
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**OWRD**

Layers

Tools



13375



OREGON  
CALIFORNIA

**LEGEND**

TOWNSHIP LINE	LANDS TO BE ASSIGNED MAP ID "A"
SECTION LINE	LANDS TO NOT BE ASSIGNED MAP ID "B"
1/4 1/4 LINE	LANDS TO NOT BE ASSIGNED MAP ID "C"
TAX LOT LINE	LANDS TO NOT BE ASSIGNED MAP ID "D"
GLO MEANDER LINE	LANDS TO NOT BE ASSIGNED 1/4 1/4 SECTION
RIVER	1/4 1/4 SECTION
ROAD	LANDS TO NOT BE ASSIGNED GOVERNMENT LOT NUMBER
CANAL	LANDS TO BE ASSIGNED GOVERNMENT LOT NUMBER
RAILROAD	
MAINLINE	
SECTION CORNER	
TL 0000 TAX LOT NUMBER	
POA (WELL)	

**NOTES**

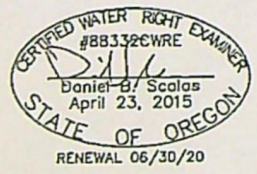
1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, 2018 NAIP AERIAL IMAGERY, AND KLAMATH COUNTY TAX MAPS 41-11-11, 41-11-14, 41-11-15, & 41-11-16.
2. THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.
3. DATE OF PRIORITY FOR THIS PERMIT IS MARCH 1, 2005.
4. THE RATE TO BE ASSIGNED IS 0.72 CFS, THE DUTY TO BE ASSIGNED IS 172.5 ACRE-FEET DURING THE IRRIGATION SEASON OF EACH YEAR.

**WELL TIES**

WELL 1: 1360' SOUTH & 1880' WEST FROM THE NORTHEAST CORNER OF SECTION 7.

**SPLIT-A-PERMIT**  
FOR

MLM PROPERTY LLC  
T41S, R11E, SECS. 7, 11, 14, 15, & 16, W.M.  
KLAMATH COUNTY, OREGON  
PERMIT No. G-18156  
APPLICATION No. G-16400



**ADKINS**  
ENGINEERING & SURVEYING  
1435 ESPLANADE AVENUE, KLAMATH FALLS, OR 97601  
SERVING S. OREGON & N. CALIFORNIA  
ENGINEERING • SURVEYING • PLANNING • TESTING

