

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

In the Matter of Transfer Application)	PROPOSED FINAL ORDER APPROVING
T-14124, Klamath County)	CHANGES IN POINT OF
)	APPROPRIATION AND PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

DUANE MARTIN RANCHES, LP
2021 STATE HWY 88
IONE, CA 95640

Findings of Fact

1. On November 28, 2022, Duane Martin Ranches, LP filed an application to change the places of use under Certificates 19830, 20358, and 27806 and to change the point of appropriation and place of use under Certificate 41860. The Department assigned the application number T-14124.
2. Notice of the application for transfer was published on December 6, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Review of the application identified portions of Certificate 19830 are layered with portions of Certificates 20358, and 27806, which were not included in the transfer application received on November 28, 2022.
4. According to topographic maps and watermaster observations, the authorized places of use appear to be natural low spots, or may be spring discharge locations. As topographical low spots, the watermaster review calls out runoff from nearby fields that settles on the authorized place of use for Certificate 19830 which will need to be conditioned to avoid enlargement of the rights.

Under ORS 540.520(8) and (9) and ORS 536.077(1), any person may file a protest of this Proposed Final Order within 30 days after publication of notice of this Proposed Final Order in the Department’s weekly notice. Under ORS 540.520(9) and ORS 536.077(2), if a protest is filed, any person who supports this Proposed Final Order may file a request for party status within 30 days after the deadline for filing a protest. Please refer to the end of this document for further information about filing protests and requests for party status.

5. On December 8, 2025, the Department sent a copy of the draft Preliminary Determination (further referred to as Initial Review) to the applicant, proposing to deny Transfer Application T-14124. The Initial Review cover letter provided a deadline of January 7, 2026, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination (further referred to as Proposed Final Order), amended the application, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. On January 8, 2025, the applicant's agent provided an amended application, amended maps, and the additional fees to cover the included changes in Places of Use for Certificates 20358, and 27806.
7. On March 17, 2026, Transfer Application T-14124 was re-noticed in the Department's weekly notice and incorporates the amendments received on January 8, 2026. The additional fees for Certificates 20358 and 27806 were received on February 13, 2026.
8. The portion of the first right to be transferred is as follows:

Certificate: 19830 in the name of T.W. JONES (perfected under Permit U-216)
Use: IRRIGATION OF 120.5 ACRES
Priority Date: APRIL 23, 1947
Rate: 1.5 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be still further limited to a diversion of not to exceed 1.5 cfs, provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.
Source: FIVE WELLS a tributary of KLAMATH LAKE

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	11 E	WM	8	SE SW	WELL #4 - 779.1 FEET NORTH AND 61.5 FEET WEST FROM THE QUARTER CORNER BETWEEN SECTIONS 8 AND 17
36 S	11 E	WM	16	NE NW	WELL #5 - 724.1 FEET SOUTH AND 2076.9 FEET EAST FROM THE SECTION CORNER COMMON TO SECTIONS 8, 9, 16, AND 17
36 S	11 E	WM	16	SW NW	WELL #3 - 1184.8 FEET NORTH AND 237.0 FEET EAST FROM THE QUARTER CORNER BETWEEN SECTIONS 16 AND 17

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	11 E	WM	16	SW SW	WELL #2 - 224.5 FEET NORTH AND 348.5 FEET EAST FROM THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20, AND 21
36 S	11 E	WM	16	SE SW	WELL #1 - 111.0 FEET NORTH AND 269.8 FEET WEST FROM THE QUARTER CORNER BETWEEN SECTIONS 16 AND 21

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	NE SE	24	0.1
36 S	11 E	WM	8	SE SE	25	4.3
36 S	11 E	WM	8	SE SE	32	4.3
36 S	11 E	WM	9	NW SW	21	2.7
36 S	11 E	WM	9	SW SW	28	20.0
36 S	11 E	WM	9	SW SW	29	20.0
36 S	11 E	WM	9	SE SW	27	16.5
36 S	11 E	WM	9	SE SW	30	17.2
36 S	11 E	WM	16	NE NW	3	14.7
36 S	11 E	WM	16	NE NW	6	7.1
36 S	11 E	WM	16	NW NW	4	13.6
Total						120.5

