





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 4, 2020

ROBERT UNRUH  
30083 PICKETT RD  
MALIN, OR 97632

REFERENCE: Temporary Drought Transfer Application T-13427

Enclosed is a copy of the final order approving your TEMPORARY DROUGHT water right transfer application.

The temporary change shall be effective upon issuance of this final order. Please note, the use shall revert back to the original authorized place of use at the **end of the 2020 irrigation season** or the end of the Governor's declared drought, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 986-0825 or by e-mail at [Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov).

Sincerely,

Julie C. Baustian

Water Right Services Support  
Transfers and Conservation Section

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

Enclosure

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

|                                       |   |                              |
|---------------------------------------|---|------------------------------|
| In the Matter of Transfer Application | ) | FINAL ORDER APPROVING AN     |
| T-13427, Klamath County               | ) | EMERGENCY USE DROUGHT        |
|                                       | ) | TEMPORARY CHANGE IN PLACE OF |
|                                       |   | USE                          |

**Authority**

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

**Applicant**

ROBERT UNRUH  
30083 PICKETT  
MALIN, OR 97632

**Findings of Fact**

1. On May 1, 2020, ROBERT UNRUH filed an application to temporarily change the place of use under Certificate 27103 and Permit G-12450 for the remainder of the 2020 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-13427.
2. Notice of the application for transfer was published on May 12, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 9, 2018, the Department approved Temporary Drought Transfer Application T-12910 (Special Order Volume 108, Page 145), involving Certificate 27103 and Permit G-12450.

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

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

**Certificate:** 27103 in the name of ALICE PEREIRA (perfected under Permit G-255)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** MAY 28, 1956  
**Rate:** 0.13 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 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** PEREIRA WELL, a tributary of TULELAKE SUMP

**Authorized Point of Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                                   |
|------|------|-----|-----|-------|--------------------------------------------------------------------------------------|
| 40 S | 12 E | WM  | 28  | SW SW | PEREIRA WELL - 3 CHAINS NORTH AND 15.75 CHAINS EAST FROM THE SW CORNER OF SECTION 28 |

**Authorized Place of Use:**

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S       | 12 E | WM  | 28  | SW NW | 10.0  |

5. Temporary Transfer Application T-13427 proposes to temporarily change the place of use of the right to:

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S       | 12 E | WM  | 33  | NW SW | 10.0  |

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

**Permit:** G-12450 in the name of NORTHWEST FARM CREDIT SERVICES, FLCA and NORTHWEST FARM CREDIT SERVICES, PCA and R AND C AG, LLC (authorized under Application G-12860)  
**Use:** PRIMARY AND SUPPLEMENTAL IRRIGATION OF 40.4 ACRES  
**Priority Date:** APRIL 6, 1992  
**Rate:** 0.38 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 land, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.  
**Period of Use:** APRIL 15 THROUGH OCTOBER 15  
**Source:** TWO WELLS in the LOST RIVER BASIN

**Authorized Points of Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                           |
|------|------|-----|-----|-------|------------------------------------------------------------------------------|
| 40 S | 12 E | WM  | 28  | SW SW | WELL #1 - 200 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER OF SECTION 28 |
| 40 S | 12 E | WM  | 28  | SW SW | WELL #2 - 150 FEET NORTH AND 790 FEET EAST FROM THE SW CORNER OF SECTION 28  |

**Authorized Place of Use:**

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S       | 12 E | WM  | 28  | SW NW | 17.4  |
| 40 S       | 12 E | WM  | 28  | NW SW | 1.0   |
| 40 S       | 12 E | WM  | 28  | SW SW | 6.0   |
| Total      |      |     |     |       | 24.4  |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |
|-------------------------|------|-----|-----|-------|-------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S                    | 12 E | WM  | 28  | SW SW | 6.0   |

7. Temporary Transfer Application T-13427 proposes to temporarily change the place of use of the right to:

| IRRIGATION |      |     |     |       |       |
|------------|------|-----|-----|-------|-------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S       | 12 E | WM  | 32  | NE SW | 21.0  |
| 40 S       | 12 E | WM  | 33  | NW SW | 3.4   |
| Total      |      |     |     |       | 24.4  |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |
|-------------------------|------|-----|-----|-------|-------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres |
| 40 S                    | 12 E | WM  | 32  | NE SW | 6.0   |

**Temporary Drought Transfer Review Criteria**

8. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
10. The Governor issued an executive order on March 2, 2020, declaring a state of drought emergency in Klamath County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
11. The proposed changes would not result in enlargement of the rights.

12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

### Conclusions of Law

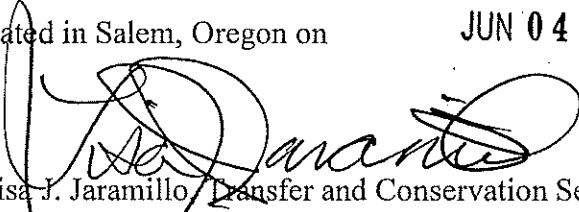
The temporary change in places of use proposed in Temporary Drought Transfer Application T-13427 are consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

### Now, therefore, it is ORDERED:

1. The temporary change in places of use proposed in Temporary Drought Transfer Application T-13427 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the remainder of the 2020 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. The approval of this temporary drought transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
4. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 27103 and Permit G-12450. The use shall revert to the authorized place of use at the end of the 2020 irrigation season.
5. The proposed change in places of use shall revert to the authorized places of use at the end of the 2020 irrigation season or the end of the Governor's declared drought, whichever occurs first.
6. The use of the remaining water rights described by Certificate 27103 and Permit G-12450 shall continue to be in accordance with the terms and conditions of Certificate 27103 and Permit G-12450.

Dated in Salem, Oregon on

JUN 04 2020



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

Mailing Date:

JUN 05 2020

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ALICE PEREIRA

of 1507 Maryland Ave., West Sacramento, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Pereira well

a tributary of Tulelake Sump for the purpose of irrigation of 112.2 acres,

under Permit No. G-255 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 28, 1956,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.40 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 in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 28, Township 40 South, Range 12 East, W.M.; 3 chs. N. and 15  $\frac{3}{4}$  chs. E. of the SW cor., Sec. 28,

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 under the right hereby confirmed, and to which such right is appurtenant, is as follows:

14.4 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
37.8 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
24.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
34.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$

Section 28

Township 40 South, Range 12 East, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. June 21, 1960

LEWIS A. STANLEY State Engineer

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WEYERHAEUSER CO.

541-723-4061

P.O. BOX 9

KLAMATH FALLS, OREGON

97601

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12860

SOURCE OF WATER: TWO WELLS IN THE LOST RIVER BASIN

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION OF 107.6 ACRES

RATE OF USE: 1.345 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: APRIL 15 THROUGH OCTOBER 15

DATE OF PRIORITY: APRIL 6, 1992

POINT OF DIVERSION LOCATION: SW 1/4 SW 1/4 SECTION 28, T40S, R12E, W.M.; WELL #1 - 200 FEET NORTH AND 1040 FEET EAST; WELL #2 - 150 FEET NORTH AND 790 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 28, TOWNSHIP 40 SOUTH, RANGE 12 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

LOCATION

PRIMARY

SUPPLEMENTAL

SW 1/4 NW 1/4

17.4 ACRES

NW 1/4 SW 1/4

1.0 ACRE

SW 1/4 SW 1/4

6.0 ACRES

6.0 ACRES

Section 28

NW 1/4 NW 1/4

40.0 ACRES

SW 1/4 NW 1/4

37.2 ACRES

Section 33

TOWNSHIP 40 SOUTH, RANGE 12 EAST, W.M.

The use of water under this permit may expire or be extended five years from issuance of the permit. A water right certificate shall be issued at the end of the five year period if the Director finds:

- A. River stage or Bonanza Big Spring flows are not significantly diminished by use of water under this permit as determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and

Application G-12860 Water Resources Department

PERMIT G-12450

Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review;

- B. Within two years of permit issuance for primary use, the permittee/appropriator has submitted a plan to the Department indicating potential economical sources for an alternative long-term water supply;
- C. Periodic water level reports have been submitted; and
- D. Excessively declining ground water levels have not occurred due to well use and determined by the Oregon Water Resource Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review.

The amount of water used for irrigation under this right, together with the amount used under any other right existing for the same land, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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 by April 15, 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.

The well 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.

A static water level measurement shall be made and submitted before any use of water may commence from the well.

The permittee shall obtain a static water-level measurement for each well during March and October of each year and report the measurements to the Department. The measurement shall be made by a certified water rights examiner, registered geologist, licensed land surveyor or registered professional engineer, licensed water well constructors, licensed water well drillers or the permittee/appropriators. Water levels shall be reported as depth-to-water below ground level in feet and inches or to one-hundredth of a foot and shall be accompanied by supporting calculations. The water user shall report the static water level(s) in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 and November 15, respectively, of each year.

If substantial interference with a senior surface or ground water right occurs due to withdrawal of water from the well(s) listed on this permit, then use of water from such well(s) shall be discontinued or reduced or the schedule of withdrawal shall be regulated until the Department approves or implements an alternative administrative action to mitigate such interference.

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

The permit is for the beneficial use of water without waste.

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

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

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.

Actual construction work shall begin on or before January 18, 1997 and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 2000.

SEE NEXT PAGE

The Director finds that the proposed use(s) of water described by this permit will not impair or be detrimental to the public interest.