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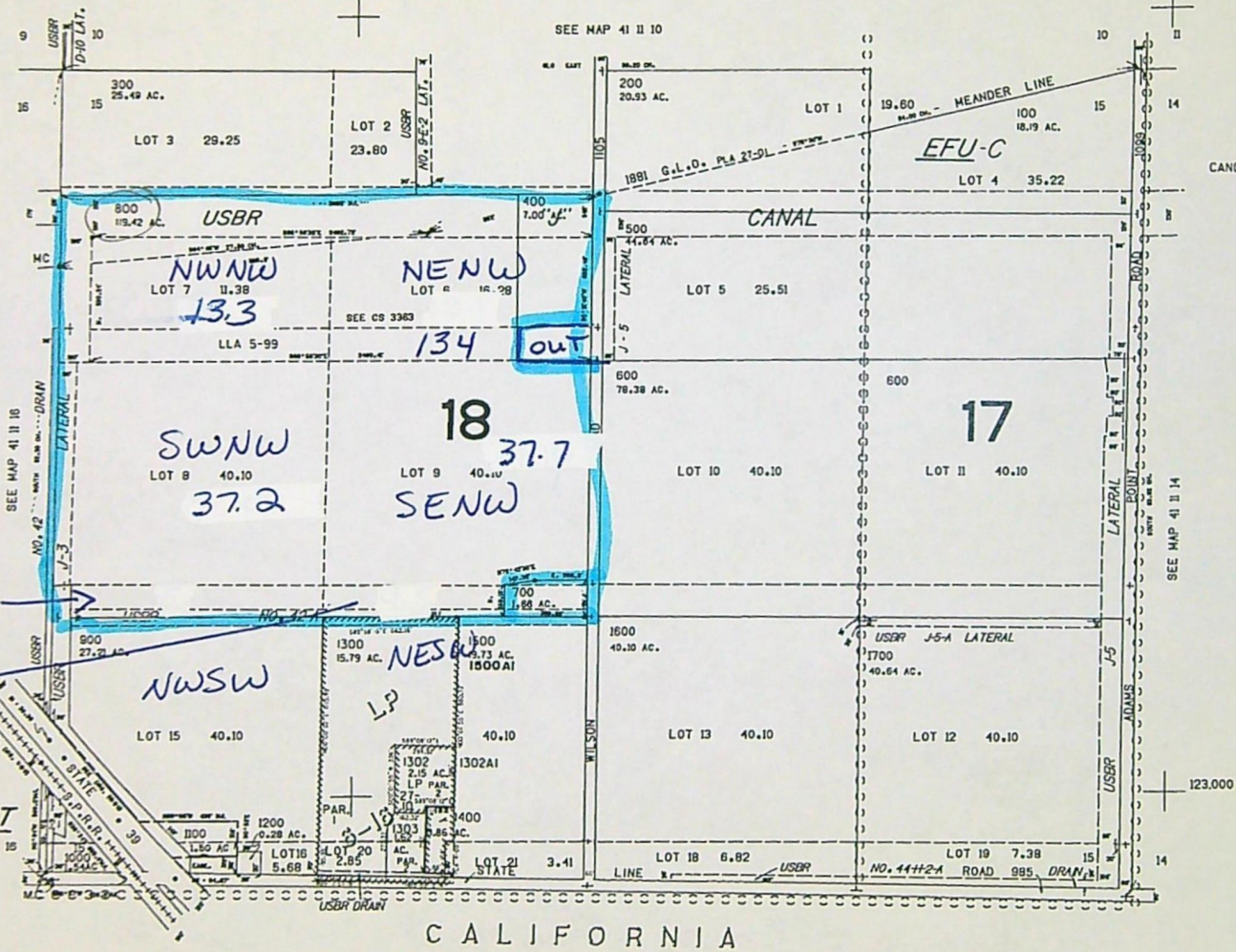
REVISED 12-06-2016  
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 15 T.41S. R.IIE. W.M.  
KLAMATH COUNTY  
1" = 400'