9. Transfer Application T-14124 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	17	NE NW	3	8.3
36 S	11 E	WM	17	NE NW	6	19.0
36 S	11 E	WM	17	NW NW	4	7.8
36 S	11 E	WM	17	NW NW	5	18.8
36 S	11 E	WM	17	SW NW	12	17.3
36 S	11 E	WM	17	SW NW	13	11.3
36 S	11 E	WM	17	SE NW	11	19.0
36 S	11 E	WM	17	SE NW	14	19.0
Total						120.5

10. The portion of the second right to be transferred is as follows:

- Certificate:** 20358 in the name of Frank and Virginia Goularte (perfected under Permit S-21236)
- Use:** SUPPLEMENTAL IRRIGATION OF 120.5 ACRES
- Priority Date:** FEBRUARY 14, 1951
- Rate:** 3.02 CUBIC FEET PER SECOND
- Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated

during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

Source: SPRAGUE RIVER, tributary of WILLIAMSON RIVER, a tributary of KLAMATH RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot
36 S	11 E	WM	8	NE SE	18

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	NE SE	24	0.1
36 S	11 E	WM	8	SE SE	25	4.3
36 S	11 E	WM	8	SE SE	32	4.3
36 S	11 E	WM	9	NW SW	21	2.7
36 S	11 E	WM	9	SW SW	28	20.0
36 S	11 E	WM	9	SW SW	29	20.0
36 S	11 E	WM	9	SE SW	27	16.5
36 S	11 E	WM	9	SE SW	30	17.2
36 S	11 E	WM	16	NE NW	3	14.7
36 S	11 E	WM	16	NE NW	6	7.1
36 S	11 E	WM	16	NW NW	4	13.6
Total						120.5

11. Transfer Application T-14124 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	17	NE NW	3	8.3
36 S	11 E	WM	17	NE NW	6	19.0
36 S	11 E	WM	17	NW NW	4	7.8
36 S	11 E	WM	17	NW NW	5	18.8
36 S	11 E	WM	17	SW NW	12	17.3
36 S	11 E	WM	17	SW NW	13	11.3
36 S	11 E	WM	17	SE NW	11	19.0
36 S	11 E	WM	17	SE NW	14	19.0
Total						120.5

12. The portion of the third right to be transferred is as follows:

Certificate: 27806 in the name of J. W. BRIGGS (perfected under Permit U-463)
Use: SUPPLEMENTAL IRRIGATION OF 120.4 ACRES
Priority Date: AUGUST 6, 1952
Rate: 1.43 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be

limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: JONAS WELL NO. 7, a tributary of SPRAGUE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	11 E	WM	16	SW NW	12	JONAS WELL NO. 7 – 1000 FEET NORTH AND 300 FEET EAST FROM THE W 1/4 CORNER OF SECTION 16

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	NE SE	24	0.1
36 S	11 E	WM	8	SE SE	25	4.3
36 S	11 E	WM	8	SE SE	32	4.3
36 S	11 E	WM	9	NW SW	21	2.7
36 S	11 E	WM	9	SW SW	28	19.9
36 S	11 E	WM	9	SW SW	29	20.0
36 S	11 E	WM	9	SE SW	27	16.5
36 S	11 E	WM	9	SE SW	30	17.2
36 S	11 E	WM	16	NE NW	3	14.7
36 S	11 E	WM	16	NE NW	6	7.1
36 S	11 E	WM	16	NW NW	4	13.6
Total						120.4

13. Transfer Application T-14124 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	17	NE NW	3	8.3
36 S	11 E	WM	17	NE NW	6	18.9
36 S	11 E	WM	17	NW NW	4	7.8
36 S	11 E	WM	17	NW NW	5	18.8
36 S	11 E	WM	17	SW NW	12	17.3
36 S	11 E	WM	17	SW NW	13	11.3
36 S	11 E	WM	17	SE NW	11	19.0
36 S	11 E	WM	17	SE NW	14	19.0
Total						120.4