This permit is issued to correctly describe the dates for measuring and reporting static water level, beginning and completion of construction, complete application of the water to the use allowed herein, and water use conditions relating to practical technologies or conservation practices. Permit G-12228 is superseded by this instrument and is of no further force or effect.

Issued July 31, 1996

  
for Water Resources Department  
Martha O. Pagel  
Director

Application G-12860  
Basin 14

Water Resources Department  
VOLUME 2 LOST RIVER & MISC.

PERMIT G-12450  
District 17

# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13427

Transfer Specialist: *Coley*

Transfer Type: Drought Transfer

|                                                                                                                                             |  |                                                                                           |  |
|---------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------|--|
| <b>Applicant:</b><br>ROBERT UNRUH<br>30083 PICKETT RD<br>MALIN, OR 97632<br>Email: _____ Phone: _____                                       |  | <b>Agent:</b> <input type="checkbox"/> N/A<br>UNAVAILABLE<br>Email: _____ Phone: _____    |  |
| <b>Irrigation District:</b> <input type="checkbox"/> N/A<br>SHASTA VIEW IRRIGATION DISTRICT<br>PO BOX 46<br>MALIN, OR 97632<br>Email: _____ |  | <b>CWRE:</b> <input type="checkbox"/> N/A<br>Email: _____                                 |  |
| <b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A<br>Email: _____                                                                  |  | <b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A<br>UNAVAILABLE<br>Email: _____ |  |
| <b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A<br>Email: _____                                              |  | <b>Receiving Landowner:</b> <input type="checkbox"/> N/A<br>Email: _____                  |  |

## Water Rights Affected

| File Marked              | App. File # or Decree Name | Permit  | Certificate | RR/CR Needed                                             | RR/CR Nos. |
|--------------------------|----------------------------|---------|-------------|----------------------------------------------------------|------------|
| <input type="checkbox"/> | G-379                      | G-255   | 27103       | <input type="checkbox"/> Yes <input type="checkbox"/> No |            |
| <input type="checkbox"/> | G-12860                    | G-12450 |             | <input type="checkbox"/> Yes <input type="checkbox"/> No |            |
| <input type="checkbox"/> |                            |         |             | <input type="checkbox"/> Yes <input type="checkbox"/> No |            |

## Key Dates & Initial Actions:

|                                                                 |                                                   |                                              |
|-----------------------------------------------------------------|---------------------------------------------------|----------------------------------------------|
| Rec'd: April 27, 2020                                           | Proposed Action(s): PLACE OF USE                  |                                              |
| Fees Pd: 200.00                                                 | WM District: 17                                   | ODFW District:                               |
| Initial Public Notice: May 12, 2020                             | WM Review sent:                                   | ODFW Review sent:                            |
| Acknowledgement Letter Sent <input checked="" type="checkbox"/> |                                                   | GW Review sent: <input type="checkbox"/> N/A |
| County sent cc: of Ack Letter <input type="checkbox"/>          | BOR notified (date): <input type="checkbox"/> N/A |                                              |
| Newspaper quote requested:                                      | Request for news \$ sent:                         | News \$ received:                            |
| Request to publish sent:                                        | Affidavit of publication received:                | Last day of publication:                     |

| Document | Drafted                        | Peer Review                      | Changes Made                   | Coordinator                    | Changes Made                   | Signature Bin  | Signature Date |
|----------|--------------------------------|----------------------------------|--------------------------------|--------------------------------|--------------------------------|----------------|----------------|
| DPD      | Date: 5/7/20<br>Initials: CC   | Date: 5/13/20<br>Initials: Scott | Date: _____<br>Initials: _____ | Date: 5/14/20<br>Initials: PKS | Date: _____<br>Initials: _____ | CW Sent: _____ | N/A            |
| PD       | Date: _____<br>Initials: _____ | Date: _____<br>Initials: _____   | Date: _____<br>Initials: _____ | Date: _____<br>Initials: _____ | Date: _____<br>Initials: _____ | Date: _____    | Date: _____    |
| FO       | Date: 5/7/20<br>Initials: CC   | Date: 5/13/20<br>Initials: Scott | Date: _____<br>Initials: _____ | Date: 5/14/20<br>Initials: PKS | Date: 5/21/20<br>Initials: CC  | Date: 5/21/20  | Date: _____    |

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

Special Order Volume: Vol. 1110 Pages 857-860

# 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](http://www.oregon.gov/OWRD)

Transfer Application: T-13427

Review Due Date: 06/04/2020

Applicant Name: Rob Unruh / Shasta View Irrigation

Proposed Changes: ☒ POU ☐ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Michelle Angell for Watermaster Date of Review: 05/26/2020

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

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", answer the following:

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

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

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

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

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

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

*a. Before water use may begin under this order, the water user shall install a totalizing flow meter\*, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an Irrigation district (or similar entity) are not subject to this condition.*

*b. The water user shall maintain the meters or measuring devices in good working order.*

*c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

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

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

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

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

☐  
☐  
☐

Weir

Parshall Flume

Other: \_\_\_\_

☐  
☐

Submerged Orifice

Flow Restrictor

## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 13427



In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

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

Watermaster name: Danette Watson

District: #17

Address: 305 Main St

City/State/Zip: Klamath Falls, OR 97601

Phone: 541-883-4182

Email: Danette.M.Watson@oregon.gov

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

\*\*\*\*\*

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

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

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

\_\_\_\_\_  
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



Oregon  
Kate Brown, Governor

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

May 5, 2020

ROBERT UNRUH  
30083 PICKETT RD  
MALIN, OR 97632

Reference: Application T- 13427

On April 27, 2020, we received your water right Transfer application. The application was accompanied by \$200.00. Our receipt number 132402 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands **from** which an irrigation water right is to be temporarily transferred and the land **to** which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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

Cc: Watermaster Dist. #17 (via email)  
Shasta View Irrigation

Enclosure

**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 # **132402**

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

RECEIVED FROM: Robyn L. Unruh Farms

BY: Inc.

|             |                |
|-------------|----------------|
| APPLICATION |                |
| PERMIT      |                |
| TRANSFER    | <u>T-13427</u> |

CASH: ☐ CHECK: # 4576 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

**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**

|                          |                          |                  |
|--------------------------|--------------------------|------------------|
| <b>MISCELLANEOUS</b>     |                          |                  |
| 0407                     | COPY & TAPE FEES         | \$               |
| 0410                     | RESEARCH FEES            | \$               |
| 0408                     | MISC REVENUE: (IDENTIFY) | \$               |
| TC162                    | DEPOSIT LIAB. (IDENTIFY) | \$               |
| 0240                     | EXTENSION OF TIME        | \$               |
| <b>WATER RIGHTS:</b>     |                          |                  |
| 0201                     | SURFACE WATER            | \$               |
| 0203                     | GROUND WATER             | \$               |
| 0205                     | TRANSFER                 | \$ <u>200.00</u> |
| <b>WELL CONSTRUCTION</b> |                          |                  |
| 0218                     | WELL DRILL CONSTRUCTOR   | \$               |
|                          | LANDOWNER'S PERMIT       | \$               |
|                          | OTHER (IDENTIFY)         | \$               |

|                  |
|------------------|
| <b>EXAM FEE</b>  |
| \$               |
| \$               |
| \$ <u>200.00</u> |
| <b>EXAM FEE</b>  |
| \$               |

|                    |
|--------------------|
| <b>RECORD FEE</b>  |
| \$                 |
| \$                 |
| <b>LICENSE FEE</b> |
| \$                 |
| \$                 |

**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: **132402**

DATED: 4-27-2020 BY: [Signature]

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

Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist



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

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

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

RECEIVED

APR 27 2020

OWRD

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☐ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- ☐ Part 4 – Completed Applicant Information and Signature.
- ☐ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** 2 **List them here:** B-Cert 27103 + G-12450  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☐ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year:** \_\_\_\_ **End Year:** \_\_\_\_.
- ☒ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ **Current** recorded deed for the land from which the authorized place of use is temporarily being moved.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☐ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

\_\_\_ Application fee not enclosed/or is insufficient      \_\_\_ Map not included or incomplete  
\_\_\_ Land Use Form not enclosed or incomplete  
\_\_\_ Additional signature(s) required      \_\_\_ Part \_\_\_\_ is incomplete  
Other/Explanation \_\_\_\_\_  
Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

RECEIVED

APR 27 2020

OWRD

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

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

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

| FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |   |          |                                 |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---|----------|---------------------------------|
| 1                                                   | Base Fee (includes temporary change to one water right for up to 1 cfs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | 1 | \$810.00 |                                 |
|                                                     | Number of water rights included in transfer: <u>2</u> (2a)<br>Subtract 1 from the number in 3a above: _____ (2b) If only one water right this will be 0                                                                                                                                                                                                                                                                                                                                                                                 |  |   |          |                                 |
| 2                                                   | Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | 2 |          |                                 |
| 3                                                   | Do you propose to change the place of use for a non-irrigation use?<br><input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a)<br>Subtract 1.0 from the number in 3a above: _____ (3b)<br>If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » »<br>If 3b is greater than 0, round up to the nearest whole number: _____ (3c)<br>and multiply 4c by \$200.00, then enter on line 3 |  | 3 |          | RECEIVED<br>APR 27 2020<br>OWRD |
| 4                                                   | Do you propose to change the place of use for an irrigation use?<br><input checked="" type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: _____ (4a)<br>Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »                                                                                                                                                                     |  | 4 |          |                                 |
| 5                                                   | Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | 5 |          |                                 |
| 6                                                   | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »<br>If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » »                                                                                  |  | 6 |          |                                 |
| 7                                                   | Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | 7 |          |                                 |

| FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS |                                                                                                                                                                                                                                                                                                                                                                                                       |   |               |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------|
| 1                                             | Base Fee (includes drought application and recording fee for up to 1 cfs)                                                                                                                                                                                                                                                                                                                             | 1 | \$200.00      |
|                                               | Enter the cfs for the portions of the rights to be transferred (see example below*):<br><u>0.51</u> (2a)<br>Subtract 1.0 from the number in 2a above: <u><del>0.51</del></u> (2b)<br>If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » »<br>If 2b is greater than 0, round up to the nearest whole number: <u>1</u> (2c)<br>and multiply 2c by \$50, then enter on line 2 » » » » » » » » » |   |               |
| 2                                             |                                                                                                                                                                                                                                                                                                                                                                                                       | 2 |               |
| 3                                             | Add entries on lines 1 through 2 above » » » » » » » » » » <b>Transfer Fee:</b>                                                                                                                                                                                                                                                                                                                       | 3 | <u>200.00</u> |