Pg 1 of 7  
41 II 15 Created  
05/19/2022

**FROM -G-18391**

THIS RIIIE  
SEC 15  
Tax Lot 800  
119.4 A



CANCELLED NO.  
1500A1  
1302A1

NWSW 9.9 A  
NESW 7.9A

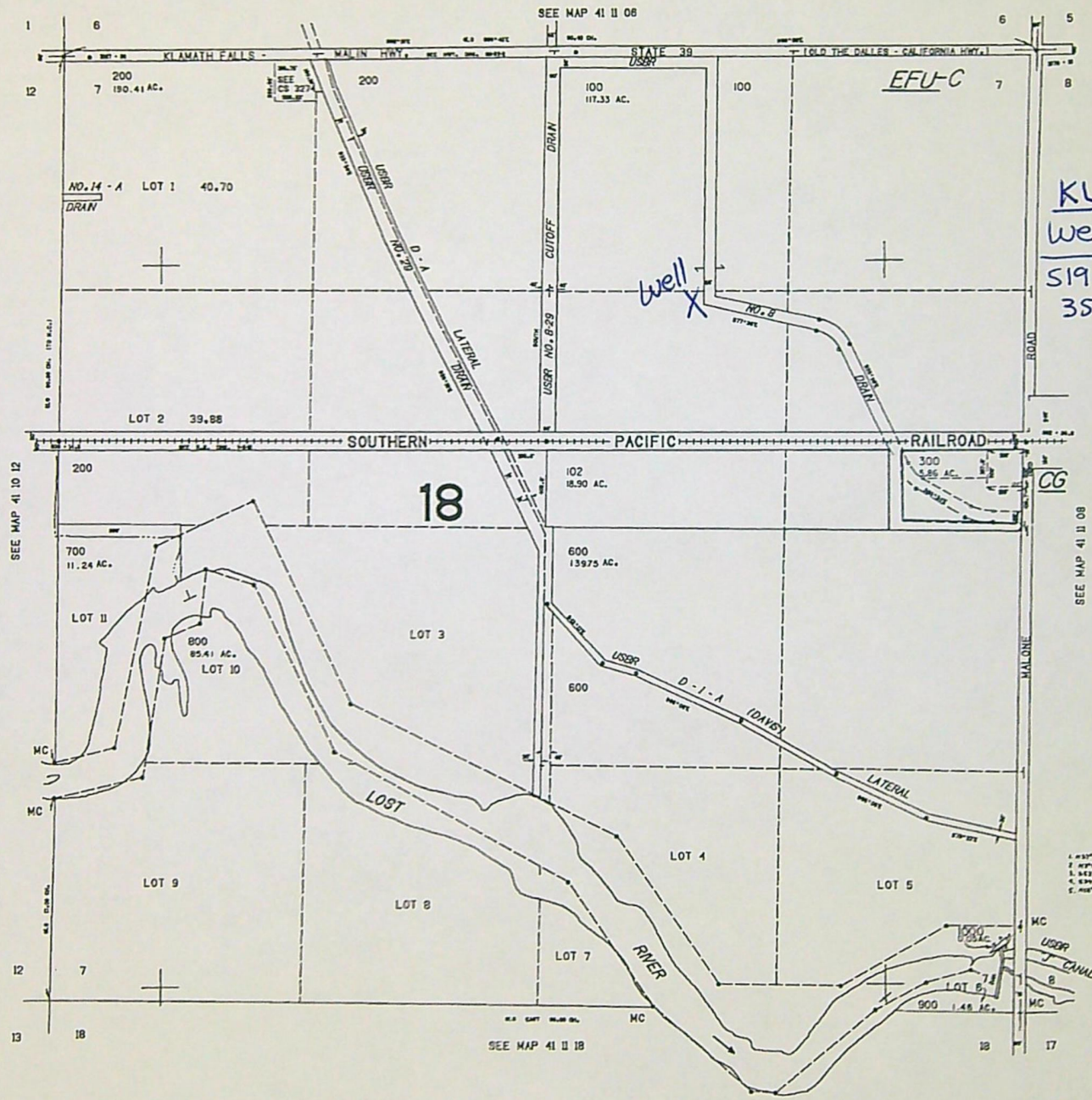
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MAY 31 2022  
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REVISED 06-01-2021  
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 07 T.41S. R.11E. W.M.  
KLAMATH COUNTY

1" = 400'

