

# Permit Amendment

# RA

Name MLM Property LLC  
c/o Mike McKeen  
 Address P.O. Box 195  
Merrill, OR 97633

### DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well  
 Trib. of Dodds Hollow Basin ; Lost River Basin

FEES PAID		
Date	Amount	Receipt #
6-15-2022	\$1840.00	138426
6-15-2022	\$125.00	138427
7-14-2022	\$1,005.33	1386661

Change in POA  
 Date Filed 6-15-2022  
 Initial notice date 6-28-2022  
 DPD issued date \_\_\_\_\_  
 PD issued date \_\_\_\_\_  
 PD notice date \_\_\_\_\_  
 Date of FO 5/26/2023 Vol 178 Page 420-422

Use Supplemental Irrigation County Klamath  
 Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch			
App#	Per #	Cert #	PR Date
<u>G-116400</u>	<u>G-18390</u>	<u>---</u>	<u>3/1/2005</u>
App#	Per #	Cert #	PR Date
App#	Per #	Cert #	PR Date
App#	Per #	Cert #	PR Date

FEES REFUNDED		
Date	Amount	Receipt #

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

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

Irrigation District Klamath Irrigation District ; Tulelake Irrigation District

Agent Adkins Engineering & Surveying LP - dscalas@adkinsengineering.com

CWRE \_\_\_\_\_  
 CC's list Klamath County

- Oversized map - Location \_\_\_\_\_

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MLM PROPERTY, LLC  
PO BOX 195  
MERRILL, OR 97633

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a Split a Permit, approved on April 7, 2021; and a Permit Amendment approved by Special Order Volume 128, Page 420, entered on MAY 26 2023. This permit supersedes Permit G-18390.

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

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 3 (KLAM 57387) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 57.5 ACRES

MAXIMUM RATE: 0.72 CUBIC FOOT PER SECOND (CFS); BEING 0.72 CFS FOR SUPPLEMENTAL IRRIGATION ON 57.5 ACRES AND 0.71 CFS FOR SUPPLEMENTAL IRRIGATION ON 56.65 ACRES

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 1, 2005

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	11 E	WM	16	NE SE	WELL 3 - 1240 FEET NORTH AND 30 FEET WEST FROM THE SE CORNER OF SECTION 16

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	16	NE NE	1	7.4
41 S	11 E	WM	16	NE NE	6	7.8
41 S	11 E	WM	16	NW NE	2	4.6
41 S	11 E	WM	16	NW NE	9	1.8
41 S	11 E	WM	16	SW NE	9	1.7
41 S	11 E	WM	16	SE NE	10	32.7
41 S	11 E	WM	16	NE SE	11	1.5
Total						57.5

**Permit Amendment T-14033 Conditions:**

The quantity of water diverted at the new point of appropriation (Well 3) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
- 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.

Water shall be acquired from the same aquifer as the original points of appropriation.

**Extension of Time Conditions:**

**Checkpoint Condition**

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

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**Original Permit Conditions:**

**Measurement, recording and reporting conditions:**

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

**Limited Water Level Decline/Interference Condition**

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

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

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

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

- A. Identify each well with its associated measurement; and

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

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

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

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

#### STANDARD CONDITIONS

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

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

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

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

user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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

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

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

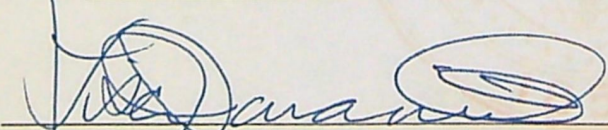
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

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

Issued     **MAY 26 2023**    



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

STATE OF OREGON

COUNTY OF KLAMATH

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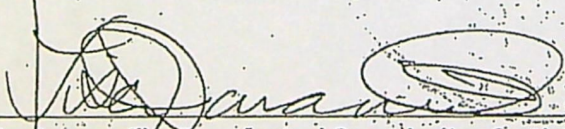
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Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued MAY 26 2023

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



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 30, 2023

MLM PROPERTY LLC  
PO BOX 195  
MERRILL, OR 97633

REFERENCE: Permit Amendment Application T-14033

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

Also enclosed is a superseding permit that incorporates the amendments approved by the final order contained herein. Please read this document and abide by the requirements.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Stacy Phillips by telephone at (503) 979-3511 or by e-mail at [Stacy.H.Phillips@water.oregon.gov](mailto:Stacy.H.Phillips@water.oregon.gov).

Sincerely,

Flor Pena  
Water Rights Services Support  
Transfers and Conservation Section

cc: Danette M. Watson, Watermaster Dist. # 17 (via email)  
Adkins Engineering And Surveying, Agent  
Klamath Falls

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit Amendment                    )     FINAL ORDER APPROVING A CHANGE IN  
T-14033, Klamath County                                )     POINT OF APPROPRIATION

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

MLM PROPERTY LLC  
PO BOX 195  
MERRILL, OR 97633

**Findings of Fact**

1. On June 15, 2022, MLM PROPERTY LLC filed an application to change a point of appropriation under Permit G-18390. The Department assigned the application number T-14033.
2. On July 26, 2019, the Department approved an extension of time for complete application of water to October 1, 2024.
3. On April 7, 2021, the Department approved an assignment of a water right permit and issuance of replacement water right permits under Split a Permit Application T-13375.
4. On May 26, 2021, the Department approved an emergency use drought temporary change in points of appropriation under transfer T-13681.
5. On August 16, 2022, the Department approved an emergency use drought temporary change in points of appropriation under transfer T-13988.
6. Notice of the application for the permit amendment was published in the Department's weekly notice on June 28, 2022, and in the Klamath Herald and News newspaper on May 3 and 10, 2023, pursuant to ORS 540.520(5).

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

7. Permit Amendment Application T-14033 proposes to move the authorized points of appropriation with approximate distances from the existing points as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from Authorized POA
41 S	11 E	WM	16	NE SE	1240 FEET NORTH AND 30 FEET WEST FROM SE CORNER OF SECTION 16	Well 1 – 2.7 Miles Well 2 – 9.1 Miles

**Permit Amendment Review Criteria**

- 8. The change would not result in injury to other water rights.
- 9. The change does not enlarge the permit.
- 10. The change does not alter any other terms of the permit.

**Conclusions of Law**

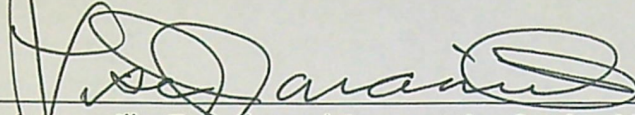
The change in point of appropriation proposed by Permit Amendment Application T-14033 is consistent with the requirements of ORS 537.211.

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

- 1. The change in point of appropriation proposed by Permit Amendment Application T-14033 is approved.
- 2. Permit G-18839, in the name of MLM PROPERTY LLC, is issued to replace Permit G-18390, and incorporates the amendments approved by this order, assignments, and the extension of time. Permit G-18390, in the name of MLM PROPERTY LLC, is no longer of any force or effect.
- 3. The quantity of water diverted at the new point of appropriation (Well 3) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1 and Well 2).
- 4. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - 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.
- 5. Water shall be acquired from the same aquifer as the original points of appropriation.

6. All other terms and conditions of Permit G-18839 remain the same.

Dated in Salem, Oregon on MAY 26 2023.



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

**MAY 30 2023**

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

**PERMIT AMENDMENT COVER SHEET**

Transfer: T-14033

Permit Amendment Specialist:

Transfer Type: Permit Amendment Transfer

Reimbursement Authority?

<b>Applicant:</b> MLM PROPERTY LLC PO BOX 195 MERRILL, OR 97633	<b>Agent:</b>	<b>CWRE:</b>
<b>Irrigation District:</b>	<b>Affected Local Gov'ts:</b> Klamath County Planning Department	<b>Affected Tribal Gov't:</b>
<b>BOR Notified (date):</b>		

**Permit(s) Affected**

File Marked	App. File # or Decree Name	Permit Number	Superseding Permit Number
<input type="checkbox"/>	G16400	G18390	
<input type="checkbox"/>			
<input type="checkbox"/>			

**Key Dates & Initial Actions (Support Staff)**

Rec'd: June 15, 2022	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 1840.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 14 Klamath
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: KLAMATH
WM District: 17 Danette M. Watson	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

**Caseworker Actions: Newspaper Notice and other:**

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:		
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):		
Request for news \$ sent:	News \$ received:		
Affidavit of publication received:	Last day of publication:		
Extension of Time? <input type="checkbox"/>	Assignment? <input type="checkbox"/>	Previous Permit Amendments? <input type="checkbox"/>	WMCP? <input type="checkbox"/>

**Peer Review:**

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/> No. of docs for sig: _____	Date: _____

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

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_



Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14033

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: 3125 Crosby Ave

City/State/Zip: Klamath Falls, OR 97603

Phone: 541-883-4182

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

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Permit Amendment )  
T-14033, Klamath County ) FINAL ORDER APPROVING A CHANGE IN  
POINT OF APPROPRIATION

**Authority**

Oregon Revised Statute (ORS) 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

MLM PROPERTY LLC  
PO BOX 195  
MERRILL, OR 97633

**Findings of Fact**

1. On June 15, 2022, MLM PROPERTY LLC filed an application to change a point of appropriation under Permit G-18390. The Department assigned the application number T-14033.
2. On July 26, 2019, the Department approved an extension of time for complete application of water to October 1, 2024.
3. *SAP* On April 7, 2021, the Department approved a split a permit final order on assignment of a water right permit and issuance of replacement water right permits under transfer T-13375. *next time*
4. On May 26, 2021, the Department approved an emergency use drought temporary change in points of appropriation under transfer T-13681.
5. On August 16, 2022, the Department approved an emergency use drought temporary change in points of appropriation under transfer T-13988. *over 1/4 mile or 1300 Feet*
6. Notice of the application for the permit amendment was published in the Department's weekly notice on June 28, 2022, and in the Herald and News newspaper on \_\_\_\_\_, 2023, pursuant to ORS 540.520(5). *How do I determine if this is necessary??*

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-0005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

No clue if this is correct  
I pulled it from  
T-13988

with distance approximate distances  
from the existing points as follows:

7. Permit Amendment Application T-14033 proposes to move the authorized points of appropriation approximately 2.0 miles North of Well 1, and 2.0 miles South of Well 2 to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Auth POA
41 S	11 E	WM	16	NE SE	1240 FEET NORTH AND 30 FEET WEST FROM SE CORNER OF SECTION 16	Well 1 - 2.7 miles Well 2 - 9.1 miles

**Permit Amendment Review Criteria**

Well 3 - new description

- 8. The change would not result in injury to other water rights.
- 9. The change does not enlarge the permit.
- 10. The change does not alter any other terms of the permit.

