

Regular

RA

Name Demorah Ann WallaceAddress 9480 Buesing Road
Klamath Falls Oregon 97603Change in PO, POA, APOADate Filed 7/23/2020Initial notice date 8/4/2020

DPD issued date

PD issued date 4/14/2021PD notice date 4/20/2021Date of FO 1/9/2021 Vol 120 Page 767-78C-Date 10/1/2022 10/1/2024COBU due date 10/1/2023 10/1/2025

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of lost river basinUse irrigationCounty Klamath

Quantity of water (CFS)

No. of Acres

Name of ditch

App# 613535Per # 612879Cert # 91588

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
7-23-2020	\$1,425.00	133111
7-23-2020	\$1,425.00	133112
8-6-2020	\$125.00	133205
9-2-2020	\$1,569.49	133376
1-7-2021	273.23	134888
11-5-2021	\$230.00	136779
9-26-2022	\$780.00	139189

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District Sunnyside Irrigation DistrictAgent Hollie Cannon Water Right Solutions hcannon@wateright.com

CWRE

CC's list Klamath County☐ - Oversized map - Location



Oregon
Kate Brown, Governor

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

October 31, 2022

AGUILA G-BOYS LK 300 LLC
ATTN MARK ELLSWORTH
18969 W MCDOWELL RD
BUCKEYE, AZ 85396

Reference: District Permanent Transfer File T-13496

We have received your application for extension of the time limit to make complete application of water under T-13496. We also have your check in the amount of \$780.00. A copy of receipt number 139189 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. **The time limit to make complete application of water is extended to October 1, 10/01/2027.** The order approving the extension was entered October 31, 2022.

The time allowed to complete the transfer is specified in the final order. You should give particular attention to the time limit. The water right for any portion of the authorized change in character of use or change in place of use not carried out within the time allowed will be lost.

You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the extension final order, whichever occurs first. To file a claim please include:

1. A Claim of Beneficial Use form
2. A Claim of Beneficial Use Site Report
3. A Final Proof Map (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

All forms needed to file a claim for a district transfer are available at
<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/Forms.aspx>

If you have any questions, please contact Ann Reece at 503-979-3214.

Sincerely,

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

cc: Danette M. Watson, Watermaster Dist. #17 (via email)
Joseph Larry Strahl license #222Hollie Cannon, Agent
Enclosure

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

In the Matter of Application for Extension	)	FINAL ORDER APPROVING AN EXTENSION
of Time for Transfer Application T-13496,	)	OF TIME FOR A PERMANENT TRANSFER
Klamath County	)	

Applicant

Aguila G-Boys LK 300 LLC
Attn: Mark Ellsworth
18969 W. McDowell Rd.
Buckeye, AZ 85396
mark.ellsworth@duncanfamilyfarms.net

Authority

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (3) establishes that extensions are granted for one year, from October 1 to October 1 of each year. Extensions may be granted for longer time if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

Findings of Fact

1. On September 26, 2022, the Department received an application for extension of time for Transfer Application T-13496.
2. On June 9, 2021, the Department signed an order, which was mailed on June 10, 2021, approving Transfer Application T-13496 to change places of use, point of appropriation, and add an additional point of appropriation. The order was recorded in Special Order Volume 120, Pages 767-772. The order set a transfer completion date of October 1, 2022.
3. Since the approval of the transfer, the applicant, Deborah Ann Wallace, has submitted a Claim of Beneficial Use for her portion of the Transfer. Receiving landowner, Aguila G-Boys

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

LK 300 LLC, has used water from the approved additional points of appropriation Wells 3, 4, and 5.

4. To fully complete the change, the receiving landowner needs to drill and complete Well #6, including installing a flow meter.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2027. Consistent with OAR 690-380-6020(3), the applicant provided sufficient justification in the extension application to grant an extension for more than one year. The Department will extend the transfer completion date to October 1, 2027.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-13496.

Now, therefore, it is ORDERED:

The time for completion of the changes authorized by Transfer Application T-13496 shall be extended to **October 1, 2027**.

Signed at Salem, Oregon on OCT 31 2022



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

NOV 02 2022

Mailing date: _____

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

INVOICE # _____

\$ 780.00

3

3

BY:

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



RECEIVED
SEP 26 2022
OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Aguila G-Boys LR 300 LLC
17072 W Indian School Rd Goodyear, AZ 85395
Transaction Type: Extension of Time
Fees Received: \$ 780.00

☐ Cash

☒ Check:

Check No. 2052

Name(s) on Check: Aguila G-Boys LLC

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by: Dante Luongo

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900

Application for Extension of Time for
Transfer of Water Right **RECEIVED**
SEP 26 2022
Transfer Number: T- 13496
OWRD

A summary of review criteria and procedures that are generally applicable to these applications is available at https://www.oregon.gov/owrd/WRDFormsPDF/transfer_extension_criteriareview.pdf

Applicant = Transfer Holder of Record* Aguila G-Boys LK 300 LLC			Contact Name Mark Ellsworth	Phone No. 928-920-9125
Address 17072 W. INDIAN SCHOOL RD.				Fax No.
City GOODYEAR	State AZ	Zip 85395	E-Mail MARK.ELLSWORTH@DUNCANFAMILYFARMS.NET	
Report Prepared By Hollie Cannon		Title Agent (Water Right Solutions, LLC)	Contact Information 541-821-5848	

*The applicant must be the transfer holder of record. If the applicant is not the transfer holder of record, the applicant must request an assignment of interest prior to submitting the transfer extension application. Alternatively, the request for assignment may be submitted simultaneously with the extension application. Separate checks for the fees is helpful. Links to assignment forms: <https://www.oregon.gov/owrd/WRDFormsPDF/assign.pdf>, [https://www.oregon.gov/owrd/WRDFormsPDF/Assign by proof.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Assign_by_proof.pdf)
Contact information about assignments is available at <https://www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx>

To the WATER RESOURCES DIRECTOR OF OREGON:

1. I/WE, THE TRANSFER HOLDER(S) OF RECORD, do hereby make application for an extension of time within which to complete a change in (check all that apply):

- ☒ point(s) of diversion/appropriation
☒ place(s) of use
☐ character of use

under the terms of a final order of the Water Resources Director entered on 6/09/2021
(month/day/year) for Transfer Number T-13496.