THIS R11E  
SEC 07



CANCELLED NO.  
101  
400  
500

POA #  
KLAM 53043  
Well Location  
519.8' West  
35.0' South of  
NE 1/4 sec 7

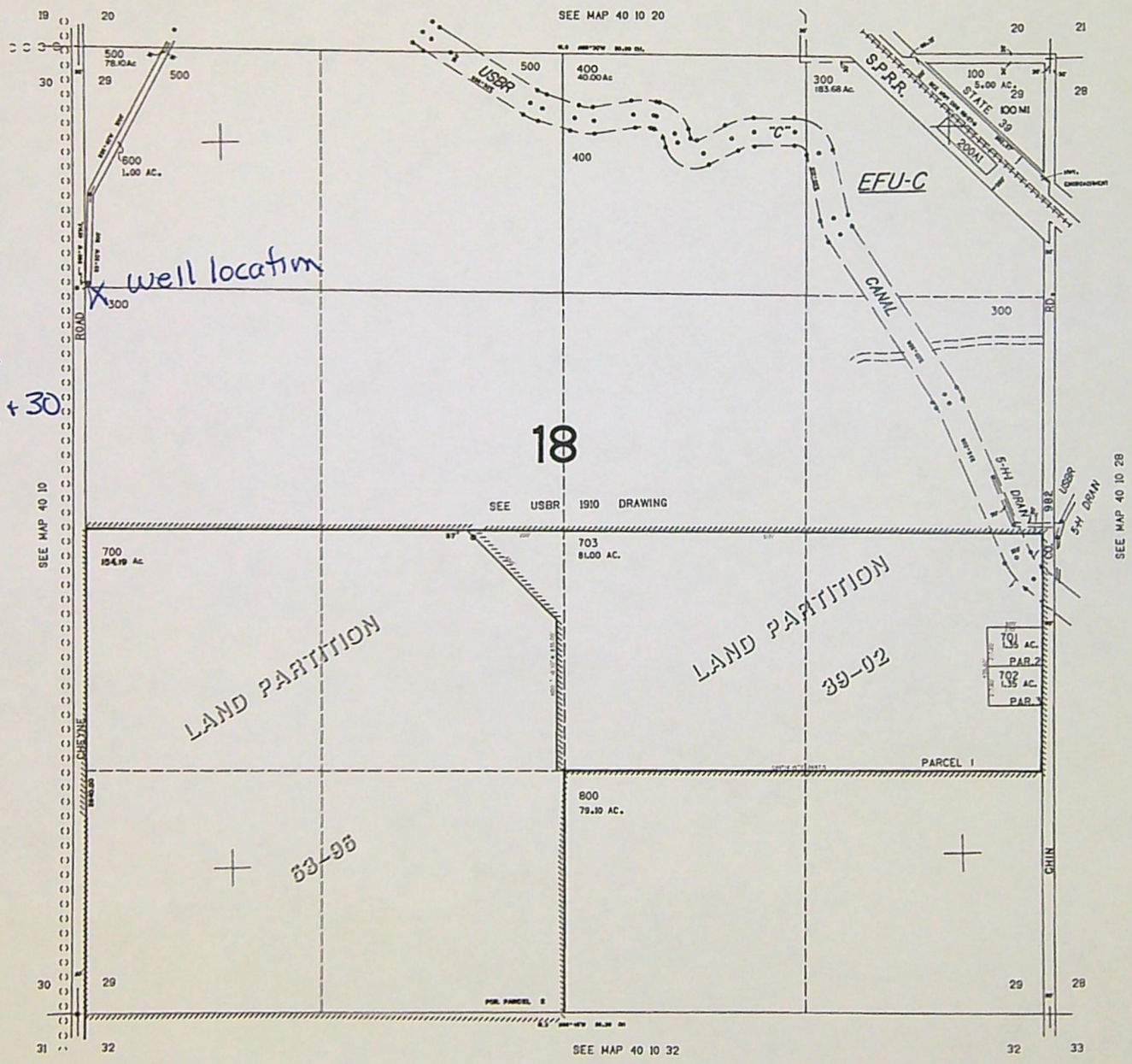
Scale  
1" = 880'

RECEIVED  
MAY 31 2022  
OWRD

THIS MAP WAS PREPARED FOR  
 ASSESSMENT PURPOSE ONLY

SECTION 29 T.40S. R.10E. W.M.  
 KLAMATH COUNTY  
 1"=400'

T40S R10E  
 SEC. 29  
 POA #2  
 KLAM 10518  
 well location  
 111.0' East  
 80' South of  
 the 1/4 1/4 Sec 29 + 30



Scale  
 1" = 880'