**Conclusions of Law**

The change in point of appropriation proposed by Permit Amendment Application T-14033 is consistent with the requirements of ORS 537.211.

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

- 1. The change in point of appropriation proposed by Permit Amendment Application T-14033 is approved.
- 2. Permit G-18839, in the name of MLM PROPERTY LLC, is issued to replace Permit G-18390, and incorporates the amendments approved by this order and the extension of time. Permit G-18390, in the name of MLM PROPERTY LLC, is no longer of any force or effect.

assignments

3. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation. (WELL 1 & WELL 2)

(WELL 3)

- 4. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - 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.

5. Water shall be acquired from the same aquifer as the original points of appropriation.

6. All other terms and conditions of Permit G-18839 remain the same.

Dated in Salem, Oregon on \_\_\_\_\_.

---

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

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

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MLM PROPERTY, LLC  
PO BOX 195  
MERRILL, OR 97633

*assigned*

*assignment*

This permit is issued to describe an extension of time for complete application of water approved July 26, 2019; a Split a Permit, approved on April 7, 2021; a partial assignment of the Permit confirmed on June 8, 2022; and a Permit Amendment approved by Special Order Volume 127, Page \_\_\_\_\_, entered on \_\_\_\_\_. This permit supersedes Permit G-18390.

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

APPLICATION FILE NUMBER: G-16400

SOURCE OF WATER: WELL 3 (KLAM 57387) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION USE ON 57.5 ACRES

MAXIMUM RATE: 0.72 CUBIC FOOT PER SECOND (CFS) FOR SUPPLEMENTAL IRRIGATION ON 57.5 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	11 E	WM	16	NE SE	1240 FEET NORTH AND 30 FEET WEST FROM SE CORNER OF SECTION 16

*centered*

*THE*

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:

*next page*

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	11 E	WM	16	NE NE	1	7.4
41 S	11 E	WM	16	NE NE	6	7.8
41 S	11 E	WM	16	NW NE	2	4.6
41 S	11 E	WM	16	NW NE	9	1.8
41 S	11 E	WM	16	SW NE	9	1.7
41 S	11 E	WM	16	SE NE	10	32.7
41 S	11 E	WM	16	NE SE	11	1.5
Total						57.5

**Permit Amendment Conditions:**

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
- 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.

Water shall be acquired from the same aquifer as the original points of appropriation.

**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:**

T-14033

(WELL 3)

(WELL 1 & WELL 2)

SAP?

next line

Measurement, recording and reporting conditions:

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

**Limited Water Level Decline/Interference Condition**

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

**After Use of Water has Begun**

Seven Consecutive Annual Measurements

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

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

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

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

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

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

#### STANDARD CONDITIONS

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

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

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

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



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

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

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

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

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

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

(Handwritten initials)

(Handwritten stars)

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

Issued \_\_\_\_\_

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

# 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-14033

Review Due Date: 07/22/2022

Applicant Name: MLM Properties LLC

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Michelle Angell For Watermaster District #17

Date of Review: 07/05/2022

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

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: \_\_\_\_\_

# Groundwater Transfer Review Summary Form

Transfer/PA # T- 14033

GW Reviewer M. Thoma Date Review Completed: 11/21/2022

## 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

Application: T-14033

Applicant Name: MLM Properties

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

Reviewer(s): M. Thoma

Date of Review: 11/21/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 11/22/22

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 applicant proposed to change the POA on Permit G-18390 from two wells (KLAM 53043 and KLAM 10518) to a different, existing well, KLAM 57387.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?  
 Yes     No    Comments: The two authorized POAs and the proposed new POA are all producing from the same aquifer system which is the Miocene volcanic flow deposits (commonly referred to as "the basalts") that underly the valley floor sediments.
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 appropriation under Permit G-18390 to a well that is near a separate set of wells that would not have been impacted by the original wells  
 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: the likely interference caused by the transfer will not cause substantial or undue interference to wells in the area that are reasonably efficient and fully penetrate the aquifer.

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 significantly change the impacts on nearby surface water sources, namely the Lost River, because the river has been substantially altered from natural conditions for the purpose of the Klamath Project and, as such, there are no surface water rights on the Lost River in the area of either the current or proposed POAs.

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?

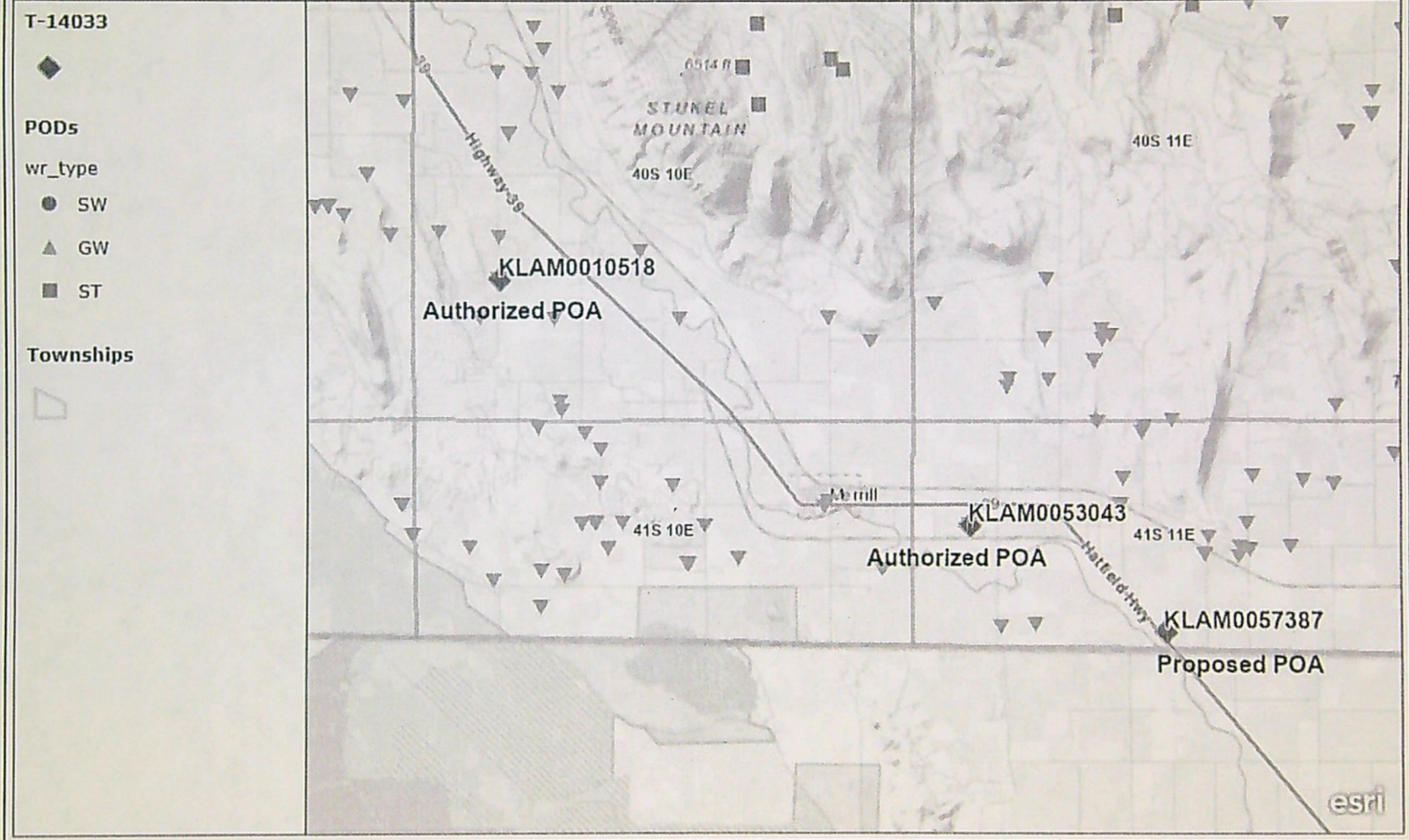
Yes  No Comments: NA

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

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



### Application Review Map 2022



RECEIVED

JUN 15 2022

Application for Permit Amendment OWRD 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 permit amendment 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.

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

- Part 1 – Completed Minimum Requirements Checklist.
Part 2 – Completed Application Map Checklist.
Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd\_fee\_calculator.
Part 4 – Completed Applicant Information and Signature.
Part 5 – Information about Permits to be Amended: Number of permits to be amended: 1 List the Permits here: G-18390 Please include a separate Part 5 for each permit. (See instructions on page 6)
Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is not the permit holder of record and needs to be assigned to the permit; or the landowner of the proposed place of use is not the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at https://www.oregon.gov/OWRD/Forms/Pages/default.aspx). Assignment is not needed if the applicant is the permit holder of record.
Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant or other permit holders of record that are not listed as applicants.
Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(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: 503- Date:

## Part 2 of 5 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If more than three permits are involved, separate maps for each permit.
- 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), 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°).