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

## TACS

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|                                                                                                                                                                             |                    |                                  |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><i>Robert Unruh</i>                                                                                                                              |                    | PHONE NO.<br><i>541-891-8360</i> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><i>30083 Pickett</i>                                                                                                                                             |                    | FAX NO.                          |                        |
| CITY<br><i>Malin</i>                                                                                                                                                        | STATE<br><i>OR</i> | ZIP<br><i>97632</i>              | E-MAIL                 |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                                  |                        |

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

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

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

*DUE TO DROUGHT, TRANSFERRING WR TO LAND THAT WILL BE FARMED & THE IRRIGATION DISTRICT CANNOT PROVIDE WATER*

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

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

*Robert L. Unruh*

Applicant signature

*Robert L. Unruh*

Print Name (and Title if applicable)

*4-24-2020*

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

RECEIVED

APR 27 2020

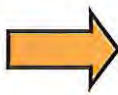
OWRD

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

|                                                |         |     |                                 |
|------------------------------------------------|---------|-----|---------------------------------|
| DISTRICT NAME<br><b>SHASTA VIEW IRRIGATION</b> | ADDRESS |     | RECEIVED<br>APR 27 2020<br>OWRD |
| CITY                                           | STATE   | ZIP |                                 |

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

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

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

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

13427

RECEIVED

APR 27 2020

## Part 5 of 5 – Water Right Information

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

Water Right Certificate # 27103

Received by OWRD

## Description of Water Delivery System

System capacity: 1.4 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

MAY 1 2020

Salem, OR

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

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or Is It Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp  | Rng  | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------|------|------|-----|-------|---------------------------|------------------------------------------------------|
| 1                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 14819                                         | 40 S | 12 E | 33  | SW SW |                           | 260' NORTH + 1040' EAST OF SW CORNER Sect 28         |
| 2                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 53641                                         | 40 S | 12 E | 33  | SW SW |                           | 150' NORTH + 790' EAST OF SW CORNER Sect 28          |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |      |      |     |       |                           |                                                      |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |      |      |     |       |                           |                                                      |

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

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

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

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

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

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

13427

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 27103**

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |                             |            |                      |      |                                         |                                                         |                  |            | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----------------------------|------------|----------------------|------|-----------------------------------------|---------------------------------------------------------|------------------|------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------|-----------------------------|------------|----------------------|------|--------------------|------------------------------------------------------|------------------|-----|-----------------|------|------------|--------|------|
| Twp                                                                                                                                                                                      | Rng | Sec | $\frac{1}{4}$ $\frac{1}{4}$ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acre | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        |                                                               | Rng                                                                                                     | Sec     | $\frac{1}{4}$ $\frac{1}{4}$ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acre | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |     |                 |      |            |        |      |
| <b>EXAMPLE</b>                                                                                                                                                                           |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
| 2                                                                                                                                                                                        | S   | 9   | E                           | 15         | NE                   | NW   | 100                                     |                                                         | 15.0             | Irrigation | POD #1<br>POD #2                                              | 1901                                                                                                    | POU/POD | 2                           | S          | 9                    | E    | 1                  | NW                                                   | NW               | 500 | 1               | 10.0 |            | POD #5 | 1901 |
| "                                                                                                                                                                                        | "   | "   | "                           | "          | "                    | "    | "                                       | "                                                       | "                | EXAMPLE    | "                                                             | "                                                                                                       | "       | 2                           | S          | 9                    | E    | 2                  | SW                                                   | NW               | 500 |                 | 5.0  |            | POD #6 | 1901 |
| 46                                                                                                                                                                                       | S   | 12  | E                           | 28         | SW                   | NW   | 680                                     |                                                         | 10.0             | irrigation |                                                               |                                                                                                         | POU     | 40                          | S          | 12                   | E    | 33                 | NW                                                   | SW               | 801 | <del>10.0</del> | 10.0 | irrigation |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
| TOTAL ACRES                                                                                                                                                                              |     |     |                             |            |                      |      | 10.0                                    |                                                         |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |      |                                         | TOTAL ACRES 10.0                                        |                  |            |                                                               |                                                                                                         |         |                             |            |                      |      |                    |                                                      |                  |     |                 |      |            |        |      |

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

**SUPERSEDING**

Received by OWRD

MAY 1 2020

TACS

Salem, OR

RECEIVED

APR 27 2020

## Part 5 of 5 – Water Right Information

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

Water Right Certificate # G-12450

Received by OWRD

## Description of Water Delivery System

System capacity: .38 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

MAY 1 2020

Salem, OR

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

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or Is It Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp  | Rng  | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------|------|------|-----|-------|---------------------------|------------------------------------------------------|
| 1                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 14819                                         | 40 S | 12 E | 33  | SW SW |                           | 600' NORTH + 1040' EAST OF SW CORNER SECT 28         |
| 2                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 53641                                         | 40 S | 12 E | 33  | SW SW |                           | 150' NORTH + 790' EAST OF SW CORNER SECT 28          |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |      |      |     |       |                           |                                                      |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |      |      |     |       |                           |                                                      |

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

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

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

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

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

☐ Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

13427

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # G-12450**

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |                             |            |                      |       |                                         |                                                         |                  |         | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----------------------------|------------|----------------------|-------|-----------------------------------------|---------------------------------------------------------|------------------|---------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----|-----------------------------|------------|----------------------|-------|--------------------|------------------------------------------------------|------------------|--|--|--|
| Twp                                                                                                                                                                                      | Rng | Sec | $\frac{1}{4}$ $\frac{1}{4}$ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp     |                                                               | Rng                                                                                                     | Sec | $\frac{1}{4}$ $\frac{1}{4}$ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |  |  |  |
| EXAMPLE                                                                                                                                                                                  |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
| 2                                                                                                                                                                                        | S   | 9   | E 15 NE NW                  | 100        |                      | 15.0  | Irrigation                              | POD #1<br>POD #2                                        | 1901             | POU/POD | 2                                                             | S                                                                                                       | 9   | E 1 NW NW                   | 500        | 1                    | 10.0  |                    | POD #5                                               | 1901             |  |  |  |
| "                                                                                                                                                                                        | "   | "   | "                           | "          | "                    | "     | EXAMPLE                                 | "                                                       | "                | "       | 2                                                             | S                                                                                                       | 9   | E 2 SW NW                   | 500        |                      | 5.0   |                    | POD #6                                               | 1901             |  |  |  |
| 40S                                                                                                                                                                                      | 12E | 28  | SW NW                       | 6800       |                      | 17.4  | irrigation                              |                                                         |                  | POU     | 40S                                                           | 12E                                                                                                     | 33  | NW SW                       | 801        |                      | 3.4   | irrigation         |                                                      |                  |  |  |  |
| 40S                                                                                                                                                                                      | 12E | 28  | NW SW                       |            |                      | 1.0   |                                         |                                                         |                  | POU     | 40S                                                           | 12E                                                                                                     | 32  | NE SW                       | 900        |                      | 27.0  | irrigation         |                                                      |                  |  |  |  |
| 40S                                                                                                                                                                                      | 12E | 28  | SW SW                       |            |                      | 6.0   |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
| 40S                                                                                                                                                                                      | 12E | 28  |                             |            |                      | 6.0   |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         |                  |         |                                                               |                                                                                                         |     |                             |            |                      |       |                    |                                                      |                  |  |  |  |
| TOTAL ACRES                                                                                                                                                                              |     |     |                             |            |                      | 30.4  |                                         |                                                         |                  |         |                                                               | TOTAL ACRES                                                                                             |     |                             |            |                      |       | 30.4               |                                                      |                  |  |  |  |

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

Received by OWRD

APR 27 2020

OWRD

## Part 5 of 5 – Water Right Information

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

Water Right Certificate # \_\_\_\_\_

## Description of Water Delivery System

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

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

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-____) | Twp  | Rng  | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------|------|------|-----|-------|---------------------------|------------------------------------------------------|
| 1                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 14819                                          | 40 S | 12 E | 33  | SW SW |                           |                                                      |
| 2                      | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | KLAM 53641                                          | 40 S | 12 E | 33  | SW SW |                           |                                                      |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                     |      |      |     |       |                           |                                                      |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                     |      |      |     |       |                           |                                                      |