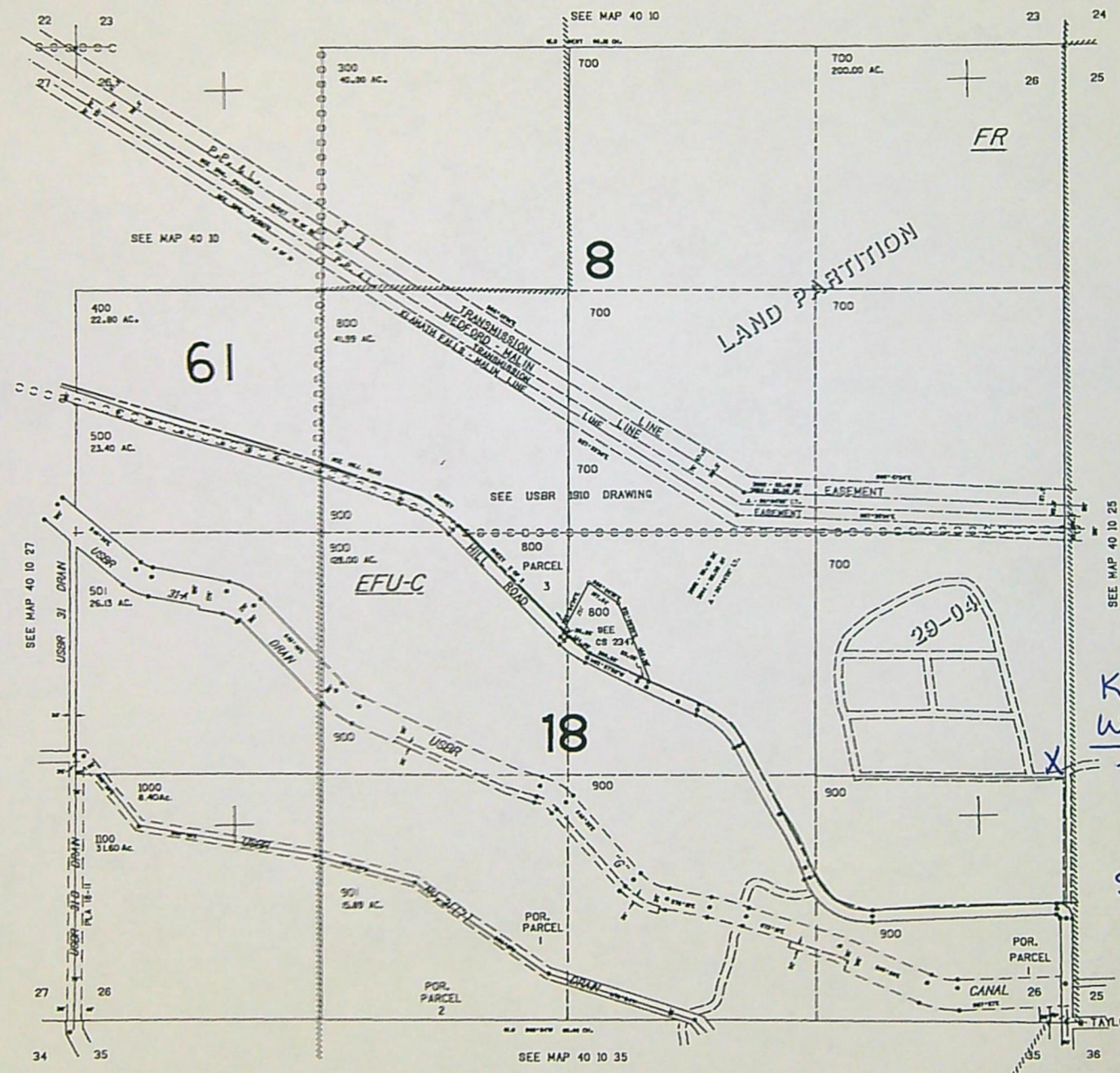
144.000 RECEIVED  
 MAY 31 2022  
 OWRD

SECTION 26 T.40S. R.10E. W.M.  
 KLAMATH COUNTY

REVISED 04-14-15  
 THIS MAP WAS PREPARED FOR  
 ASSESSMENT PURPOSE ONLY

1"=400'

↑  
 NORTH  
 T40S R10E  
 Sec 26



CANCELLED NO.  
 100  
 200  
 600

POA #3  
 Klam 52932  
 Well Location  
 70.6' N +  
 144.000  
 26' W of the  
 SE 1/4 1/4 of Sec  
 25 & 26  
**RECEIVED**  
 MAY 31 2022

Scale  
 1" = 880'