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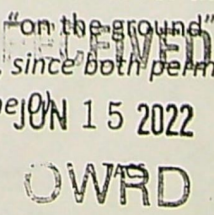
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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$0
	Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> <i>If only one permit this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed \$480 <u>(4a)</u>  Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 \$0 <u>(4b)</u>		
4	Add line 4a to line 4b and enter »	4	\$480
	Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see below*): _____ <u>(5a)</u> Subtract 1.0 from the number in 5a above: _____ <u>(5b)</u> If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ <u>(5c)</u> and multiply 5c by \$350, then enter on line 5 »		
5		5	\$0
6	Add entries on lines 1 through 5 above » Subtotal:	6	\$1,840
	Is this permit amendment: <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 6 by 0.5 and enter on line 7		
7	If no box is applicable, enter 0 on line 7 »	7	\$0
8	Subtract line 7 from line 6 » <b>Permit Amendment Fee:</b>	8	\$1,840

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each permit involved as follows:
  - a. Divide total authorized cfs by total acres in the permit (for S-12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be changed to get the application cfs ( $\times 45 \text{ ac} = 0.56 \text{ cfs}$ ).
  - b. If the water right permit 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 S-87654,  $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$ )
2. Add cfs for the portions of permits on all the land included in the application; however do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land. The fee should be assessed only once for each "on the ground" acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0.)



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>MLM Property LLC – Mike McKoen</b>			PHONE NO. 541-205-1191	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 195				FAX NO.
CITY MERRILL	STATE OR	ZIP 97633	E-MAIL	
<b>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.</b>				

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

AGENT/BUSINESS NAME ADKINS ENGINEERING & SURVEYING, LLP			PHONE NO. 541-884-4666	ADDITIONAL CONTACT NO.
ADDRESS 1435 ESPLANADE AVE.				FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97601	E-MAIL DSCALAS@ADKINSENGINEERING.COM	
<b>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.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why: Currently, Well 1 (Authorized POA) is located approximately 2.2 miles northwest of the authorized place of use and Well 2 (Authorized POA) is located approximately 9.1 miles northwest of the authorized place of use. This permit amendment will move the point of appropriation to a well that is located on the water user's property and will be a more efficient source of water.

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

Is the applicant the permit holder of record?  Yes  No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), OR
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired?  Yes  No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? October 1, 2024

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Herald and News

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

*MLM Prop - Ty M*

*[Signature]*

Applicant Signature

*Mike McKoen President*

Print Name (and Title if applicable)

Date

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Part 5 of 5 – Water Use Permit Information

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

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PERMIT # G-18390

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

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit 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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	KLAM 53043	41	S	11	E	7	SW	NE	100	1360' South & 1860' West from NE Corner of Section 7
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	KLAM 10518	40	S	10	E	29	SW	NW	300	1420' South & 20' East from NW Corner of Section 29
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	KLAM 57387	41	S	11	E	16	NE	SE	1501	1240' North & 30' West from SE Corner of Section 16

2.7 miles  
9.11 miles

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Surface water POD to Ground Water POA (SW/GW)

Will all of the proposed changes affect the entire water use permit?

- 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 permit to be changed.

For a change in place of use:

Does the permit holder of record own or control the land TO which the place of use is being moved?

- Yes  No

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use?  Yes  No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use unless the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME Klamath Irrigation District	ADDRESS 6640 Kid Ln.	
CITY Klamath Falls	STATE OR	ZIP 97603

IRRIGATION DISTRICT NAME Tulelake Irrigation District	ADDRESS 2717 Havlina Rd.	
CITY Tulelake	STATE CA	CITY Tulelake

- Check here if water for any of the permits 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 or used.

ENTITY NAME <b>Klamath County</b>	ADDRESS <b>305 Main Street</b>	
CITY <b>Klamath Falls</b>	STATE <b>Oregon</b>	ZIP <b>97601</b>

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

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

**Table 2. Description of Changes to Water Use Permit # G-18390**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																						
2	S	9	E 15 NE NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E 15 NW NW	100	1	10.0	POD #5					
"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E 15 SW NW	200		5.0	POD #6					
									POA	41	S	11	E 16 NE NE	600	1	7.4	Well 2	2005				
									POA	41	S	11	E 16 NE NE	600	6	7.8	Well 2	2005				
									POA	41	S	11	E 16 NW NE	600	2	4.6	Well 2	2005				
									POA	41	S	11	E 16 NW NE	600	9	1.8	Well 2	2005				
									POA	41	S	11	E 16 SW NE	600	9	1.7	Well 2	2005				
									POA	41	S	11	E 16 SE NE	600	10	32.7	Well 2	2005				
									POA	41	S	11	E 16 NE SE	1501	11	1.5	Well 2	2005				
TOTAL ACRES									TOTAL ACRES						57.5							


Additional remarks: \_\_\_\_\_.

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

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

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

Well log(s) are attached 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 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

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

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

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Page 1 of 2

STATE OF OREGON

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

05-12-2010

WELL LABEL # L 92055

START CARD # 1009942

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

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

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

(4) PROPOSED USE  Domestic  Irrigation  Community  
 Industrial/ Commercial  Livestock  Dewatering  
 Thermal  Injection  Other \_\_\_\_\_

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

BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/ lbs
17.5	0	205	Bentonite	0	3	4	S
12	205	1,170	Cement	3	205	113	S
9.88	1,170	1,224					

How was seal placed: Method  A  B  C  D  E

Other BEN. POURED DRY

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_

Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_

Explosives used:  Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12		1	205	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe  Inside  Outside  Other Location of shoe(s) \_\_\_\_\_

Temp casing  Yes Dia \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

(7) PERFORATIONS/SCREENS

Perforations Method \_\_\_\_\_  
Screens Type \_\_\_\_\_ Material \_\_\_\_\_

Perf/S	Casing/	Screen	Dia	From	To	Scr/slot	Slot	# of	Tele/
creen	Liner	Liner				width	length	slots	pipe size

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

Pump  Bailor  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1,000		180	1

Temperature 74 °F Lab analysis  Yes By \_\_\_\_\_

Water quality concerns?  Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Klamath Twp 41.00 S N/S Range 11.00 E E/W WM  
Sec 16 NE 1/4 of the SE 1/4 Tax Lot 100  
Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address

HIGHWAY 39 AND STATE LINE RD.

(10) STATIC WATER LEVEL

Existing Well / Predeepening	Date	SWL(psi)	+ SWL(ft)
Completed Well	05-06-2010		46

Flowing Artesian?  Dry Hole?

WATER BEARING ZONES

Depth water was first found 184

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
04-26-2010	184	186	20		28
05-05-2010	1,161	1,221	1,500		46

(11) WELL LOG

Ground Elevation \_\_\_\_\_

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

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

(unbonded) Water Well Constructor Certification

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

License Number \_\_\_\_\_ Date \_\_\_\_\_

Electronically Filed

Signed \_\_\_\_\_

(bonded) Water Well Constructor Certification

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

License Number 1844 Date 05-12-2010

Electronically Filed

Signed COLTER CHANCELLOR (E-filed)

Contact Info (optional) \_\_\_\_\_

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.95

# KLAM 57387

WATER SUPPLY WELL REPORT - continuation page

KLAM 57387

WELL I.D. # L 92055

Page 2 of 2

05-12-2010

START CARD # 1009942

### (5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL			sacks/
Dia	From	To	Material	From	To	lbs

#### FILTER PACK

From	To	Material	Size

### (6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>		<input type="checkbox"/>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### (7) PERFORATIONS/SCREENS

Perf/S creen	Casing/ Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

#### Water Quality Concerns

From	To	Description	Amount	Units

### (10) STATIC WATER LEVEL

#### Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

### (11) WELL LOG

Material	From	To
Grey Clay	170	181
Light Brown Clay	181	184
White Claystone with Pumice	184	186
Light Blue Clay	186	190
Grey Clay	190	282
Grey Clay with Hard Brown Claystone	282	301
Grey Clay	301	305
Grey Clay and White Pumice	305	442
Grey Clay	442	1,095
Grey Clay with Grey Sandstone Layers	1,095	1,161
Black Sandstone	1,161	1,170
Grey Basalt	1,170	1,180
Grey Basalt with Grey Clay Layers	1,180	1,196
Grey Basalt with partial Lost Circ.at times	1,196	1,224

#### Comments/Remarks

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CWRD

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

**KLAM**  
**10518**

**RECEIVED**

JUL 22 1992

40S/10E/296  
39904

(START CARD) #

(1) OWNER: Name SAM WONG & SON Well Number WATER RESOURCES DEPT. SALEM, OREGON  
Address 17600 HIGHWAY 39  
City KLAMATH FALLS State ORE Zip 97603

LOCATION OF WELL by legal description:  
County KLAMATH Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 40S N. or S. Range 10E E or W. WM. \_\_\_\_\_  
Section 29 SW 1/4 NW 1/4 \_\_\_\_\_  
Tax Lot 34010 Lot 02900 Block 00300 Subdivision 000-00  
Street Address of Well (or nearest address) 17817 CHEWIE RD. K. FALLS, ORE.