14. The portion of the fourth right to be transferred is as follows:

Certificate: 41860 in the name of ROBERT A. JOHNSON (perfected under Permit G-2588)
Use: IRRIGATION OF 44.7 ACRES
Priority Date: MARCH 4, 1964
Rate: 0.56 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: NEATHORY WELL NO. 1 a tributary of SPRAGUE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	11 E	WM	15	S1/2 SW SE	31	NEATHORY WELL NO. 1 - 270 FEET NORTH AND 1620 FEET WEST FROM THE SE CORNER OF SECTION 15

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	15	N ½ NE SE	17	15.7
36 S	11 E	WM	15	S ½ NE SE	24	20.0
36 S	11 E	WM	15	N ½ SE SE	25	9.0
Total						44.7

15. Transfer Application T-14124 proposes to move the authorized point of appropriation northwest as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances	Approximate Distance from Authorized Point of Appropriation
36 S	11 E	WM	15	NE SW	22	WELL # 6 - 720 FEET SOUTH AND 200 FEET WEST FROM THE CENTER OF SECTION 15	1880 FT NW

16. Transfer Application T-14124 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	15	NE SW	19	17.5
36 S	11 E	WM	15	NE SW	22	5.3
36 S	11 E	WM	15	NW SW	20	18.5
36 S	11 E	WM	15	NW SW	21	3.4
Total						44.7

Transfer Review Criteria [OAR C30-380-0100(14), OAR C30-380-4010(2), OAR C30-380-2200 and OAR C30-380-2110(2)]

17. Water has been used within the last five years prior to the submittal of Transfer Application T-14124 according to the terms and conditions of the rights. There is no

information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

18. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14124.
19. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
20. The proposed changes, as conditioned would not result in enlargement of the rights.
21. The proposed changes, as conditioned, would not result in injury to other existing water rights.
22. All other application requirements are met.

Determination and Proposed Action

The changes in places of use and point of appropriation proposed in Transfer Application T-14124 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14124 is approved, the final order will include the following:

1. *The changes in places of use and point of appropriation proposed in Transfer Application T-14124 are approved.*
 2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 1S830, 20358, 2780c, 418c0, and any related decree.*
 3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use or the new point of appropriation.*
 4. *Water right Certificates 1S830, 20358, 2780c, and 418c0 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
 5. *For Certificate 418c0, the quantity of water diverted at the new point of appropriation (Well #c) shall not exceed the quantity of water lawfully available at the original point of appropriation (Neathory Well No. 1).*
- c. *For Certificate 418c0, the water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

7. *The former places of use of the transferred rights shall no longer receive water under the rights.*
8. *For Certificates 1S830, 20358, and 2780c the water user shall maintain and, if necessary, construct ditches around the former places of use to ensure that irrigation water, runoff, and other flows do not settle on the former places of use.*
9. *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 (new and existing).*
 - 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.*
10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on 5/29/2026



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Proposed Final Order was prepared by Dante J. Luongo. If you have questions about the information in this document, you may reach me at 971-304-5006 or at dante.j.luongo@water.oregon.gov.

Pursuant to ORS 536.077(4) and (5), if no protest of this Proposed Final Order is received by July 2, 2026, and the Department does not withdraw this Proposed Final Order on or before August 4, 2026, this Proposed Final Order is a final order without any further action by the Department on August 4, 2026.

Protests and Requests for Party Status

The following sections explain how to: (1) file a protest in opposition to this Proposed Final Order to request a contested case hearing on this Proposed Final Order; and (2) file a request for party status to request to participate in any contested case proceeding in support of this Proposed Final Order.

Protests: Under the provisions of ORS 540.520(8) and (9) and ORS 536.077(1), any person may protest this Proposed Final Order. Protests may be mailed or hand delivered to the Oregon Water Resources Department at 725 Summer Street NE, Suite A, Salem, OR 97301. If you submit a protest by U.S. mail, please consider mailing early to ensure the Department receives the protest by the deadline. Protests may be emailed to will.d.davidson@water.oregon.gov, but payment of Protest fees cannot be accepted electronically and must be received by the Department by mail or hand delivery prior to the deadline. Protests and protest fees must be received by the Water Resources Department no later than **July 2, 2026**.