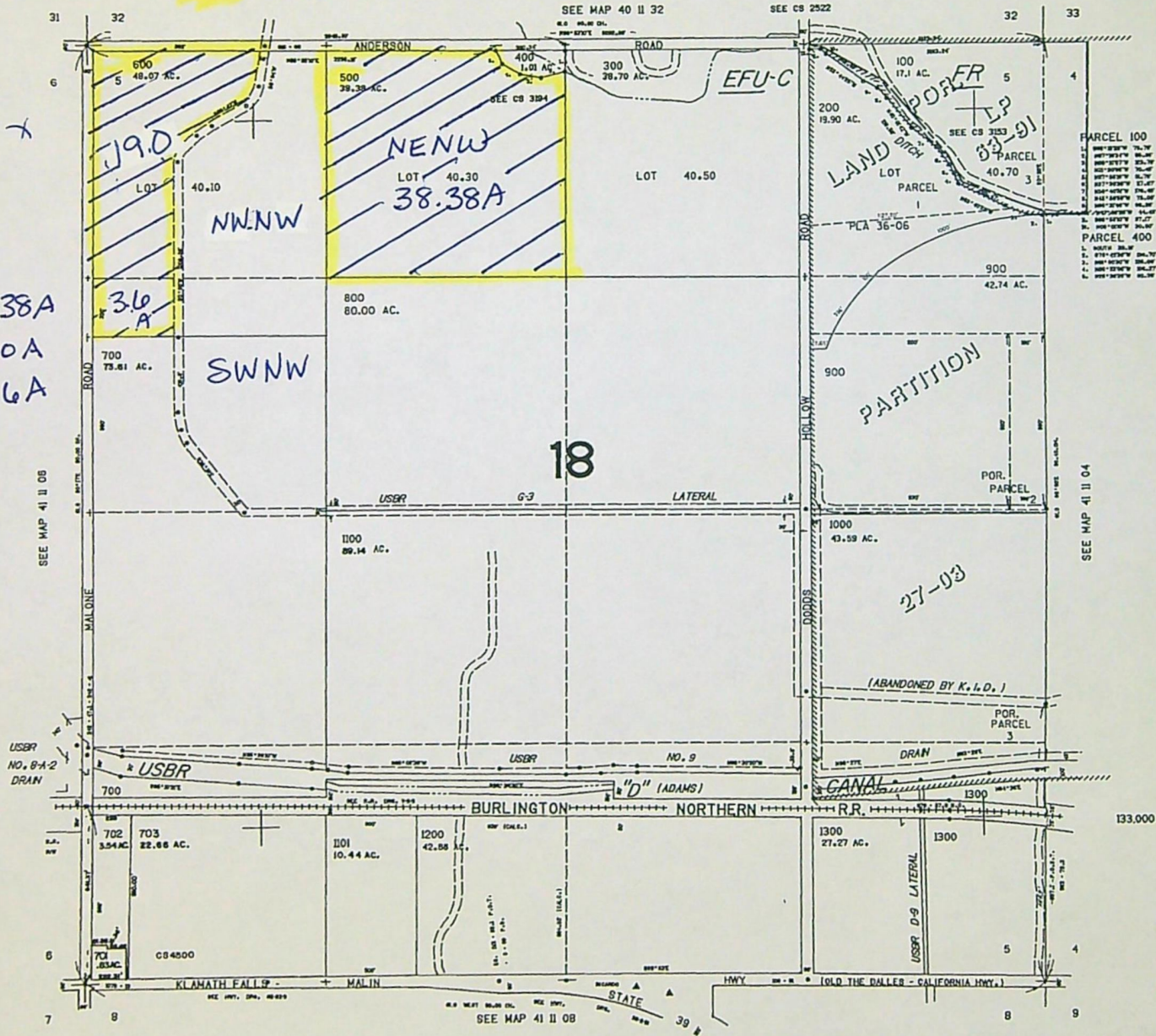
40 10 26  
**OWRD**

REVISED 05-07-18  
 THIS MAP WAS PREPARED FOR  
 ASSESSMENT PURPOSE ONLY

SECTION 05 T.41S. R.11E. W.M.  
 KLAMATH COUNTY  
 1" = 400'

TO LANDS

NORTH  
 T41S R11E  
 SEC. 05  
 Tax LOT  
 500 = NENW - 38.38A  
 600 = NWNW - 19.0A  
 SWNW - 3.6A



Scale  
 1" = 880'