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon  
(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

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

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

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

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

From	To	Estimated Flow Rate	SWL
<u>97</u>	<u>121</u>	<u>UNK</u>	
<u>869</u>	<u>913</u>	<u>1800 GPM</u>	

Diameter		From		To		Material	SEAL		Amount	
<u>22</u>	<u>0</u>	<u>162</u>				<u>CONCRETE</u>	<u>0</u>	<u>162</u>		<u>150 SCS</u>
<u>12 1/4</u>	<u>162</u>	<u>778</u>								
<u>7 1/2</u>	<u>778</u>	<u>913</u>								

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

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 \_\_\_\_\_

Material	From	To	SWL
<u>BROWN SANDY TOPSOIL</u>	<u>0</u>	<u>2</u>	
<u>YELLOW CHALK WITH STRONG SAND</u>	<u>2</u>	<u>52</u>	
<u>BROWN SAND STONE</u>	<u>52</u>	<u>87</u>	
<u>BLACK SAND (COARSE)</u>	<u>87</u>	<u>97</u>	
<u>BLACK SAND &amp; FINE GRAVEL</u>	<u>97</u>	<u>121</u>	
<u>GLAY STICKY CLAY</u>	<u>121</u>	<u>669</u>	
<u>HARD BROWN BLACK BASALT</u>	<u>669</u>	<u>805</u>	
<u>RED LAVA</u>	<u>805</u>	<u>809</u>	
<u>HARD BLACK BASALT</u>	<u>809</u>	<u>854</u>	
<u>HARD BROWN GLAY BASALT</u>	<u>854</u>	<u>854</u>	
<u>HARD BROWN BASALT</u>	<u>854</u>	<u>857</u>	
<u>BLACK BASALT/BROWN LAVA &amp; ASH</u>	<u>857</u>	<u>869</u>	
<u>BROWN LAVA &amp; ASH CLAY</u>	<u>869</u>	<u>879</u>	
<u>BLACK BASALT</u>	<u>879</u>	<u>886</u>	
<u>BLACK BASALT &amp; BROWN LAVA</u>	<u>886</u>	<u>913</u>	

(6) CASING/LINER:  
Casing: Diameter 16 1/2 From +1.4 To 162 Gauge 250  
Liner: \_\_\_\_\_  
Final location of shoe(s) 162 FEET

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

(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"/>

(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.

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

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

Temperature of Water 69°F Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed [Signature] WWC Number 601  
Date 7/14/92

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

NOV 05 2001

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

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

(1) OWNER: 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 depth (ft.) 987 Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: <u>16</u>	<u>+1</u>	<u>54</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 54 FEET

(7) PERFORATIONS/SCREENS:

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

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

<input 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
<u>2600</u>	<u>103</u>		<u>8 hrs</u>

Temperature of water 60°F Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County KLAMATH Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 41S N or S Range 11E E or W. WM. \_\_\_\_\_  
Section 7 SW 1/4 NE 1/4 \_\_\_\_\_  
Tax Lot R106030 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 10/12/01  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

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

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

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

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

Date started SEP 13 01 Completed OCT 12 01

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

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

(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 \_\_\_\_\_ Date 10/31/01  
WWC Number 601

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **140571**

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

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

RECEIVED FROM: MLM Property LLC APPLICATION \_\_\_\_\_  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 CASH:  CHECK: # 128 OTHER: (IDENTIFY) \_\_\_\_\_ TRANSFER T-14033  
 TOTAL REC'D \$ 157.38

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 157.38  
 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:

EXAM FEE	RECORD FEE
0201 SURFACE WATER \$	0202 \$
0203 GROUND WATER \$	0204 \$
0205 TRANSFER \$	

WELL CONSTRUCTION

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **140571**

DATED: 4-24-23 BY: m.Coley

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

Attached is a check for \$157.38 Newspaper Notice for Permit Amendment T-14033

- made out to Oregon Water Resources Department (or OWRD)
- "for T-14033 NOTICE" written on front of check

Mail to: Oregon Water Resources Department  
 725 Summer St. NE, Suite A  
 Salem, OR 97301-1266

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

RECEIPT # **140571**

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

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

RECEIVED FROM: MLM Property LLC APPLICATION \_\_\_\_\_  
 BY: \_\_\_\_\_ PERMIT \_\_\_\_\_  
 CASH:  CHECK: # 128 OTHER: (IDENTIFY) \_\_\_\_\_ TRANSFER T-14033  
 TOTAL REC'D \$ 157.38

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$ \_\_\_\_\_  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 157.38  
 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:

EXAM FEE	RECORD FEE
0201 SURFACE WATER \$	0202 \$
0203 GROUND WATER \$	0204 \$
0205 TRANSFER \$	

WELL CONSTRUCTION

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **140571**

DATED: 4-24-23 BY: m.Coley

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

**RECEIVED**

**APR 24 2023**

**OWRD  
SALEM, OREGON**

Caseworker: Stacy Phillips

**AFFIDAVIT OF PUBLICATION  
STATE OF OREGON,  
COUNTY OF KLAMATH**

I, Joseph Hudon, General Manager being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 23158 Permit Amendment T-14033 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

RECEIVED

MAY 17 2023

OWRD

Insertion(s) in the following issues: 05/03/23, 05/10/23

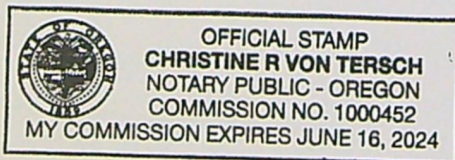
Total Cost: \$131.15



Subscribed and sworn by Joseph Hudon before me on: On  
11th day of May, in the year of 2023



Notary Public of Oregon  
My commission expires June 16, 2024



RECEIVED

MAY 17 2023

OWRD

### **Notice of Permit Amendment T-14033**

T-14033 filed by MLM Property LLC, PO Box 195, Merrill, OR 97633, proposes a change in points of appropriation under Permit G-18390. The permit allows the use of 0.720 cubic foot per second from two wells in Sect. 7, T41S, R11E, WM and Sect. 29, T40S, R10E, WM for supplemental irrigation. The applicant proposes to move the points of appropriation to Sec. 16, T41S, R11E, WM. The Water Resources Department has concluded that the proposed permit amendment appears to be consistent with the requirements of ORS 537.211. The last date of newspaper publication is 5/10/2023.

#23158 May 3,10, 2023





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

April 14, 2023

### Applicant

MLM Property, LLC

c/o Mike McKoen

PO Box 195

Merrill, OR 97633

SUBJECT: Permit Amendment Application T-14033

Your Permit Amendment application requires publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the permit is located. The Department will publish the notice in the Klamath Herald and News newspaper upon receiving your payment for the notice.

At this time you need to:

1. Submit a check for **\$157.38** (to cover cost\* of publication of the notice), made out to the Oregon Water Resources Department.
2. Write **"for T-14033 NOTICE"** on the front of your check, and
3. Submit it with the tracking stub at the bottom of this letter.

**\*PLEASE NOTE:** As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than May 15, 2023.**

Upon receipt of your check, processing will continue on the permit amendment application. If we do not receive payment for newspaper notice by May 15, 2023, a Final Order may be issued denying the application as incomplete.

Please don't hesitate to contact me at [Stacy.H.Phillips@water.oregon.gov](mailto:Stacy.H.Phillips@water.oregon.gov).

Sincerely,

*Stacy H. Phillips*

Permit Amendment Specialist

X-----  
**Attached** is a check for **\$157.38** Newspaper Notice for Permit Amendment T-14033

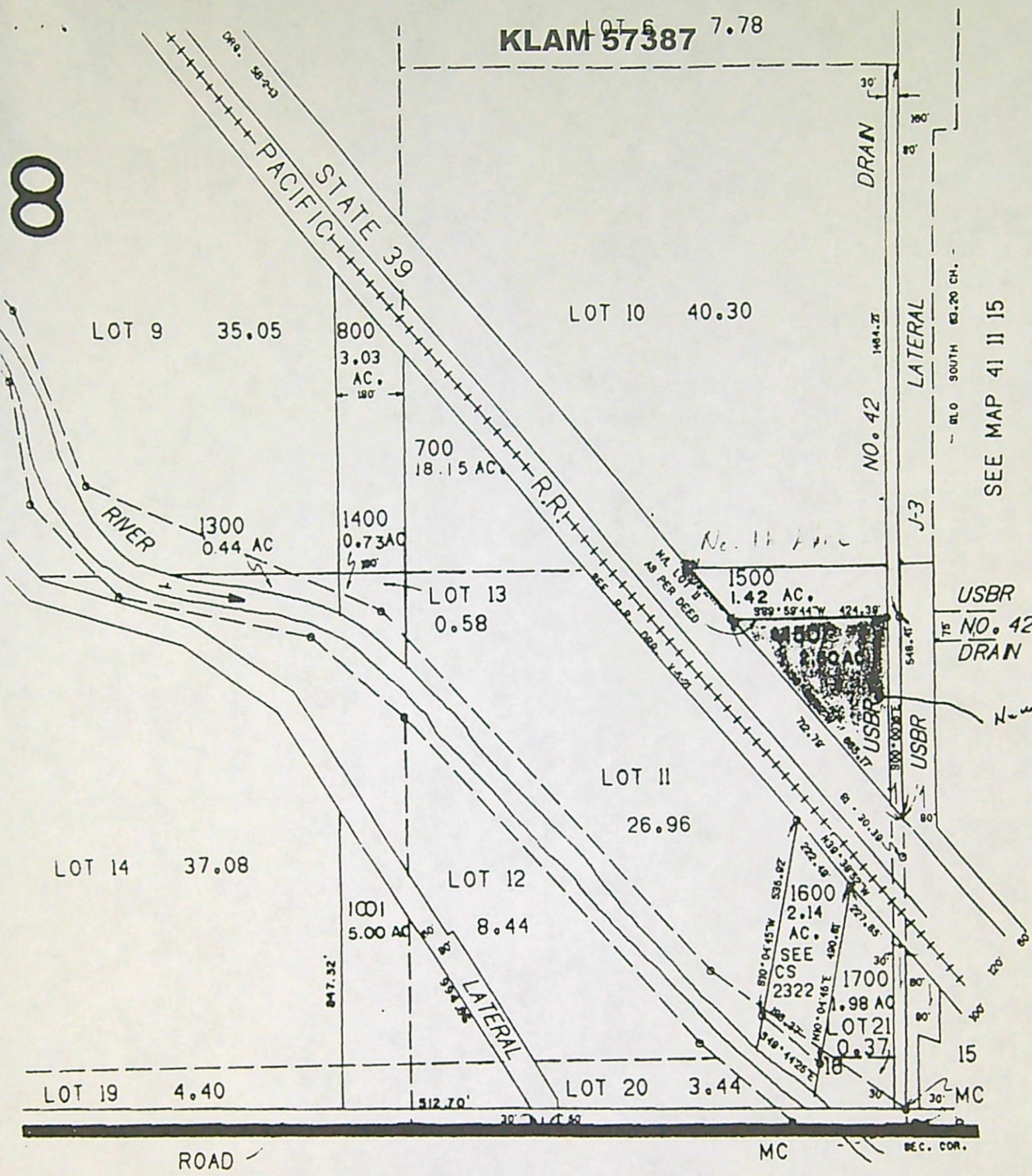
- made out to Oregon Water Resources Department (or OWRD)
- "for T-14033 NOTICE" written on front of check