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

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

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

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

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

SUPERSEDED

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

13427

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate #** 27103 + G-12450

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |                             |            |                      |       |                                         |                                                         |                  |            |                  |      | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |            |                      |       |                    |                                                      |                  |     |             |      |  |        |      |  |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----------------------------|------------|----------------------|-------|-----------------------------------------|---------------------------------------------------------|------------------|------------|------------------|------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------|----------------------|-------|--------------------|------------------------------------------------------|------------------|-----|-------------|------|--|--------|------|--|------|
| Twp                                                                                                                                                                                      | Rng | Sec | $\frac{1}{4}$ $\frac{1}{4}$ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        | Rng              | Sec  |                                                               | $\frac{1}{4}$ $\frac{1}{4}$                                                                             | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |     |             |      |  |        |      |  |      |
| EXAMPLE                                                                                                                                                                                  |     |     |                             |            |                      |       |                                         |                                                         |                  |            |                  |      |                                                               |                                                                                                         |            |                      |       |                    |                                                      |                  |     |             |      |  |        |      |  |      |
| 2                                                                                                                                                                                        | S   | 9   | E                           | 15         | NE                   | NW    | 100                                     |                                                         | 15.0             | Irrigation | POD #1<br>POD #2 | 1901 | POU/POD                                                       | 2                                                                                                       | S          | 9                    | E     | 1                  | NW                                                   | NW               | 500 | 1           | 10.0 |  | POD #5 | 1901 |  |      |
| "                                                                                                                                                                                        | "   | "   | "                           | "          | "                    | "     | "                                       | "                                                       | "                | EXAMPLE    | "                | "    | "                                                             | 2                                                                                                       | S          | 9                    | E     | 2                  | SW                                                   | NW               | 500 |             | 5.0  |  | POD #6 | 1901 |  |      |
| 40                                                                                                                                                                                       | S   | 12  | E                           | 28         | SW                   | NW    | 6800                                    |                                                         | 17.4             | irrigation |                  |      | POU                                                           | 40                                                                                                      | S          | 12                   | E     | 33                 | NW                                                   | SW               | 801 |             | 13.4 |  |        |      |  |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         | 1.0              |            |                  |      | POU                                                           | 40                                                                                                      | S          | 12                   | E     | 32                 | NE                                                   | SW               | 900 |             | 27.4 |  |        |      |  |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         | 6.0              |            |                  |      |                                                               |                                                                                                         |            |                      |       |                    |                                                      |                  |     |             |      |  |        |      |  |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         | 6.0              |            |                  |      |                                                               |                                                                                                         |            |                      |       |                    |                                                      |                  |     |             |      |  |        |      |  |      |
|                                                                                                                                                                                          |     |     |                             |            |                      |       |                                         |                                                         | 10.0             |            |                  |      |                                                               |                                                                                                         |            |                      |       |                    |                                                      |                  |     |             |      |  |        |      |  |      |
| TOTAL ACRES                                                                                                                                                                              |     |     |                             |            |                      | 40.4  |                                         |                                                         |                  |            |                  |      |                                                               |                                                                                                         |            |                      |       |                    |                                                      |                  |     | TOTAL ACRES |      |  |        |      |  | 40.4 |

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

**SUPERSEDED**

RECEIVED  
APR 27 2020  
OWRD

APR 27 2020

**For Place of Use Changes**

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

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

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

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

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

**AND/OR**

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

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

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

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

MAP 1 of 4

# MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SW1/4 NW1/4 AND SW1/4 OF SECTION 28,  
AND THE W1/2 NW1/4 OF SECTION 33, T40S, R12EWM,  
KLAMATH COUNTY, OREGON

MARCH 1992

APR 8 1992

Application No. 6-12860

Permit No. 612228

MAP PREPARED FOR  
-- WEYERHAEUSER CO. --

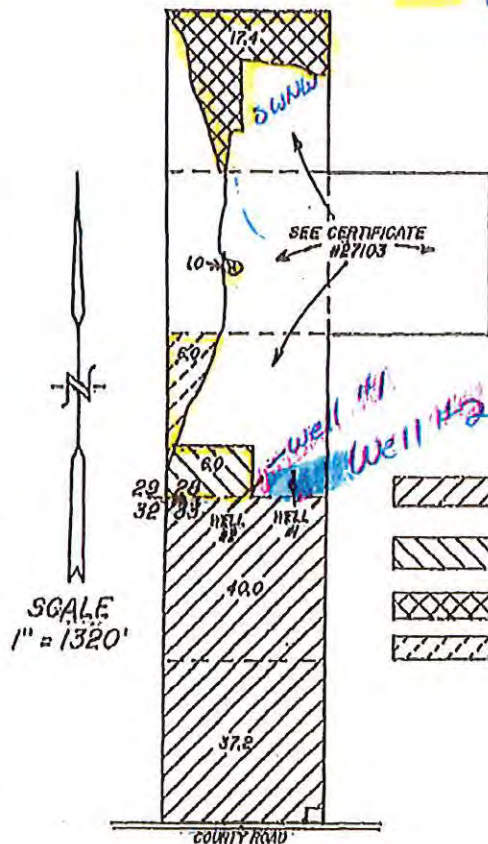
RECEIVED

APR 27 202

OWRD



FROM  
LAND



## LOCATION OF WELL #1 BY CERTIFICATE #27103

200 FEET NORTH & 1040 FEET EAST OF  
THE SOUTHWEST CORNER OF SECTION 20

## LOCATION OF WELL #2 BY PERMIT #G-6345 (CANCELLED)

150 FEET NORTH & 790 FEET EAST OF  
THE SOUTHWEST CORNER OF SECTION 20

|                                                                              |          |
|------------------------------------------------------------------------------|----------|
| LAND SUPPLEMENTAL TO SHASTA VIEW IRRIGATION DISTRICT, IRRIGATED FROM WELL #1 | 77.2 Ac. |
| LAND SUPPLEMENTAL TO PERMIT #G-255, IRRIGATED FROM WELL #2                   | 6.0 Ac.  |
| PRIMARY LAND FOR WELL #1                                                     | 18.4 Ac. |
| PRIMARY LAND FROM WELL #2                                                    | 6.0 Ac.  |

## TOTAL AREA THIS APPLICATION

-- 107.6 Ac. --

MAP PREPARED FROM MAP OF PERMIT #G-6345, MAP OF PERMIT #G-255, AND AERIAL PHOTO.

ACREAGE OF LAND SUPPLEMENTAL TO SHASTA VIEW IRRIGATION DISTRICT ARE SHOWN AS QUOTED FROM DISTRICT OFFICE

**SUPERSEDING**

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE  
WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE  
TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

received by OWRD

TRU-LINE SURVEYING  
2333 SUMMERS LANE  
KLAMATH FALLS, OR. 97603

MAY 1 2020

13427

Salem, OR

MAP 1 of 4

# MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SW1/4 NW1/4 AND SW1/4 OF SECTION 28,  
AND THE W1/2 NW1/4 OF SECTION 33, T40S, R12EWM,  
KLAMATH COUNTY, OREGON

MARCH 1992

APR 8 1992

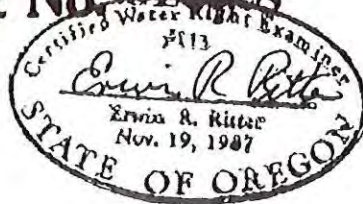
MAP PREPARED FOR  
-- WEYERHAEUSER CO. --

Application No. 6-12860  
Permit No. G-12328

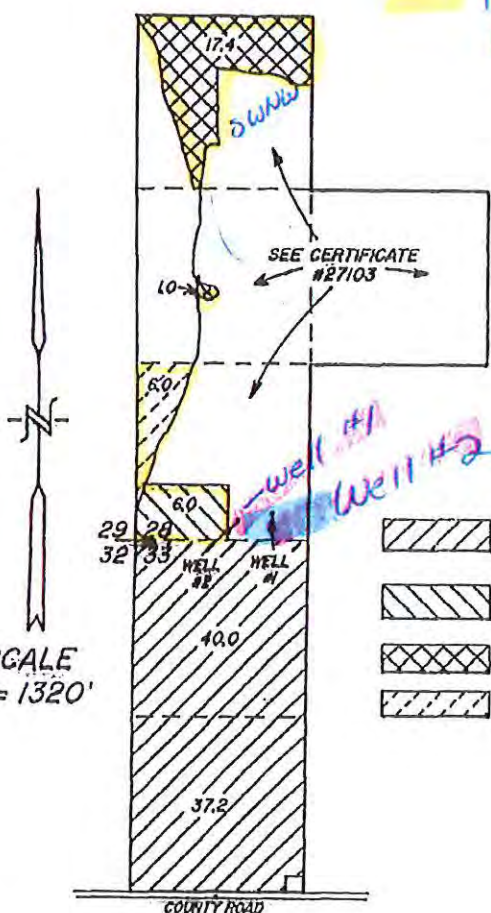
RECEIVED

APR 27 202

OWRD



FROM  
LAND



## LOCATION OF WELL #1 BY CERTIFICATE #27103

200 FEET NORTH & 1040 FEET EAST OF  
THE SOUTHWEST CORNER OF SECTION 28

## LOCATION OF WELL #2 BY PERMIT #G-6345 (CANCELLED)

150 FEET NORTH & 790 FEET EAST OF  
THE SOUTHWEST CORNER OF SECTION 28

|                                                                              |          |
|------------------------------------------------------------------------------|----------|
| LAND SUPPLEMENTAL TO SHASTA VIEW IRRIGATION DISTRICT, IRRIGATED FROM WELL #1 | 77.2 Ac. |
| LAND SUPPLEMENTAL TO PERMIT #G-255, IRRIGATED FROM WELL #2                   | 6.0 Ac.  |
| PRIMARY LAND FOR WELL #1                                                     | 18.4 Ac. |
| PRIMARY LAND FROM WELL #2                                                    | 6.0 Ac.  |

## TOTAL AREA THIS APPLICATION

-- 107.6 Ac. --

MAP PREPARED FROM MAP OF PERMIT #G-6345, MAP OF PERMIT #G-255, AND AERIAL PHOTO.