RECEIVED  
 MAY 31 2022  
 OWRD

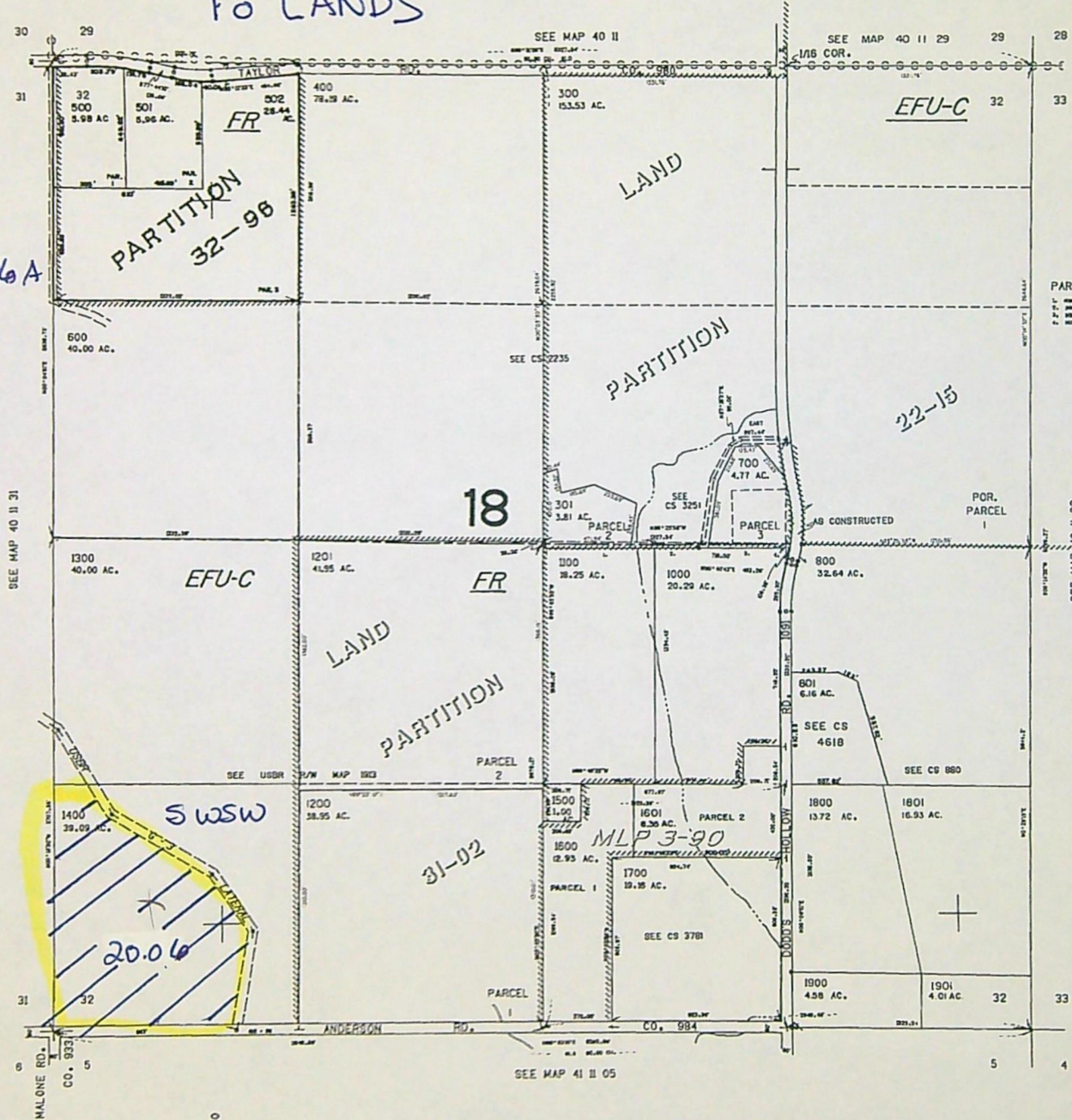
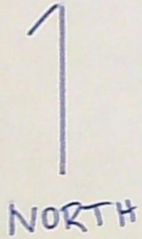
REVISED 05-03-2017  
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 32 T.40S. R.IIE. W.M.  
KLAMATH COUNTY  
1" = 400'

Pg 6 of 7  
40 11 32 Created  
05/19/2022

To LANDS

T40S R11E  
SEC 32  
Tax Lot  
1400-SWSW - 20.06A



Scale  
1" = 880'