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Caseworker: Stacy Phillips

8

LOT 6 7.78  
KLAM 57387



SEE MAP 41 11 15

USBR  
NO. 42-A  
DRAIN

*New well location*

3 N 1 A



RECEIVED  
 JUN 15 2022  
 OWRD

RECEIVED

JUN 07 2019

WATER RESOURCES DEPT  
 SALEM, OREGON

LAND OWNER SUBMITTED MAP

122.000

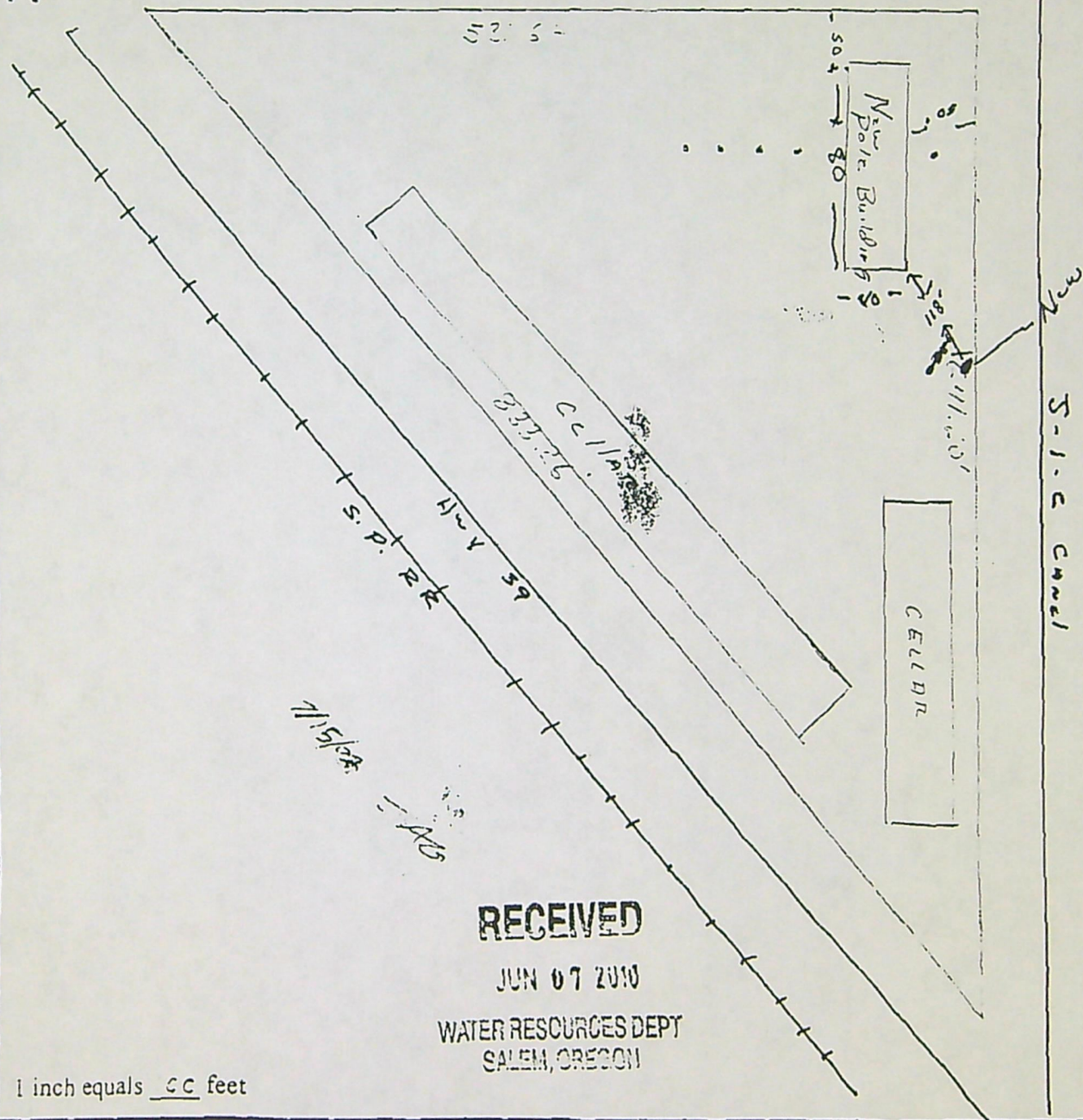
41 11

# SITE PLAN

Tax Lot 1500-1501

1500

118' From S.E. Corner of Building



at 2009/11/22

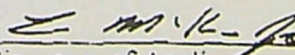
**RECEIVED**

JUN 07 2010

WATER RESOURCES DEPT  
SALEM, OREGON

1 inch equals 50 feet

Tax Acct. No.:  
Proposed Use:

  
Signature of Applicant

**RECEIVED**

JUN 15 2022  
OWRD

Tax Lot 1500-1501

LAND OWNER SUBMITTED MAP

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

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

RECEIPT # **138426**

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

RECEIVED FROM: McKoen + Son

APPLICATION	
PERMIT	
TRANSFER	<u>1-14033</u>

BY: \_\_\_\_\_

CASH:  CHECK:#  13952 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 1840.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

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

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$ _____		\$ _____	
0203 GROUND WATER		0204	
\$ _____		\$ _____	
0205 TRANSFER		\$ <u>1840.00</u>	

WELL CONSTRUCTION

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

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD)	_____	\$ _____
0231 HYDRO LICENSE FEE (FWWRD)	_____	\$ _____
HYDRO APPLICATION	_____	\$ _____

**TREASURY OTHER / RDX**

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

**RECEIVED  
 OVER THE COUNTER**

RECEIPT: **138426**

DATED: 6-15-2022 BY: Mindy Carlson

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

BOEO Checking

MCKOEN & SON  
 Oregon Water Resources Department

6/9/2022

1,840.00

12952

1,840.00

RECEIVED

JUN 15 2022

# Application for Permit Amendment

OWRD

## 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 permit amendment 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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new 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 Permits to be Amended: **Number of permits to be amended: 1**  
**List the Permits here: G-18390**  
Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant **or** other permit holders of record that are not listed as applicants.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500 feet from the surface water source and more than 1000 feet upstream or downstream from the point of diversion. (ORS 540.531(2) or (3)).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____ 503- _____ Date: ____/____/____	

## Part 2 of 5 – Permit Amendment Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If **more than three** permits are involved, separate maps for each permit.
- 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 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 use permit, 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 permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, 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 use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), 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°).

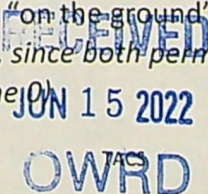
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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMIT AMENDMENT			
1	Base Fee (includes one type of change to one permit for up to 1 cfs)	1	\$1,360
Types of change proposed: <input type="checkbox"/> Place of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> If only one change, this will be 0			
2	Multiply line 2b by \$1090 and enter »	2	\$0
Number of permits included in Permit Amendment <u>1 (3a)</u> Subtract 1 from the number in 3a: <u>0 (3b)</u> If only one permit this will be 0			
3	Multiply line 3b by \$610 and enter »	3	\$0
Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed \$480 (4a) Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 \$0 (4b)			
4	Add line 4a to line 4b and enter »	4	\$480
Do you propose to change the place of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the permits to be amended (see below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »			
5		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » Subtotal:	6	\$1,840
Is this permit amendment: <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 6 by 0.5 and enter on line 7			
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » <b>Permit Amendment Fee:</b>	8	\$1,840

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Permit S-12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Permit S-87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each permit involved as follows:
  - Divide total authorized cfs by total acres in the permit (for S-12345,  $1.25\text{ cfs} \div 100\text{ ac}$ ); then multiply by the number of acres to be changed to get the application cfs ( $\times 45\text{ ac} = 0.56\text{ cfs}$ ).
  - If the water right permit 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 S-87654,  $45.0\text{ ac} \times 0.0125\text{ cfs/ac} = 0.56\text{ cfs}$ )
- Add cfs for the portions of permits on all the land included in the application; however **do not count cfs for supplemental permits on acreage for which you have already calculated the cfs fee for the primary permit on the same land.** The fee should be assessed only once for each “on the ground” acre included in the application. (In this example, blank 5a would be only 0.56 cfs, since both permits serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0.)