ACREAGE OF LAND SUPPLEMENTAL TO SHASTA VIEW IRRIGATION DISTRICT ARE SHOWN AS QUOTED FROM DISTRICT OFFICE

**SUPERSEDED**

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE  
WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE  
TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

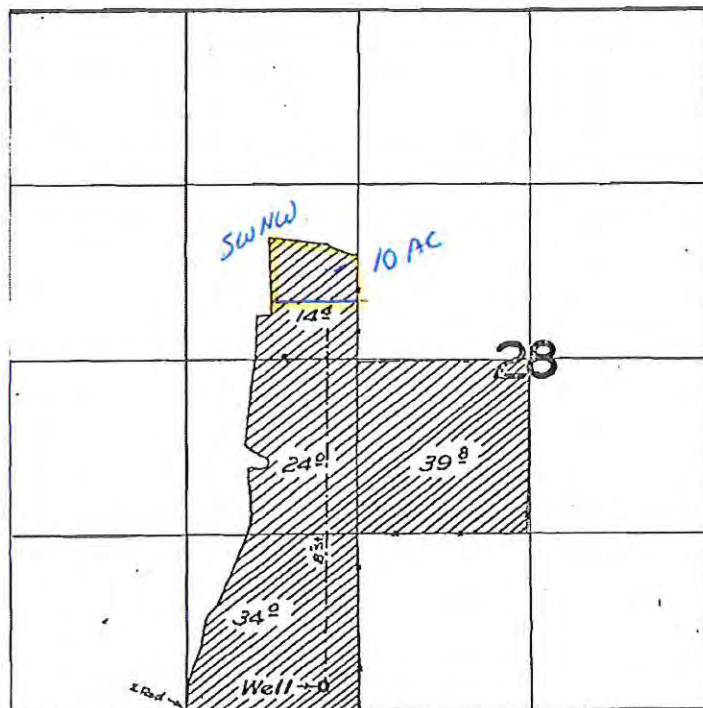
TRU-LINE SURVEYING  
2333 SUMMERS LANE  
KLAMATH FALLS, OR. 97603

13427

T.40S.R.12E.W.M.

FROM LAND

RECEIVED  
APR 27 2020  
OWRD



East River Wells

FINAL PROOF SURVEY

UNDER

Application No. 9-179 Permit No. 9-255

IN NAME OF

ALICE PEREIRA

Surveyed 21 Oct 19 59, by Paul B. Bink

CNO-62K-36

Map 3 of 4

REVISED 5-9-12  
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

SECTION 32 T.40S. R.12E. W.M.  
KLAMATH COUNTY

40 12 32

RECEIVED  
APR 27 2020  
OWRD

NORTH

T 40S R 12E  
SEC 32  
TAX LOT  
900

13427  
Scale  
1" = 880'



NESE

141,000

40 12 32



## NOTICE TO WATER WELL CONTRACTOR

The original and first copy  
of this report are to be  
filed with the

STATE ENGINEER, SALEM, OREGON 97310  
within 30 days from the date  
of well completion.

## WATER WELL REPORT

STATE OF OREGON

(Please type or print)

SALEM, OREGON

(Do not write above this line)

RECEIVED

OCT 24 1972

Well No. 405/12E-28

State Permit No. 6-6106

APR 23 2018

## (1) OWNER:

Name WEYERHAEUSER COAddress PO BOX 9KLAMATH FALLS, ORE

## (2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

## (3) TYPE OF WELL:

 Rotary ☒ Driven ☐  
 Cable ☐ Jetted ☐  
 Dug ☐ Bored ☐

## (4) PROPOSED USE (check):

 Domestic ☐ Industrial ☐ Municipal ☐  
 Irrigation ☒ Test Well ☐ Other ☐

## (5) CASING INSTALLED:

Threaded ☐ Welded ☒10 3/4" Diam. from 1 ft. to 7 ft. Gage 25010 3/4" Diam. from 1 ft. to 7 ft. Gage 25010 3/4" Diam. from 1 ft. to 7 ft. Gage 250

## (6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations In. by In.

perforations from 1 ft. to 7 ft.perforations from 1 ft. to 7 ft.perforations from 1 ft. to 7 ft.

## (7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

## (8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Valley PumpYield: 825 gal./min. with 40 ft. drawdown after 3 hrs.

" " " " " "

" " " " " "

" " " " " "

" " " " " "

" " " " " "

" " " " " "

" " " " " "

## (9) CONSTRUCTION:

Well seal—Material used BENTONITEWell sealed from land surface to 40 ft.Diameter of well bore to bottom of seal 13 in.Diameter of well bore below seal 13 in.Number of sacks of cement used in well seal 18 sacksNumber of sacks of bentonite used in well seal 18 sacksBrand name of bentonite AQUAJELL

Number of pounds of bentonite per 100 gallons

of water 18 lbs./100 gals.Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.Did any strata contain unusable water? ☐ Yes ☒ NoType of water? depth of strataMethod of sealing strata off 18Was well gravel packed? ☐ Yes ☒ No Size of gravel: 18Gravel placed from 1 ft. to 7 ft.

## (10) LOCATION OF WELL:

County KLAMATH District well numberSE 1/4 SW 1/4 Section 28 T 45 S R 12 E

Bearing and distance from section corner

## (11) WATER LEVEL: Completed Well.

Depth at which water was first found 193 ft.Static level 159 ft. below land surface. Date 9/22/72

Artesian pressure lbs. per square inch. Date

## (12) WELL LOG:

Diameter of well below casing 10 3/4Depth drilled 397 ft. Depth of completed well 397 ft.

Formation: Describe color, texture, grain and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

| MATERIAL                          | From | To  | SWL |
|-----------------------------------|------|-----|-----|
| SANDY TOPSOIL                     | 0    | 3   |     |
| SANDSTONE                         | 3    | 44  |     |
| SANDSTONE - STREAKS YELLOW SHALE  | 44   | 68  |     |
| YELLOW CLAY                       | 68   | 92  |     |
| BLACK BASALT                      | 92   | 124 |     |
| BROWN LAVA                        | 124  | 135 |     |
| BROWN LAVA - STREAKS YELLOW SHALE | 135  | 145 |     |
| BLACK SANDSTONE - STREAKS         | 145  | 174 |     |
| BROWN SANDSTONE                   | 174  | 182 |     |
| BLACK SANDSTONE                   | 182  | 250 |     |
| YELLOW SANDSTONE                  | 250  | 265 |     |
| BLACK BASALT                      | 265  | 290 |     |
| Decomposed BROWN LAVA             | 290  | 318 |     |
| BLACK BASALT                      | 318  | 338 |     |
| BROWN LAVA                        | 338  | 333 |     |
| BLACK BASALT                      | 333  | 338 |     |
| BROWN LAVA                        | 338  | 344 |     |
| BLACK BASALT                      | 344  | 353 |     |
| BROWN LAVA                        | 353  | 397 | WB  |

Work started 9/11/72 19 Completed 9/22/72 19Date well drilling machine moved off of well 9/22/72 19

## Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Don M. Hargis Date 10/20/72

(Drilling Machine Operator)

Drilling Machine Operator's License No. 656

## Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name E.E. STOREY

(Person, firm or corporation) (Type or print)

Address 3831 Hope Falls, ORE[Signed] E.E. Storey

(Water Well Contractor)

Contractor's License No. 24 Date 10/20/72 19

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45356-119

13427

RECEIVED KLAM 53641

RECEIVED

APR 27 2020

STATE OF OREGON JAN 03 2003  
 WATER SUPPLY WELL REPORT  
 (as required by ORS 537.765) WATER RESOURCES DEPT.  
 SALEM, OREGON  
 Instructions for completing this report are on the last page of this form.