Protests must meet the following requirements:

- Be in writing;
- Include the protestant's name, address, telephone number, and email address, if the protestant has an email address;
- Include the name, address, telephone number, and email address of the protestant's attorney, if the protestant is represented by an attorney;
- Include a description of the protestant's interest in the Proposed Final Order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented;
- Include a detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to the protestant's interest and/or the claimed public interest;
- Identify which of the Proposed Final Order's recommended findings of fact, conclusions of law or conditions of approval the protestant objects to;
- Raise all reasonably ascertainable issues and include all reasonably available arguments that support the protestant's position;
- Include any citation of legal authority to support the protest, if known;
- Explain how the issues raised in the protest are within the Department's jurisdiction;
- If the protestant is the applicant, include a protest fee of \$720 required by ORS 536.050; and

- If the protestant is not the applicant, include a protest fee of \$1,425 required by ORS 536.050.

Requests for Party Status: Under the provisions of ORS 540.520(9) and ORS 536.077(2), if this Proposed Final Order is protested, any person who supports this Proposed Final Order may file a request for party status to request to participate in any contested case proceeding on the Proposed Final Order or for judicial review of a final order resulting from the Proposed Final Order. There is no need for the applicant to file a request for party status. The applicant will automatically be a party to any contested case proceeding on this Proposed Final Order. Requests for party status may be mailed or hand delivered to the Oregon Water Resources Department at 725 Summer Street NE, Suite A, Salem, OR 97301. If you submit a request for party status by U.S. mail, please consider mailing early to ensure the Department receives the request by the deadline. Requests for party status may be emailed to will.d.davidson@water.oregon.gov, but payment of request for party status fees cannot be accepted electronically and must be received by the Department by mail or hand delivery prior to the deadline. Requests for party status and request for party status fees must be received by the Water Resources Department no later than **August 3, 2026**.

Requests for party status must be in writing and include the following:

- Names, addresses, and email addresses (if any) of the requester and any organization the requester represents;
- Name, address, and email address of the requestor's attorney, if any;
- A statement of whether the request is for participation as a party or a limited party, and, if as a limited party, the precise area or areas in which participation is sought;
- If the requestor seeks to protect a personal interest in the outcome of any contested case hearing on the Proposed Final Order, a detailed statement of the requestor's interest, economic or otherwise, and how such interest may be affected by the results of the hearing;
- If the requestor seeks to represent a public interest in the results of any contested case hearing on the Proposed Final Order, a detailed statement of such public interest, the manner in which such public interest will be affected by the results of the hearing, and the requestor's qualifications to represent such public interest;
- A statement of the reasons why existing parties to the proceeding cannot adequately represent the private and/or public interest(s) the requestor seeks to represent; and
- The request for party status fee of \$1,425 required by ORS 536.077(2)(b)(C) and ORS 536.050.

After the deadline for requests for party status, the Department will provide copies of any timely requests for party status, accept responses to requests for party status, and consider and rule on timely requests for party status as provided in OAR 690-002-0225.

Additional Notices

Notice of requirement to provide updated contact information: Parties must timely provide the Department with updated contact information, including any change of address or primary means of electronic communication. The contact information provided in the protest or request for party status, as applicable, is presumed to be valid for the purposes of service and notification of upcoming referral to the Office of Administrative Hearings unless timely updated by the party. OAR 690-002-0081.

Notice of the circumstances under which this Proposed Final Order will become a final order: If no protest of this Proposed Final Order is timely received and the Department does not withdraw this Proposed Final Order for reconsideration within 33 days after the close of the period for submitting a protest, this Proposed Final Order will become a final order on the date that is 33 days after the close of the period for submitting a protest, with no further action required by the Department. If a protest or protests are timely received, but later: (1) all timely-filed protests are withdrawn and the withdrawals are not based on a settlement agreement requiring changes to this Proposed Final Order; (2) all protestants fail to appear at a scheduled hearing; or (3) all protestants notify the Department or the administrative law judge that the protestants will not appear at a scheduled hearing, the protestants will have waived any right to a hearing, and the Department or the administrative law judge will issue an order dismissing the protests and notifying the parties that this Proposed Final Order has become a final order. OAR 690-002-0235; OAR 137-003-0672. The Department designates the relevant portions of its file on this matter, including all materials that you have submitted relating to this matter, as the record for the purpose of proving a prima facie case upon default. OAR 137-003-0672.