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>MLM Property LLC – Mike McKoen</b>			PHONE NO. 541-205-1191	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 195				FAX NO.
CITY MERRILL	STATE OR	ZIP 97633	E-MAIL	
<b>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.</b>				

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

AGENT/BUSINESS NAME ADKINS ENGINEERING & SURVEYING, LLP			PHONE NO. 541-884-4666	ADDITIONAL CONTACT NO.
ADDRESS 1435 ESPLANADE AVE.				FAX NO.
CITY KLAMATH FALLS	STATE OR	ZIP 97601	E-MAIL DSCALAS@ADKINSENGINEERING.COM	
<b>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.</b>				

Explain in your own words what you propose to accomplish with this permit amendment; and why: Currently, Well 1 (Authorized POA) is located approximately 2.2 miles northwest of the authorized place of use and Well 2 (Authorized POA) is located approximately 9.1 miles northwest of the authorized place of use. This permit amendment will move the point of appropriation to a well that is located on the water user's property and will be a more efficient source of water.

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

Is the applicant the permit holder of record?  Yes  No

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), OR
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired?  Yes  No

If YES, this application will not be accepted by the Department.

If NO, what are the completion dates of the permit(s)? October 1, 2024

- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Herald and News

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



MLM Property LLC  
[Signature]  
Applicant Signature

Mike McKoen President  
Print Name (and Title if applicable)

\_\_\_\_\_ Date

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**Check one of the following:**

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.

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

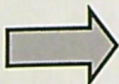
- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME Klamath Irrigation District	ADDRESS 6640 Kid Ln.	
CITY Klamath Falls	STATE OR	ZIP 97603

IRRIGATION DISTRICT NAME Tulelake Irrigation District	ADDRESS 2717 Havlina Rd.	
CITY Tulelake	STATE CA	CITY Tulelake

- Check here if water for any of the permits 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 or used.

ENTITY NAME <b>Klamath County</b>	ADDRESS <b>305 Main Street</b>	
CITY <b>Klamath Falls</b>	STATE <b>Oregon</b>	ZIP <b>97601</b>

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Part 5 of 5 – Water Use Permit Information

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

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PERMIT # G-18390

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

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

POD/POA Name or Number	Is this POD/POA Authorized by the permit 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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	KLAM 53043	41 S	11 E	7	SW NE	100	1360' South & 1860' West from NE Corner of Section 7
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	KLAM 10518	40 S	10 E	29	SW NW	300	1420' South & 20' East from NW Corner of Section 29
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	KLAM 57387	41 S	11 E	16	NE SE	1501	1240' North & 30' West from SE Corner of Section 16

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Surface water POD to Ground Water POA (SW/GW)

Will all of the proposed changes affect the entire water use permit?

- 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 permit to be changed.

For a change in place of use:

Does the permit holder of record own or control the land TO which the place of use is being moved?

- Yes  No

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use?  Yes  No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use unless the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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

**Table 2. Description of Changes to Water Use Permit # G-18390**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.


AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2		POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"		"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
												POA	41	S	11	E	16	NE	NE	600	1	7.4	Well 2	2005
												POA	41	S	11	E	16	NE	NE	600	6	7.8	Well 2	2005
												POA	41	S	11	E	16	NW	NE	600	2	4.6	Well 2	2005
												POA	41	S	11	E	16	NW	NE	600	9	1.8	Well 2	2005
												POA	41	S	11	E	16	SW	NE	600	9	1.7	Well 2	2005
												POA	41	S	11	E	16	SE	NE	600	10	32.7	Well 2	2005
												POA	41	S	11	E	16	NE	SE	1501	11	1.5	Well 2	2005
TOTAL ACRES												TOTAL ACRES											57.5	

Additional remarks: \_\_\_\_\_.

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

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

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

Well log(s) are attached 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 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

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

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

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KLAM 57387

JUN 15 2022

KLAM 57387

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

05-12-2010

WELL LABEL # L 92055

START CARD # 1009942

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

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

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

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

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

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

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E

[X] Other BEN. POURED DRY

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: [ ] Yes Type Amount

(6) CASING/LINER Table with columns: Casing, Liner, Dia, From, To, Gauge, Std, Plstc, Wld, Thr. Includes a diagram of casing/liner.

Shoe [ ] Inside [ ] Outside [ ] Other Location of shoe(s)

Temp casing [ ] Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method
Screens Type Material

Table with columns: Perf/S, Casing/Screen, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tel/pipe size.

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

[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr). Row 1: 1,000, 180, 1.

Temperature 74 °F Lab analysis [ ] Yes By

Water quality concerns? [ ] Yes (describe below)

Table with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description)
County Klamath Twp 41.00 S N/S Range 11.00 E E/W WM
Sec 16 NE 1/4 of the SE 1/4 Tax Lot 100
Tax Map Number Lot
Lat 0 0 or DMS or DD
Long 0 0 or DMS or DD
[ ] Street address of well [X] Nearest address

HIGHWAY 39 AND STATE LINE RD.

(10) STATIC WATER LEVEL Table with columns: Date, SWL(psi), SWL(ft). Includes rows for Existing Well / Predeepening and Completed Well.

WATER BEARING ZONES Depth water was first found 184

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft). Rows include 04-26-2010 and 05-05-2010.

(11) WELL LOG

Table with columns: Material, From, To, Ground Elevation. Lists various soil types like Sand, Yellow Clay, etc.

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

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

License Number Date
Electronically Filed
Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

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

# KLAM 57387

WATER SUPPLY WELL REPORT -  
continuation page

**KLAM 57387**

WELL I.D. # L 92055

Page 2 of 2

**05-12-2010**

START CARD # 1009942

**(5) BORE HOLE CONSTRUCTION**

BORE HOLE

BORE HOLE			SEAL			sacks/ lbs
Dia	From	To	Material	From	To	Amt

FILTER PACK

From	To	Material	Size

**(6) CASING/LINER**

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

**(7) PERFORATIONS/SCREENS**

Perf/Screen	Casing/Screen Liner	Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

**(10) STATIC WATER LEVEL**

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)

**(11) WELL LOG**

Material	From	To
Grey Clay	170	181
Light Brown Clay	181	184
White Claystone with Pumice	184	186
Light Blue Clay	186	190
Grey Clay	190	282
Grey Clay with Hard Brown Claystone	282	301
Grey Clay	301	305
Grey Clay and White Pumice	305	442
Grey Clay	442	1,095
Grey Clay with Grey Sandstone Layers	1,095	1,161
Black Sandstone	1,161	1,170
Grey Basalt	1,170	1,180
Grey Basalt with Grey Clay Layers	1,180	1,196
Grey Basalt with partial Lost Circ. at times	1,196	1,224

Comments/Remarks

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

KLAM  
LOS 18

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JUL 22 1992

40S/10E/296  
39904

(START CARD) #

(1) OWNER: Name SAM WONG & SON Well Number WATER RESOURCES 39  
Address 17600 HIGHWAY 39 SALEM, OREGON  
City KLAMATH FALLS State OR Zip 97603

LOCATION OF WELL by legal description:  
County KLAMATH Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 40S N. or S. Range 10E E or W. WM.  
Section 29 SW 1/4 NW 1/4  
Tax Lot R 4010 Lot 02900 Block 00300 Subdivision 000-00  
Street Address of Well (or nearest address) 17817 CHEWNE RD. K. FALLS, OR.

(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:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
16 1/2	+1.4	162	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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"/>

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

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 SAND TOPSOIL	0	2	
YELLOW CHALK WITH STRONG SAND	2	52	
BROWN SAND STONE	52	87	
BLACK SAND (COARSE)	87	97	
BLACK SAND & FINE GRAVEL	97	121	
GREY STICKY CLAY	121	669	
HARD BROWN BLACK BASALT	669	805	
RED LAVA	805	809	
HARD BLACK BASALT	809	854	
HARD BROWN GREY 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	

RECEIVED

JUN 15 2022

OWRD

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

KLAM 53043  
RECEIVED

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

NOV 05 2001

WELL I.D. # 107250  
START CARD # 429475

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

(1) OWNER: Well Number \_\_\_\_\_  
 Name DAN CHIU  
 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
Casing: 16	+1	54	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) 54 FEET

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Material	Casing	Liner
					Tele/pipe size	<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
2600	103		8 Hrs

Temperature of water 66°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 R16030 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) 22770 MALONE RD  
MEMPH ORE 97633  
 (10) STATIC WATER LEVEL:  
55 ft. below land surface. Date 10/12/01  
 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
<u>SEE ATTACHED SHEET</u>			

Date started SEP 13 01 Completed OCT 12 01  
 (unbonded) Water Well Constructor Certification:  
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
 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

RECEIVED  
JUN 15 2022  
OWRD



# 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



RECEIVED

NOV 05 2001

WATER RESOURCES DEPT.  
 SALEM, OREGON

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

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

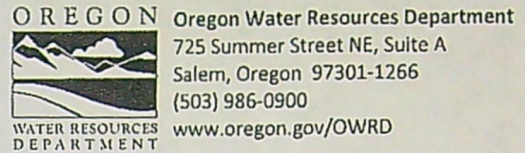
**LOG**

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

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

RECEIVED  
 JUN 15 2022  
 OWRD

# Land Use Information Form



Applicant(s): MLM Property LLC - Mike McKoen

Mailing Address: PO Box 195

City: Merrill

State: Oregon Zip Code: 97633

Daytime Phone: 541-205-1191

## 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:
<u>41S</u>	<u>11E</u>	<u>16</u>	<u>NE NE</u>	<u>600</u>	<u>EFU-C</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>41S</u>	<u>11E</u>	<u>16</u>	<u>NW NE</u>	<u>600</u>	<u>EFU-C</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>41S</u>	<u>11E</u>	<u>16</u>	<u>SW NE</u>	<u>600</u>	<u>EFU-C</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>41S</u>	<u>11E</u>	<u>16</u>	<u>SE NE</u>	<u>600</u>	<u>EFU-C</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>41S</u>	<u>11E</u>	<u>16</u>	<u>NE SE</u>	<u>1501</u>	<u>EFU-C</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Merrill, Klamath County

## B. Description of Proposed Use

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: 0.72  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:

Currently, Well 1 (Authorized POA) is located approximately 2.2 miles northwest of the authorized place of use and Well 2 (Authorized POA) is located approximately 9.1 miles northwest of the authorized place of use. This permit amendment will move the point of appropriation to a well that is located on the water user's property and will be a more efficient source of water.