138,000  
RECEIVED  
MAY 31 2022  
OWRD

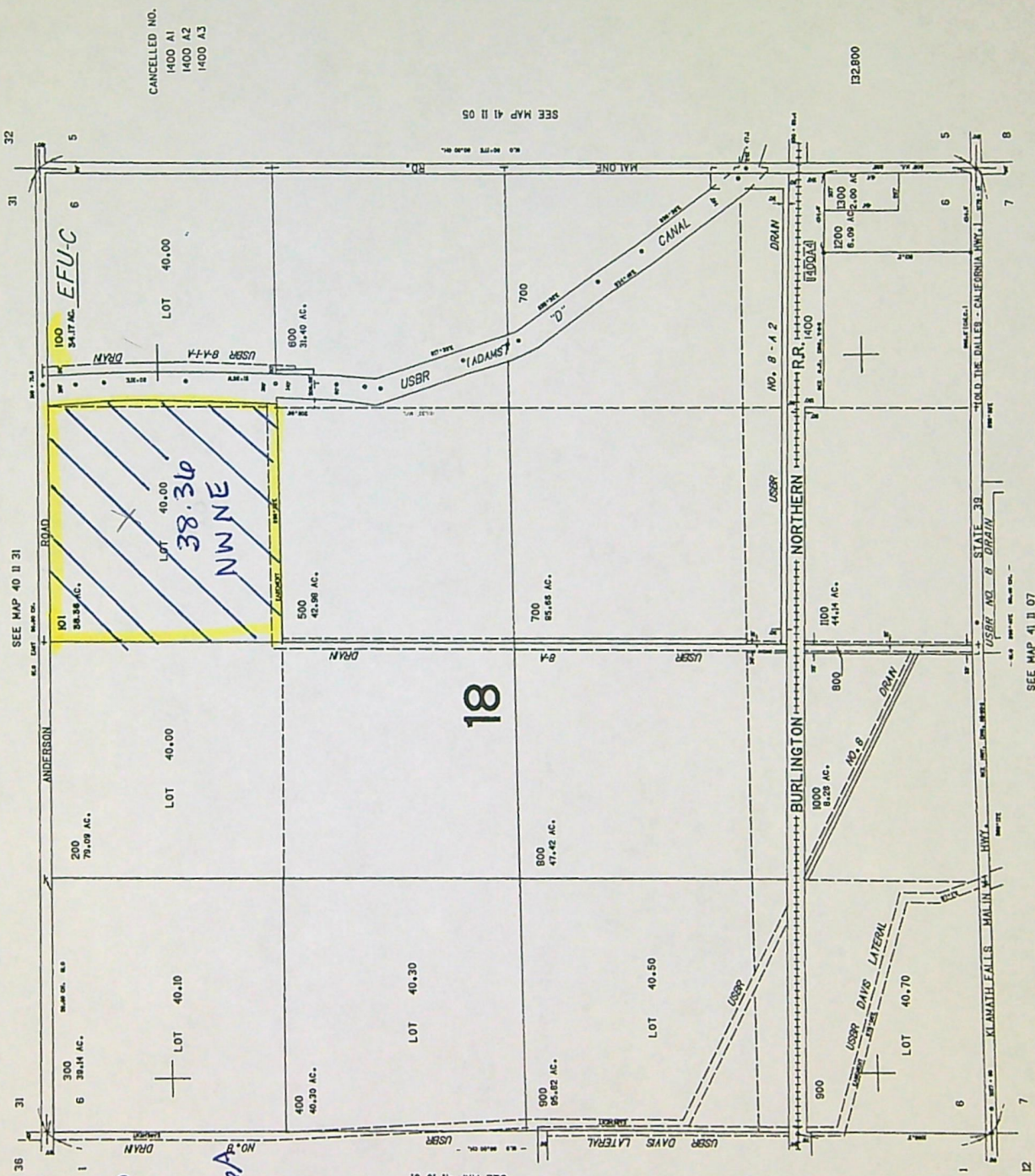


Pg 1 of 2  
 4/11/06 Created  
 5/19/2022

RECEIVED  
 MAY 31 2022  
 OWRD  
 4/11/06

SECTION 06 T.41S. R.11E. W.M.  
 KLAMATH COUNTY  
 1" = 400'

REVISED 10-20-2021  
 THIS MAP WAS PREPARED FOR  
 ASSESSMENT PURPOSE ONLY



NORTH  
 THIS R11E SEC 6  
 Tax Lot  
 101 - NWNE 38.36A

Scale  
 1" = 880'

Regular Temporary Water Right Transfer Application Checklist

Checked by Joan

Date 6/2/22 T-14023

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

Drought Temp.

POA/POU

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

If OK, check box to left; if not, fill in the blank)

- 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
- 2. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
- 4. Are all listed certificates shown by WRIS as non-cancelled?  
If not; which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A  Form D needed from \_\_\_\_\_ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.