Notice of Right to Pursue Approval of Transfer through Consent to Injury Process after Contested Case Hearing: If after a contested case hearing on this Proposed Final Order the Department issues a proposed order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding OAR 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of OAR 690-380-5030 to 690-380-5050.

Notice of right to be represented by an attorney: You may be represented by an attorney at any contested case hearing on this Proposed Final Order. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships,

corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an “authorized representative” as defined at OAR 137-003-0555(1)(b) may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice to active duty servicemembers: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or a request for party status, or if you have previously filed a protest or a request for party status and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

DRAFT

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS **DRAFT** CERTIFICATE ISSUED TO

T. W. JONES
MERRILL, OR 97633

confirms the right to use the waters of Five Wells, a tributary of Klamath Lake for irrigation of 585.6 acres and supplemental irrigation of 45.4 ACRES.

This right was perfected under Permit U-216. The date of priority is APRIL 23, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 7.9 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	11 E	WM	8	SE SW	WELL #4 - 779.1 FEET NORTH AND 61.5 FEET WEST FROM THE QUARTER CORNER BETWEEN SECTIONS 8 AND 17
36 S	11 E	WM	16	NE NW	WELL #5 - 724.1 FEET SOUTH AND 2076.9 FEET EAST FROM THE SECTION CORNER COMMON TO SECTIONS 8, 9, 16, AND 17
36 S	11 E	WM	16	SW NW	WELL #3 - 1184.8 FEET NORTH AND 237.0 FEET EAST FROM THE QUARTER CORNER BETWEEN SECTIONS 16 AND 17
36 S	11 E	WM	16	SW SW	WELL #2 - 224.5 FEET NORTH AND 348.5 FEET EAST FROM THE SECTION CORNER COMMON TO SECTIONS 16, 17, 20, AND 21
36 S	11 E	WM	16	SE SW	WELL #1 - 111.0 FEET NORTH AND 269.8 FEET WEST FROM THE QUARTER CORNER BETWEEN SECTIONS 16 AND 21

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to a diversion of not to exceed 7.9 c.f.s., provided further that the amount of water allowed herein. Together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, The Well shall be cased so as to prevent loss of underground water. And shall conform to such reasonable rotation system as may be ordered by the appropriate state officer.

DRAFT

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	SW NW	12	6.2
36 S	11 E	WM	8	SW NW	13	18.5
36 S	11 E	WM	8	SE NW	11	4.3
36 S	11 E	WM	8	SE NW	14	8.4
36 S	11 E	WM	8	NE SW	19	18.8
36 S	11 E	WM	8	NE SW	22	20.8
36 S	11 E	WM	8	NW SW	21	18.5
36 S	11 E	WM	8	NW SW	20	18.5
36 S	11 E	WM	8	SW SW	29	13.3
36 S	11 E	WM	8	SW SW	28	18.5
36 S	11 E	WM	8	SE SW	30	5.3
36 S	11 E	WM	8	SE SW	27	20.8
36 S	11 E	WM	8	NE SE	17	18.8
36 S	11 E	WM	8	NE SE	24	19.9
36 S	11 E	WM	8	NW SE	18	13.5
36 S	11 E	WM	8	NW SE	23	19.5
36 S	11 E	WM	8	SW SE	31	3.8
36 S	11 E	WM	8	SW SE	26	20.0
36 S	11 E	WM	8	SE SE	25	15.7
36 S	11 E	WM	8	SE SE	32	8.6
36 S	11 E	WM	9	NW SW	20	11.0
36 S	11 E	WM	9	NW SW	21	10.7
36 S	11 E	WM	9	SE SW	27	0.5
36 S	11 E	WM	9	SE SW	30	2.8
36 S	11 E	WM	9	SE SE	32	4.2
36 S	11 E	WM	16	NE NW	6	9.5
36 S	11 E	WM	16	NE NW	3	5.3
36 S	11 E	WM	16	NW NW	5	14.3
36 S	11 E	WM	16	SW NW	12	20.0
36 S	11 E	WM	16	SW NW	13	20.0
36 S	11 E	WM	16	SE NW	11	16.6
36 S	11 E	WM	16	SE NW	14	20.0
36 S	11 E	WM	16	NE SW	19	20.0
36 S	11 E	WM	16	NE SW	22	20.0
36 S	11 E	WM	16	NW SW	20	20.0
36 S	11 E	WM	16	NW SW	21	20.0
36 S	11 E	WM	16	SW SW	29	8.6
36 S	11 E	WM	16	SW SW	28	16.0
36 S	11 E	WM	16	SE SW	30	17.8
36 S	11 E	WM	16	SE SW	27	20.0
36 S	11 E	WM	17	SE NE	9	4.8
36 S	11 E	WM	17	SE NE	16	11.8
Total						585.6