WELL I.D. # L 51773  
 START CARD # 145950

OWRD

(1) LAND OWNER Well Number  
 Name U.S. Timberland/Klamath Falls, LLC  
 Address 7680 Happy Hollow Lane  
 City Bananza, State OR Zip 97623

(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 396  
 Explosives used ☐ Yes ☐ No Type Amount

| HOLE     |      |     | SEAL     |      |    | Sacks or pounds |
|----------|------|-----|----------|------|----|-----------------|
| Diameter | From | To  | Material | From | To |                 |
| 14       | 0    | 230 |          |      |    |                 |
| 8        | 230  | 396 |          |      |    |                 |

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

| Diameter |  | From | To | Gauge | Steel | Plastic                             | Welded                   | Threaded                            |
|----------|--|------|----|-------|-------|-------------------------------------|--------------------------|-------------------------------------|
| Casing:  |  | 14   | +1 | 35    | 250   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Liner:   |  |      |    |       |       | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            |

Drive Shoe used ☐ Inside ☐ Outside ☐ None  
 Final location of shoe(s)

## (7) PERFORATIONS/SCREENS:

| 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

| Yield gal/min |  | Drawdown | Drill Stem at | Flowing                                                                                                                                 | Time  |
|---------------|--|----------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------|
| 1500          |  | 30       |               | <input checked="" type="checkbox"/> Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Air <input type="checkbox"/> Artesian | 1 hr. |

Temperature of water 56° 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 40S N or S Range 12E E or W WM  
 Section 28 SW 1/4 SW 1/4  
 Tax Lot 6800 Lot Block Subdivision  
 Street Address of Well (or nearest address)  
 30083 Pickett Rd., Malin, OR

(10) STATIC WATER LEVEL:  
 169 ft. below land surface. Date 12/30/02  
 Artesian pressure lb. per square inch Date

## (11) WATER BEARING ZONES:

| From | To  | Estimated Flow Rate | SWL |
|------|-----|---------------------|-----|
| 230  | 396 | 1500                | 169 |

## (12) WELL LOG:

| Material                 | From | To  | SWL |
|--------------------------|------|-----|-----|
| Gray basalt              | 230  | 244 |     |
| Gray & green basalt      | 244  | 252 |     |
| Broken brn & gray basalt | 252  | 257 |     |
| Gray basalt              | 257  | 272 |     |
| Red rock                 | 272  | 287 |     |
| Brn lava                 | 287  | 289 |     |
| Gray basalt              | 289  | 292 |     |
| Decomposed lava          | 292  | 298 |     |
| Red & brn lava           | 298  | 336 |     |
| Brn lava                 | 336  | 350 |     |
| Red & brn lava           | 350  | 375 |     |
| Gray basalt              | 375  | 385 |     |
| Red & brn lava           | 385  | 396 |     |

RECEIVED

NOV 30 2004

WATER RESOURCES DEPT

Date started 12/30/02 Completed 12/30/02

## (unbonded) Water Well Constructor Certification:

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

WWC Number  
 Signed Date

## (bonded) Water Well Constructor Certification:

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

WWC Number 12328  
 Signed Rany H. Osipian Date 12/30/02

ORIGINAL - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER

RECEIVED

APR 22 2018

13427

OWRD

# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
County of KLAMATH) ss

RECEIVED

APR 27 2020

OWRD

I, ROBERT UNRUH, in my capacity as OWNER,  
mailing address 30083 PICKETT, MALIN, OR 97632  
telephone number (541)891-8360, being first duly sworn depose and say:

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

Received by OWRD

☒ Personal observation

☐ Professional expertise

MAY 1 2020

2. I attest that:

Salem, OR

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

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

| Certificate # | Township |   | Range |   | Mer | Sec | ¼ ¼ |    | Gov't Lot<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|---|-------|---|-----|-----|-----|----|---------------------|--------------------------|
| 27103         | 40       | S | 12    | E |     | 28  | SW  | NW |                     | 17.4                     |
| 27103         | 40       | S | 12    | E |     | 28  | SW  | NW |                     | 10.0                     |
| 27103         | 40       | S | 12    | E |     | 28  | NW  | SW |                     | 1.0                      |
| 27103         | 40       | S | 12    | E |     | 28  | SW  | SW |                     | 6.0                      |
| G-12450       | 40       | S | 12    | E |     | 28  | SW  | SW |                     | 6.0                      |
|               |          |   |       |   |     |     |     |    |                     |                          |
|               |          |   |       |   |     |     |     |    |                     |                          |

OR

☐ Confirming Certificate # \_\_\_\_ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The  
instream lease number is: \_\_\_\_ (Note: If the entire right proposed for  
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for  
non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than  
10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

**SUPERSEDING**

13427

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

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]  
Signature of Affiant

04/24/20  
Date

APR 27 2020

OWRD

Signed and sworn to (or affirmed) before me this 24 day of April, 2020.



[Signature]  
Notary Public for Oregon

My Commission Expires: 08/26/2023

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

**SUPERSEDING**

Received by OWRD

MAY 1 2020

Salem, OR  
FS

# Oregon Water Resources Department Water Rights Mapping Tool

OWRD Only

725 Summer St NE, Sale

Return Contact

Search

Identify Non-Water Right Features

Tax Lots

Identify Tax Lots OR Map

- ☐ Off  
☒ On

County: Klamath  
Taxlot: R-4012-00000-06800-000  
Owner1: R&C AG LLC  
Owner2:  
Owner Address: 30083 PICKETT RD, MALIN, OR 97632  
Site Address: 30047 PICKETT RD, MALIN, OR 97632  
Acres: 157.7  
TRSQQ: WM40.00S12.00E0XXX  
Effective Date: March 25, 2019