**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. →

RECEIVED  
 JUN 15 2022  
 OWRD

## For Local Government Use Only

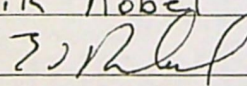
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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 Director  
 Signature:  Phone: 541-851-3648 Date: 6-14-2022  
 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: \_\_\_\_\_

**RECEIVED**  
**JUN 15 2022** WR/FS  
**OWRD**

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172

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

RECEIPT # **138661**

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

RECEIVED FROM: McKoen + Son

APPLICATION \_\_\_\_\_

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER T-14033

CASH:  CHECK:# 13010 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,005.33

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 4124 R11378-23 \$  
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,005.33

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) \_\_\_\_\_ \$  
 TC-162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$  
 0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$		\$	
0203 GROUND WATER	EXAM FEE	0204	RECORD FEE
\$		\$	
0205 TRANSFER	EXAM FEE		
\$			

WELL CONSTRUCTION

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **138661**

DATED: 07/14/22 BY: \_\_\_\_\_

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

BOEO Checking

RECEIVED  
 JUL 14 2022  
 OWRD

McKOEEN & SON  
 OWRD

7/6/2022

1,005.33

13010

1,005.33

**REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT  
Contract Number: R11-378-23**

**RECEIVED**

**JUL 14 2022**

**OWRD**

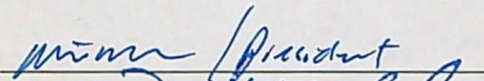
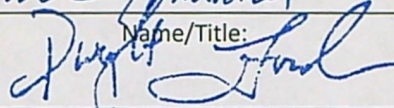
This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **MLM Property, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: MLM Property, LLC	Name:
Title: Transfer Advisor	Contact: Mike McKoen	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: PO Box 195 Merrill, OR 97633	Address:
Phone: 503 979-3511	Phone: (541) 205-1191	Phone:
Fax: 503 986-0901	Fax:	Fax:
Email: <a href="mailto:patrick.k.starnes@water.oregon.gov">patrick.k.starnes@water.oregon.gov</a>	Email: <a href="mailto:mckoen@cot.net">mckoen@cot.net</a>	Email:

**Purpose** The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-14033**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
  - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,005.33**. Applicant agrees to pay the full amount of **\$1,005.33** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
  - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:	 _____ Name/Title:	7/7/2022 _____ Date
For OWRD:	 _____ Dwight French – Administrator	7-27-2022 _____ Date

Mail signed Agreement to:

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

RECEIVED  
 JUL 14 2022  
 OWRD

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172

RECEIPT # **138427**

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

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

RECEIVED FROM: <u>McKoen &amp; Son</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>1-14033</u>
CASH: <input type="checkbox"/> CHECK:# <u>12954</u> <input checked="" type="checkbox"/> OTHER: (IDENTIFY) _____	TOTAL REC'D \$ <u>125.00</u>

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES <u>47124</u>	\$
<u>0412</u> OTHER: (IDENTIFY) <u>Transfer Reimbursement Authority</u>	\$ <u>125.00</u>
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:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY) _____			

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **138427**

DATED: 6-15-2022 BY: Mindy Carter

BOEO Checking

125.00

McKOEEN & SON  
 Oregon Water Resources Department

6/9/2022

125.00  
 12954

RECEIVED  
 OVER THE COUNTER



**OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**



*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

***Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.***

*The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.*

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	Permit G- Transfer Number <u>T-14033</u> <u>18390</u>

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	<u>MLM Property LLC – Mike McKoen</u>	_____
Address:	<u>PO Box 195</u>	_____
	<u>Merrill, OR 97633</u>	_____
Phone:	<u>541-205-1191</u>	_____
Fax:	_____	_____
E-Mail Address:	<u>mckoen@cot.net</u>	_____

I understand the following:

- That upon receipt of my non-refundable application fee of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

I certify that I am the (check one):

Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

Name: Mike McKoen

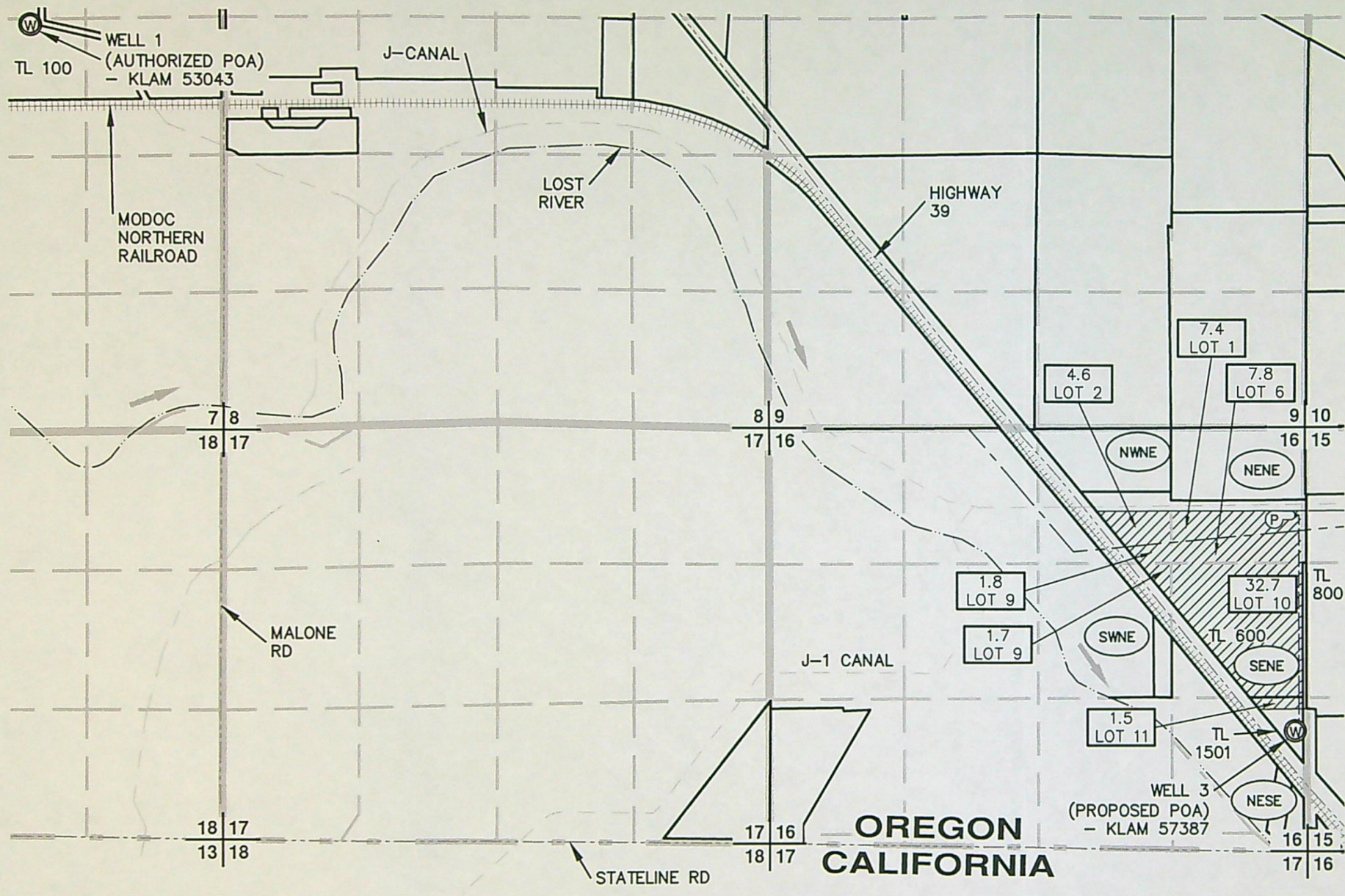
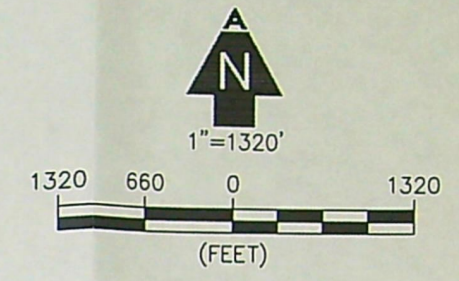
Signature:

**RECEIVED**  
**JUN 15 2022**  
**OWRD**

<b>OWRD USE ONLY: Reimbursement Authority Number: R11- <u>378</u> -23</b>
---



RECEIVED  
 JUN 15 2022  
 OWRD



**LEGEND**

--- (dashed line)	TOWNSHIP LINE	[Hatched box]	LANDS TO BE IRRIGATED BY PROPOSED POA
--- (solid line)	SECTION LINE	(SWNE)	1/4 1/4 SECTION
--- (dashed line)	1/4 1/4 LINE	[Box with 1.7]	ACRES TO BE IRRIGATED BY PROPOSED POA
--- (solid line)	TAX LOT LINE	[Box with 1.7]	GOVERNMENT LOT NUMBER
--- (dashed line)	GLO MEANDER LINE	16   15	SECTION CORNER
⊕ (circle with center dot)	RIVER	17   16	SECTION CORNER
--- (dashed line)	ROAD	TL 0000	TAX LOT NUMBER
--- (dashed line)	CANAL	(W)	POA (WELL)
(dashed line)	RAILROAD		
--- (dashed line)	MAINLINE		

- NOTES**
1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, 2018 NAIP AERIAL IMAGERY, AND KLAMATH COUNTY TAX MAP 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.