DRAFT

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	9	NW SE	23	2.6
36 S	11 E	WM	9	SW SE	26	15.2
36 S	11 E	WM	9	SW SE	31	20.0
36 S	11 E	WM	9	SE SE	32	2.0
36 S	11 E	WM	9	SE SE	25	5.6
Total						45.4

This certificate describes that portion of water right Certificate 19830, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-14124.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

DRAFT

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS **DRAFT** CERTIFICATE ISSUED TO

ROBERT A JOHNSON
5320 VIA CHEPO
RIVERSIDE, CA 92507

confirms the right to use the waters of Neathory Well No. 1, a tributary of SPRAGUE RIVER for IRRIGATION of 30.3 ACRES.

This right was perfected under Permit G-2588. The date of priority is MARCH 4, 1964. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.38 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	11 E	WM	15	SW SE	31	270 FEET NORTH AND 1620 FEET WEST FROM THE SE CORNER OF SECTION 15

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year; and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	15	SW SE	31	1.0
36 S	11 E	WM	15	SE SE	32	18.3
36 S	11 E	WM	15	SE SE	25	11.0
Total						30.3

This certificate describes that portion of water right Certificate 41860, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-14124.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

DRAFT

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

DRAFT

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS **DRAFT** CERTIFICATE ISSUED TO

J. W. BRIGGS
PO BOX 348
REDDING, CA 96099

confirms the right to use the waters of JONAS WELL NO. 7, a tributary of SPRAGUE RIVER, for IRRIGATION of 93.0 ACRES and SUPPLEMENTAL IRRIGATION of 206.2 ACRES.

This right was perfected under Permit U-463. The date of priority is AUGUST 6, 1952. The amount of water to which this right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually used beneficially for said purposes and shall not exceed 3.57 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	11 E	WM	16	SW NW	12	300 FEET EAST AND 1000 FEET NORTH FROM THE W1/4 CORNER OF SECTION 16

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	16	NW NW		1.0
36 S	11 E	WM	16	NW NW	5	1.1
36 S	11 E	WM	16	SE NW	11	1.2
36 S	11 E	WM	17	NE NE	8	19.8
36 S	11 E	WM	17	NW NE	8	6.5
36 S	11 E	WM	17	SW NE	10	20.0
36 S	11 E	WM	17	SW NE	15	20.0
36 S	11 E	WM	17	SE NE	16	8.2
36 S	11 E	WM	17	SE NE	9	15.2
Total						93.0

DRAFT

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	9	SE SW	27	0.1
36 S	11 E	WM	9	SE SW	30	2.8
36 S	11 E	WM	9	NW SE	23	3.0
36 S	11 E	WM	9	SW SE	26	15.6
36 S	11 E	WM	9	SW SE	31	20.0
36 S	11 E	WM	9	SE SE	25	5.2
36 S	11 E	WM	9	SE SE	32	6.1
36 S	11 E	WM	16	NE NW	6	8.9
36 S	11 E	WM	16	NE NW	3	5.3
36 S	11 E	WM	16	NW NW	5	14.3
36 S	11 E	WM	16	SW NW	12	20.0
36 S	11 E	WM	16	SW NW	13	20.0
36 S	11 E	WM	16	SE NW	11	16.6
36 S	11 E	WM	16	SE NW	14	20.0
36 S	11 E	WM	16	NE SW	19	16.0
36 S	11 E	WM	16	NW SW	20	15.7
36 S	11 E	WM	17	SE NE	9	4.8
36 S	11 E	WM	17	SE NE	16	11.8
Total						206.2