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

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

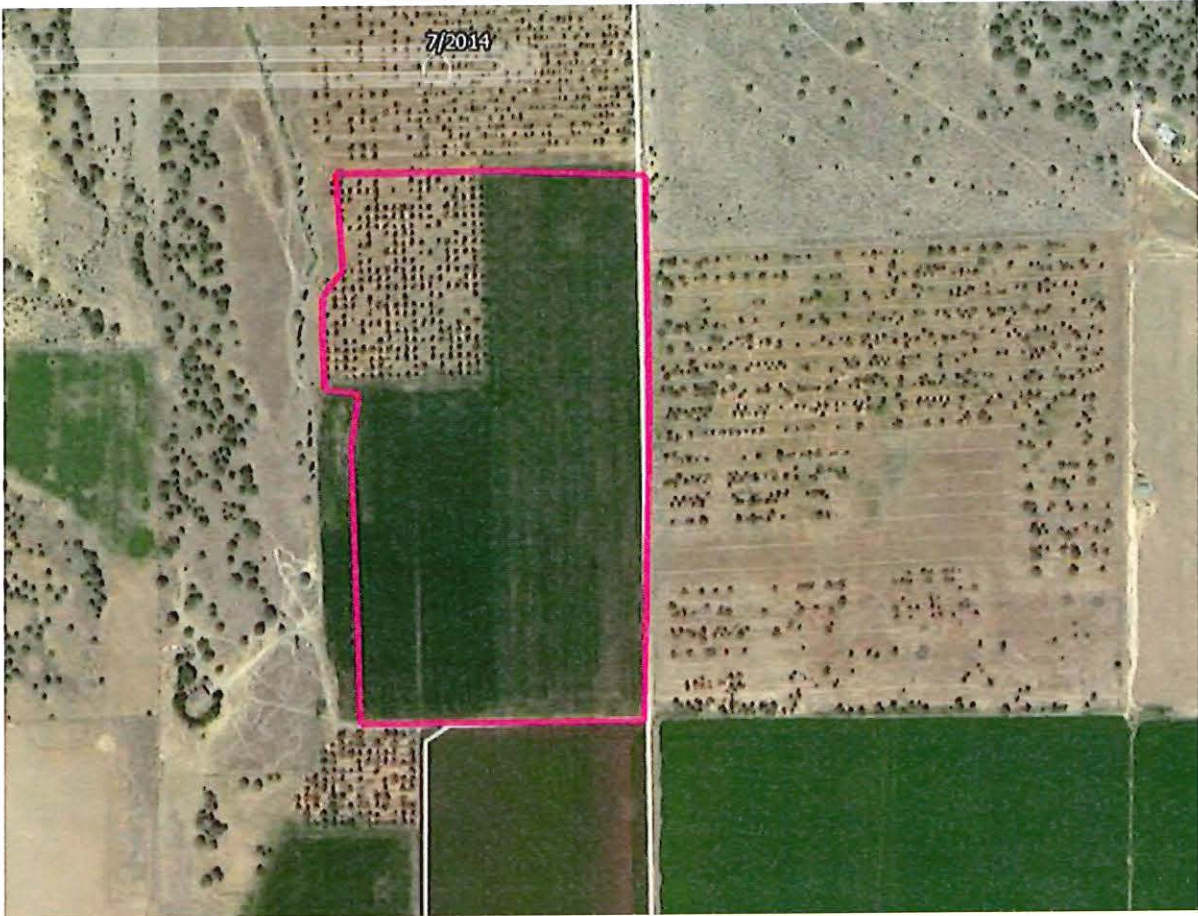
## SUPERSEDING

Received by OWRD

MAY 1 2020

Salem, OR



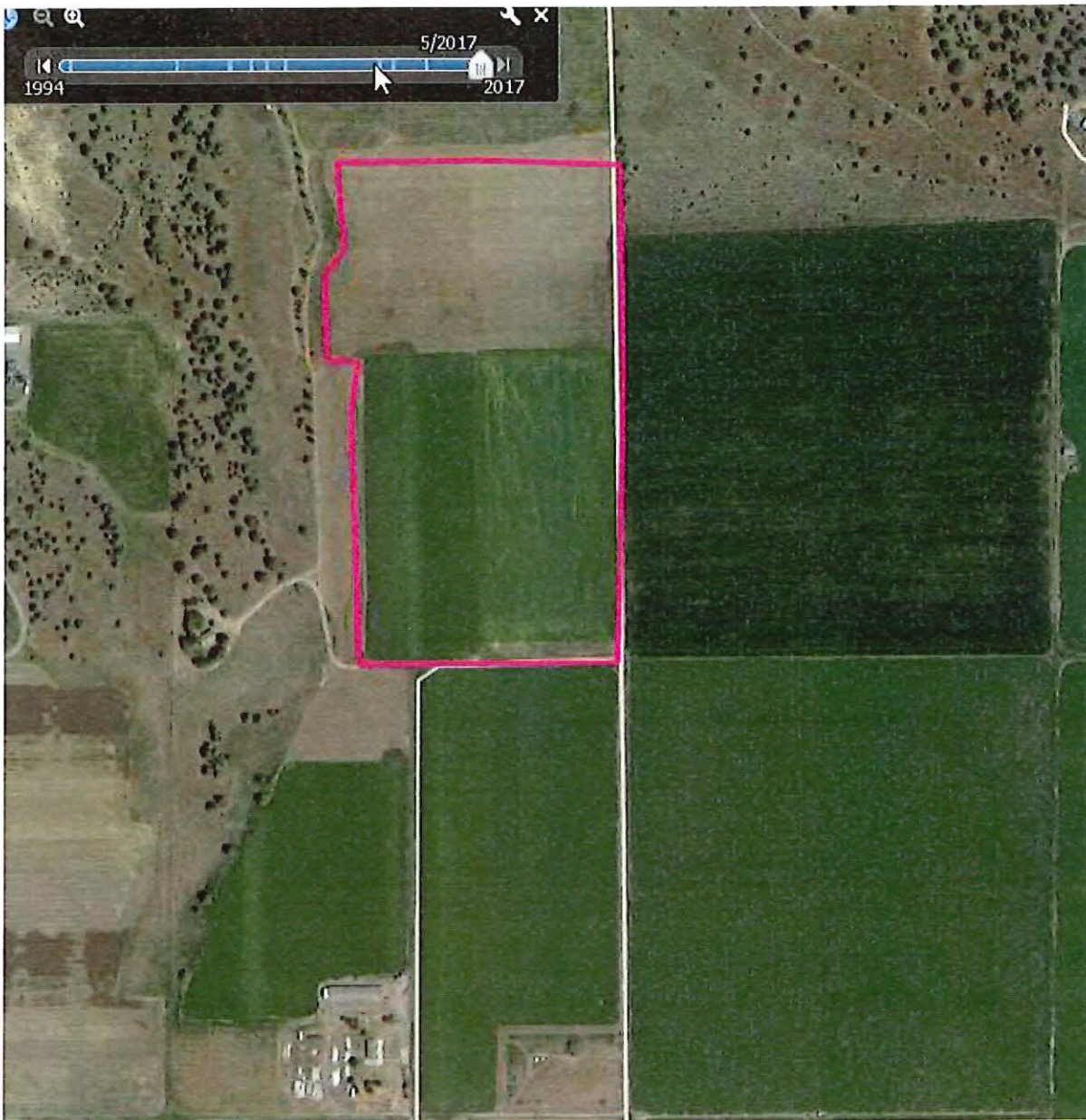


Received by OWRD

MAY 1 2020

Salem, OR

**SUPERSEDING**



Received by OWRD

MAY 1 2020

Salem, OR

**SUPERSEDING**

# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss

County of KLAMATH)

I, ROBERT UNRUH, in my capacity as OWNER,

mailing address 30083 PICKETT, MALIN, OR 97632

telephone number (541)891-8360, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

| Certificate # | Township |   | Range |   | Mer | Sec | ¼ ¼ |    | Gov't Lot<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|---|-------|---|-----|-----|-----|----|---------------------|--------------------------|
| 27103         | 40       | S | 12    | E |     | 28  | SW  | NW |                     | 17.4                     |
| 27103         | 40       | S | 12    | E |     | 28  | SW  | NW |                     | 10.0                     |
| 27103         | 40       | S | 12    | E |     | 28  | NW  | SW |                     | 1.0                      |
| 27103         | 40       | S | 12    | E |     | 28  | SW  | SW |                     | 6.0                      |
| G-12450       | 40       | S | 12    | E |     | 28  | SW  | SW |                     | 6.0                      |
|               |          |   |       |   |     |     |     |    |                     |                          |
|               |          |   |       |   |     |     |     |    |                     |                          |

**OR**

☐ Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The  
instream lease number is: \_\_\_\_ (Note: If the entire right proposed for  
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for  
non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than  
10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

**SUPERSEDED**

(continues on reverse side)

RECEIVED

APR 27 2020

OWRD

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

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]  
Signature of Affiant

04/24/20  
Date

RECEIVED  
APR 27 2020  
OWRD

Signed and sworn to (or affirmed) before me this 24 day of April, 2020.



[Signature]  
Notary Public for Oregon

My Commission Expires: 08/26/2023

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

**SUPERSEDED**



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

## Request for Assignment

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant. If for multiple rights, a separate form and fee for each right will be required.

Received by OWRD

I, R and C Ag, LLC, a Limited Liability Company

(Name of Current Holder of Record)

30083 Pickett Rd.

29303 Demeritt Road

(Mailing Address)

Malin, OR 97632

(City) (State) (Zip)

(541) 723-6891

(Phone #)

MAY 1 2020

Salem, OR

☒ hereby assign all my interest and to the entire application/permit/transfer order/limited license/groundwater statement; (example, sold all the land authorized under the right)

☐ hereby assign all my interest in and to a portion of the application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the location of the right)

☐ hereby assign a portion of my interest in and to a portion of the application/permit/transfer order/limited license/groundwater statement; (example, adding an additional parcel)

Application # 612260; Permit # \_\_\_\_\_

Limited License # \_\_\_\_\_

as filed in the office of the Water Resources Director

Northwest Farm Credit Services, FLCA 300

(Name of New Owner)

(Mailing Address)

Northwest Farm Credit Services, PCA 300

(Name of New Owner)

(Mailing Address)

And

R&C Ag, L.L.C., a Limited Liability Company

(Name of New Owner)

(Mailing Address)

PROOF THAT  
R and C Ag, LLC is  
Robert Unruh

Received by OWRD

MAY 1 2020

Salem, OR

Note: If there are other owners of the property described in this application, permit, transfer order, limited license, or groundwater statement, you must provide a list of all other owners' names and mailing addresses and attach it to this form. Write the initials (first letters) of your first and last names at the spot indicated below RU.

RU I hereby certify that I have notified all other owners of the property described in this application, permit, transfer Order, limited license, or groundwater statement of this Request for Assignment

Witness my hand this 22<sup>nd</sup> day of Jan., 20 18

(Day)

(Month)

(Year)

Signature of Current Holder of Record Robert L. Unruh, Operating Manager

Failure to provide any of the required information will result in the return of your application.

### DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 125244

For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$100.

Request for Assignment

RECEIVED

JAN 25 2018

WR

OWRD

ASSIGNED  
1/24/2018

AMH  
47658 AM

After Recording, Return To:

R&C AG, L.L.C.  
29303 Demeritt Road  
Malin, OR 97632

Until A Change Is Requested,  
Send All Tax Statements To:

Same as above

2015-007013

Klamath County, Oregon

06/30/2015 12:05:36 PM

Fee: \$72.00

RECEIVED

APR 27 2020

OWRD

Space above reserved for recorder

**SPECIAL WARRANTY DEED  
(Klamath County)**

GREEN DIAMOND RESOURCE COMPANY, a Washington corporation ("Grantor"), conveys and specially warrants to R&C AG, L.L.C., an Oregon limited liability company ("Grantee"), the real property located in Klamath County, Oregon, described on the attached **Exhibit A** (the "Property"), free of encumbrances created or suffered by the Grantee except as specifically set forth herein;

TOGETHER WITH all rights, privileges and interests appurtenant thereto, including (i) all trees growing or down and logs, fiber and woody biomass located thereon; (ii) all of Grantor's interest and rights in minerals, oil and gas, gravel and rock located thereon or thereunder; (iii) all of Grantor's right, title and interest in, to and under all structures, facilities and improvements, including all buildings, bridges and gates; (iv) all of Grantor's right, title and interest in, to and under all fixtures, systems, equipment and other items of personal property attached or appurtenant thereto; (v) all of Grantor's right, title and interest in, to and under all easements, road use agreements, rights-of-way and licenses appurtenant thereto, to the extent assignable and transferable; (vi) all of Grantor's interest in water rights appurtenant to or used in connection with the Property, including any rights, agreements or contracts related to the delivery of water to the extent they relate to the Property and stock in water companies providing water to the Property; and (vii) all of Grantor's right, title and interest in, to and under all licenses, permits, approvals and franchises relating to the zoning, land use, ownership, operation, occupancy, construction or maintenance thereof running to or in favor of the Grantor or the Property, to the extent assignable and transferable.

The true consideration for this conveyance stated in terms of dollars is \$543,700.

Don't

13427

APR 27 2020

OWRD

SUBJECT TO, and excepting and excluding from the covenants and warranties described herein and in ORS 93.850, the matters set forth on attached **Exhibit B**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

*[Signature and acknowledgement on following page.]*

OWRD

**GRANTOR:**

By:  m  
Douglas S. Reed, President

STATE OF WASHINGTON )  
County of KING ) ss.

Notary Public  
State of Washington  
KATHLEEN LOUISE CROLL  
My Appointment Expires Oct 23, 2016

Kathleen Louise Croll  
Notary Public for Washington  
Commission No.: 162364  
My commission expires: Oct. 23, 2016

RECEIVED

APR 27 2020

OWRD

Exhibit A

**Legal Description of Property**

Section 28 - SW1/4 NW1/4, N1/2 SW1/4, SW1/4 SW1/4 ✓

TL 6800

Section 33 - The W1/2 NW1/4 EXCEPTING THEREFROM the following: Beginning at the Southeast corner of the W1/2 NW1/4; thence North 215 feet; thence West 200 feet; thence South 215 feet to the South line of said property; thence East 200 feet to the point of beginning.