**WELL TIES**

WELL 1 (AUTHORIZED POA) - KLAM 53043: 1360' SOUTH & 1860' WEST FROM THE NORTHEAST CORNER OF SECTION 7.

WELL 3 (PROPOSED POA) - KLAM 57387: 1240' NORTH & 30' WEST FROM THE SOUTHEAST CORNER OF SECTION 16.

**AL ADKINS**  
 ENGINEERING & SURVEYING  
 o / 541.884.4666  
 w / AdkinsEngineering.com  
 1435 ESPLANADE AVENUE, KLAMATH FALLS, OR 97601

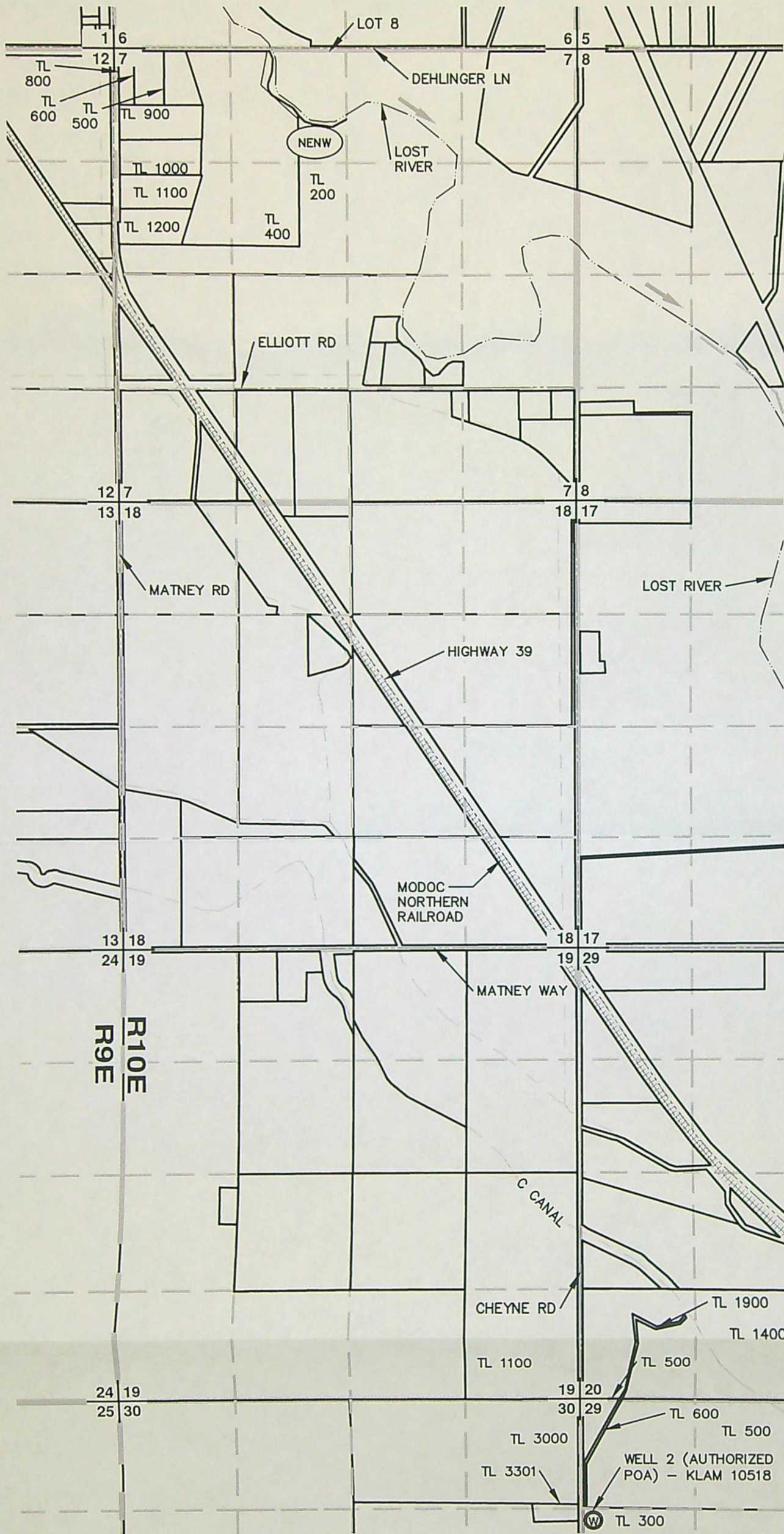
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 ENGINEERING • SURVEYING • PLANNING • TESTING

**PERMIT AMENDMENT**  
 FOR  
 MLM PROPERTY LLC  
 T41S, R11E, SECS. 7 & 16, W.M.  
 KLAMATH COUNTY, OREGON  
 PERMIT No. G-18390  
 APPLICATION No. G-16400

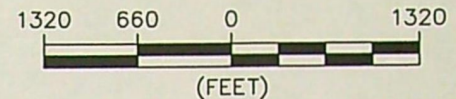
RECEIVED

JUN 15 2022

OWRD



1"=1320'



**LEGEND**

- RANGE LINE
- SECTION LINE
- 1/4 1/4 LINE
- TAX LOT LINE
- GLO MEANDER LINE
- C RIVER
- R ROAD
- C CANAL
- RAILROAD
- SECTION CORNER
- TL 0000 TAX LOT NUMBER
- POA (WELL)
- FLOW DIRECTION

**WELL TIES**

WELL 2 (AUTHORIZED POA) - KLAM 10518: 1420' SOUTH & 20' EAST FROM THE NORTHWEST CORNER OF SECTION 29.

**NOTES**

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, 2018 NAIP AERIAL IMAGERY, AND KLAMATH COUNTY TAX MAPS T40S, R10E, SEC. 7 AND T40S, R10E, SEC. 29.
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.

**AL ADKINS**  
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o / 541.884.4666  
w / AdkinsEngineering.com

1435 ESPLANADE AVENUE, KLAMATH FALLS, OR 97601

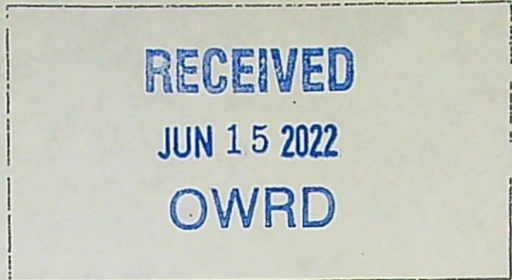
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6/8/2022

3217-02

**PERMIT AMENDMENT**  
FOR  
MLM PROPERTY LLC  
T41S, R11E, SECS. 7 & 16, W.M.  
KLAMATH COUNTY, OREGON  
PERMIT No. G-18390  
APPLICATION No. G-16400



Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: MLM Property LLC - Mike McKeen  
P.O. Box 195, Merrill OR 97633

Transaction Type: Permit amendment

Fees Received: \$ 1840.00

Cash

Check:

Check No. 12952

Name(s) on Check: McKeen & Son

Address on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

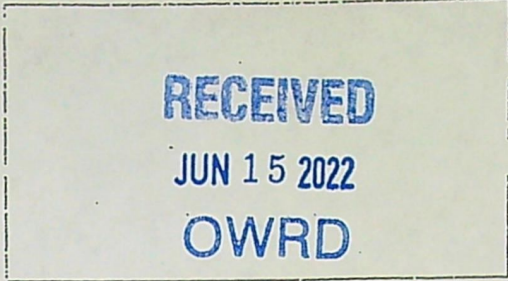
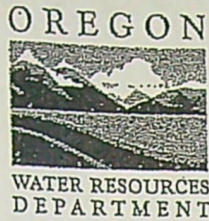
Sincerely,

OWRD Customer Service Staff

Submission received by: Corie L.  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: MLM Property LLC - Mike McKeen  
P.O. Box 195, Merrill OR 97633

Transaction Type: RA

Fees Received: \$ 125

Cash     Check:    Check No. 12954  
Name(s) on Check: McKeen & Son  
Address on Check: Same as above

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: Corie Li  
(Name of OWRD staff)

**Instructions for OWRD staff:**

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
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# Permit Amendment Application Checklist

Checked by Joan

Date 6/16/22

App # G-16400

Permit # G-18390

## Permit Amendments are authorized for changes in POD/POA, APOD/APOA, or POU.

POA  $\Delta$   
only

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

1. Is the name of the Permit Amendment applicant the same as the Water Right Permit holder(s) of record?  
If not, one of the following must be included with the application:  
\_\_\_ a) An affidavit of consent from all Permit holder(s) or the other Permit holders that have not signed the Permit Amendment application form, consenting to the proposed Permit Amendment application; **OR**,  
\_\_\_ b) A completed Request for Assignment form (and statutory fee) to move all (or portion) of the permit into the Permit Amendment applicant's name.

If not, what is missing? \_\_\_\_\_

2. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_

3. Are fees included and correct? Fee Paid: 1840.00  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

4. 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? \_\_\_\_\_

5. Are the Permit completion date(s) current?  
If the Permit completion date has expired, we **CANNOT** accept the application. 2024

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.

All acres  
(57.5)  
Ext. 2024  
- 120-74 3/p