This certificate describes that portion of water right Certificate 27806, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-14124.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 IVAN GALL, DIRECTOR
 Oregon Water Resources Department

DRAFT

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS **DRAFT** CERTIFICATE ISSUED TO

FRANK/VIRGINIA GOULARTE
CANBY, CA 96015

confirms the right to use the waters of the SPRAGUE RIVER, tributary of WILLIAMSON RIVER, a tributary of KLAMATH RIVER for IRRIGATION of 29.0 ACRES and SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit S-21236. The date of priority is FEBRUARY 14, 1951. The amount of water to which this right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually used beneficially for said purposes and shall not exceed 10.27 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot
36 S	11 E	WM	8	NW SE	18

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	SW SW	29	0.9
36 S	11 E	WM	8	SE SW	30	8.0
36 S	11 E	WM	9	NE SW	19	3.6
36 S	11 E	WM	9	NE SW	22	14.0
36 S	11 E	WM	9	NW SW	20	1.1
36 S	11 E	WM	9	NW SW	21	1.4
Total						29.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	11 E	WM	8	SW NW	12	6.2
36 S	11 E	WM	8	SW NW	13	18.5
36 S	11 E	WM	8	SE NW	11	4.3
36 S	11 E	WM	8	SE NW	14	8.4
36 S	11 E	WM	8	NE SW	19	18.8
36 S	11 E	WM	8	NE SW	22	20.8
36 S	11 E	WM	8	NW SW	20	18.5
36 S	11 E	WM	8	NW SW	21	18.5
36 S	11 E	WM	8	SW SW	29	13.3
36 S	11 E	WM	8	SW SW	28	18.5
36 S	11 E	WM	8	SE SW	30	5.3
36 S	11 E	WM	8	SE SW	27	20.8
36 S	11 E	WM	8	NE SE	17	18.8
36 S	11 E	WM	8	NE SE	24	19.9
36 S	11 E	WM	8	NW SE	18	13.5
36 S	11 E	WM	8	NW SE	23	19.5
36 S	11 E	WM	8	SW SE	31	3.8
36 S	11 E	WM	8	SW SE	26	20.0
36 S	11 E	WM	8	SE SE	32	8.6
36 S	11 E	WM	8	SE SE	25	15.7
36 S	11 E	WM	9	NW SW	20	11.0
36 S	11 E	WM	9	NW SW	21	10.7
36 S	11 E	WM	9	SE SW	27	0.5
36 S	11 E	WM	9	SE SW	30	2.8
36 S	11 E	WM	9	NW SE	23	2.6
36 S	11 E	WM	9	SW SE	26	15.2
36 S	11 E	WM	9	SW SE	31	20.0
36 S	11 E	WM	9	SE SE	25	5.6
36 S	11 E	WM	9	SE SE	32	6.2
36 S	11 E	WM	16	NE NW	6	9.5
36 S	11 E	WM	16	NE NW	3	5.3
Total						381.1

This certificate describes that portion of water right Certificate 20358, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-14124.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, 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
www.oregon.gov/owrd

May, 29, 2026

VIA CERTIFIED MAIL AND E-MAIL

DUANE MARTIN RANCHES LP
2021 STATE HWY 88
IONE, CA 95640

SUBJECT: Water Right Transfer Application T-14124

Please find enclosed the Proposed Final Order indicating that, based on the information available, the Department intends to approve application T-14124. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Klamath Herald and News newspaper, simultaneously with issuance of the Proposed Final Order. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Proposed Final Order or a request for party status supporting the Department's decision. The protest period will end 30 days after the Department's notice.

The Proposed Final Order will become a Final Order 33 days after the protest period ends without any further action by the Department, as a matter of law, if no protest is filed.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Proposed Final Order to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14124
Garrett M. Steensland, District 17 Watermaster (*via e-mail*)
Scott D. Montgomery, Agent for the applicant (*via e-mail*)