All being in Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

**Exhibit B****Exceptions to Title**

1. Liens for current year real property taxes not yet due or payable.
2. Discrepancies and conflicts in boundary lines, encroachments, shortage of area and similar matters which an ALTA survey would disclose to the extent such matters do not materially impair the use of the Property or improvements thereon as currently used by Grantor.
3. Rights of the public in roads and highways.
4. Rights of way for utility lines now installed on the Property.
5. Unpatented mining claims.
6. Reservations in federal patents or in acts authorizing the same.
7. Zoning, entitlement, conservation restrictions and other land use and environmental regulations by any applicable federal, state or local municipal entity or government or other administrative, judicial or other governmental department, commission, court, board, bureau, agency or instrumentality applicable to the Property.
8. The assessment roll and the tax roll disclose that the premises herein described were zoned and classified for farm use. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land use assessment.
9. The premises herein described are within and subject to the statutory powers, including the power of assessment and easement of Klamath Lake Grazing Patrol

10. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: The California Oregon Power Company  
Recorded: February 25, 1948  
Instrument No.: Book: 217, Page: 253
11. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: The California Oregon Power Company  
Recorded: June 14, 1956  
Instrument No.: Book: 284, Page: 142
12. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Pacific Power & Light Company  
Recorded: October 12, 1965  
Instrument No.: M65, Page 02570
13. Road Use Permit, including the terms and provisions thereof:  
Dated: December 18, 1995  
Recorded: March 26, 1996  
Instrument No.: M96, Page: 08279  
Between: Weyerhaeuser Company  
And: US West Communication
14. The provisions contained in Deed:  
Recorded: August 30, 1996  
Instrument No.: M96, Page 26895
15. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Telephone Utilities of Eastern Oregon, Inc. dba PTI Communications  
Recorded: October 24, 1997  
Instrument No.: M97, Page 34986

RECEIVED

APR 27 2020

OWRD

16. Easement, Road Use Agreements, and Rights-of-Way Assignment and Assumption Agreement, including the terms and provisions thereof:

Dated: September 25, 2014

Recorded: September 29, 2014

Instrument No.: 2014-010042

Between: JWTR, LLC, an Oregon limited liability company and JWTR Oregon, LLC, an Oregon limited liability company

And: Green Diamond Resource Company, a Washington corporation.

# Land Use Information Form



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

RECEIVED

APR 27 2020

OWRD

Applicant: Robert Unruh  
First Last

Mailing Address: 30083 Pickett Rd

Malin OR 97632 Daytime Phone: 541-891 8360  
City State Zip

## 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: |
|----------|-------|---------|-----|-----------|-------------------------------------------------|-----------------------------------|-----------------------------------|------------------------------------------|--------------------|
| 46S      | 12E   | 28      |     | 6800      |                                                 | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | crops              |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used            |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used            |                    |
|          |       |         |     |           |                                                 | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used            |                    |

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

Klamath

## 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: 0.51 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

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

See bottom of Page 3. →

## For Local Government Use Only

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<br>(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<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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: Libby Gallagher Title: Planner 2  
 Signature: Russell Amaguer Phone: 541-251-3624 Date: 4/23/2020  
 Government Entity: Klamath Co. Planning Division

**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: Robert Unruh  
 City or County: Klamath Staff contact: Michelle Angel  
 Signature: [Signature] Phone: \_\_\_\_\_ Date: 13427

# Regular Temporary Water Right Transfer Application Checklist

Checked by Scott

Date 4/29/20

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

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

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

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \* See email attached
- ☒ 2. Are fees included and correct? 200  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom? yes  
If not, whose signature is missing? \_\_\_\_\_
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled? yes N/C  
If not, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
☒ N/A ☐ Form D needed from \_\_\_\_\_ (district)
6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

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

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

|                                       |   |                          |
|---------------------------------------|---|--------------------------|
| In the Matter of Transfer Application | ) | FINAL ORDER APPROVING AN |
| T-12910, Klamath County               | ) | EMERGENCY USE DROUGHT    |
|                                       | ) | TEMPORARY CHANGE IN      |
|                                       | ) | PLACE OF USE             |

**Authority**

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

**Applicant**

ROBERT UNRUH  
30083 PICKETT RD  
MALIN, OR 97632

**Findings of Fact**

1. On April 23, 2018, Robert Unruh filed an application to temporarily change the place of use under Certificate 27103 and Water Use Permit G-12450 for the remainder of the 2018 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-12910.
2. Notice of the application for transfer was published on May 1, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 2, 2018, the Department contacted the applicant regarding a deficiency in the application; tables describing the place of use were missing from the application.
4. The portion of the first right to be temporarily transferred is as follows:  
**Certificate:** 27103 in the name of ALICE PEREIRA (perfected under Permit G-255)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** MAY 28, 1956  
**Rate:** 1.4 CUBIC FEET PER SECOND

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

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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:** PEREIRA WELL within the TULELAKE SUB BASIN

**Authorized Point Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|------|-----|-----|-------|-----------------------------------------------------------------------|
| 40 S | 12 E | WM  | 28  | SW SW | 3 CHAINS NORTH AND 15.75 CHAINS EAST FROM THE SW CORNER OF SECTION 28 |

**Authorized Place of Use:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Acres |
|------|------|-----|-----|-------|-------|
| 40 S | 12 E | WM  | 28  | SW NW | 10.0  |

5. Temporary Transfer Application T-12910 proposes to temporarily change the place of use of the right to:

| Twp    | Rng  | Mer | Sec | Q-Q   | Tax lot | Acres |
|--------|------|-----|-----|-------|---------|-------|
| 40 S   | 12 E | WM  | 33  | NE SW | 900     | 3.0   |
| 40 S   | 12 E | WM  | 33  | NW SW | 800     | 7.0   |
| Total: |      |     |     |       |         | 10.0  |

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

**Permit:** G-12450 in the name of R AND C AG LLC (applied for under Application G-12860)

**Use:** PRIMARY IRRIGATION of 18.4 AND SUPPLEMENTAL IRRIGATION of 12.0 ACRES

**Priority Date:** APRIL 6, 1992

**Rate:** 0.505 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Period of Use:** April 15 through October 15

**Source:** TWO WELLS IN THE LOST RIVER BASIN

**Authorized Points of Appropriation:**

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                                        |
|------|------|-----|-----|-------|---------------------------------------------------------------------------|
| 40 S | 12 E | WM  | 28  | SW SW | WELL#1-200 FEET NORTH AND 1040 FEET EAST FROM THE SW CORNER OF SECTION 28 |
| 40 S | 12 E | WM  | 28  | SW SW | WELL#2-150 FEET NORTH AND 790 FEET EAST FROM SW CORNER, SECTION 28        |

**Authorized Place of Use:**

| PRIMARY IRRIGATION |      |     |     |       |       |        |
|--------------------|------|-----|-----|-------|-------|--------|
| Twp                | Rng  | Mer | Sec | Q-Q   | Acres | Well # |
| 40 S               | 12 E | WM  | 28  | SW NW | 17.4  | 1      |
| 40 S               | 12 E | WM  | 28  | NW SW | 1.0   | 1      |
| Total:             |      |     |     |       | 18.4  | -      |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |        |
|-------------------------|------|-----|-----|-------|-------|--------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres | Well # |
| 40 S                    | 12 E | WM  | 28  | SW SW | 6.0   | 2      |
| 40 S                    | 12 E | WM  | 33  | SW SW | 6.0   | 1      |
| Total:                  |      |     |     |       | 12.0  | -      |

7. Temporary Transfer Application T-12910 proposes to temporarily change the place of use of the right to:

| PRIMARY IRRIGATION |      |     |     |       |         |       |
|--------------------|------|-----|-----|-------|---------|-------|
| Twp                | Rng  | Mer | Sec | Q-Q   | Tax Lot | Acres |
| 40 S               | 12 E | WM  | 33  | NE SW | 900     | 17.4  |
| 40 S               | 12 E | WM  | 33  | NW SW | 801     | 1.0   |
| Total:             |      |     |     |       |         | 18.4  |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |         |       |
|-------------------------|------|-----|-----|-------|---------|-------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Tax Lot | Acres |
| 40 S                    | 12 E | WM  | 33  | NW SW | 801     | 12.0  |

***Temporary Drought Transfer Review Criteria***

8. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
10. The Governor issued an executive order on March 13, 2018, declaring a state of drought emergency in KLAMATH County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
11. The proposed changes would not result in enlargement of the rights.
12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

### Conclusions of Law

The temporary change in place of use proposed in Temporary Drought Transfer Application T-12910 is consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

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

1. The temporary change in place of use proposed in Temporary Drought Transfer Application T-12910 is approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the remainder of the 2018 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. A portion of Claim KA-1000 may underlie the proposed place of use described in the findings above. This portion of the Claim described shall not be exercised on the lands described for the duration of this emergency drought temporary transfer.
4. The approval of this temporary drought transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 27103 and Permit G-12450. The use shall revert to the authorized place of use at the end of the 2018 irrigation season.
6. The proposed change in place of use shall revert to the authorized place of use at the end of the 2018 irrigation season or the end of the Governor's declared drought, whichever occurs first.
7. The use of the remaining water rights described by Certificate 27103 and Permit G-12450 shall continue to be in accordance with the terms and conditions of Certificate 27103 and Permit G-12450.

Dated at Salem, Oregon this MAY 09 2018.

  
Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

Mailing Date: MAY 10 2018