2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED toward completion of the change within the time allowed, which will expire on 10/01/2022 (month/day/year):

The transfer applicant for T-13496 was Deborah Ann Wallace. Aguila G-Boys LK 300 LLC is the receiving landowner. Deborah Wallace has already completed and submitted a Claim of Beneficial Use application for her portion of the transfer. Receiving landowner has used water from additional POA Well #3, 4 and 5. The problem with the existing wells is they are poorly constructed and not dependable. Duncan Family Farms (owner of Aguila G-Boys LK 300 LLC) is a grower of organic vegetables. Long before planting a crop they know who the buyer is and the day it will be harvested to fit the buyers schedule. The poorly constructed wells are a risk to this tight production/delivery schedule.

(continued on next page)

3. **TO FULLY COMPLETE THE CHANGE**, it will be necessary to accomplish the following:
Drill well #6. Well drillers are backlogged, and it is going to take a while to get a driller on the property.

4. **I/WE ARE REQUESTING THE TIME FOR COMPLETION** be extended to October 1, 2027 (year).

Transfer extensions can be authorized for one (1) calendar year from October 1 to October 1 of each year, or up to five (5) years for transfers involving municipal or quasi-municipal uses, unless the applicant can justify the need for a longer period of time by submission of pertinent evidence. OAR 690-380-6020 (3) and OAR 690-385-7200 (5).

5. **I/WE CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE** the information contained in this application is true and accurate.

9/20/22

Date



Signature of Applicant(s), i.e., Transfer Holder(s) of Record

6. **IN ORDER FOR AN APPLICATION TO BE COMPLETE**, it must be accompanied by the required fee. See the Department's fee schedule at https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf or call (503) 986-0900.
7. **MAIL THE COMPLETED APPLICATION AND FEE TO:**

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RECEIVED
SEP 26 2022
OWRD

Checklist for Transfer Extension Requests

If a transfer applicant needs more time to complete changes approved in a Transfer Final Order, a request for more time may be made by submitting a one page application form as shown below. See OAR 690-380-6020 (regular transfers) or OAR 690-385-7200 (district transfers)



Transfer 134916

APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

A summary of review criteria and procedures that are generally applicable to these applications is available at http://www.oregon.gov/owrd/pubs/docs/forms/transfer_extension_criteria_review.pdf

To the WATER RESOURCES DIRECTOR OF OREGON:

I/We, _____
(Name of Applicant)

- ☒ Has a final order approving the transfer application been issued (NOT a permit amendment)?
- ☒ Have appropriate extension fees been submitted?
- ☒ Is the Transfer Extension request filled out?
- ☒ Is the Transfer Extension request **signed by the transfer applicant of record (if not an assignment is needed)**?
- ☒ Pull file.

After receipting, route the file and extension request to support staff for entering into WRIS.

PHILLIPS Stacy H * WRD

From: WATSON Danette M * WRD
Sent: Thursday, October 20, 2022 3:22 PM
To: PHILLIPS Stacy H * WRD
Cc: REECE Ann L * WRD
Subject: RE: Request for WM Comments for Transfer Extension (T-13496)

Categories: Completed, Extensions

Hi Stacy,

I have reviewed this extension request and see no issues with the request for T-13496 Wallace.

Thank you,
Dani

Dani Watson, State Watermaster, District 17
South Central Region
3125 Crosby Ave
Klamath Falls, Oregon 97603
Office phone 541-883-4182

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

From: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Sent: Tuesday, October 18, 2022 2:53 PM
To: WATSON Danette M * WRD <Danette.M.WATSON@water.oregon.gov>
Cc: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Subject: FW: Request for WM Comments for Transfer Extension (T-13496)
Importance: High

Hi Dani,

Please review the attached documents at your soonest convenience. I would like to get this extension processed soon.

Thanks,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301
Office: 503-986-0898 | Work Cell: 503-979-9948



From: PHILLIPS Stacy H * WRD
Sent: Wednesday, October 05, 2022 12:57 PM
To: WATSON Danette M * WRD <Danette.M.WATSON@water.oregon.gov>
Cc: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Subject: Request for WM Comments for Transfer Extension (T-13496)
Importance: High

Hello Dani,

Please look over the attached documents for me regarding an extension for this transfer.

Thanks,

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



OREGON
WATER
RESOURCES
DEPARTMENT

PHILLIPS Stacy H * WRD

From: BYRD Kristopher R * WRD
Sent: Monday, October 03, 2022 8:16 AM
To: REECE Ann L * WRD
Cc: PHILLIPS Stacy H * WRD; JARAMILLO Lisa J * WRD
Subject: RE: 5 years getting well driller reasonable?

Hi Ann,

It may take up to two years in the Klamath basin to get a driller on site, so five years is more than enough time. Three years is a much more realistic number for the well to be started and completed as long as they are diligent in their efforts to get someone hired.

Kristopher Byrd

Well Construction Section Manager

725 Summer St NE Suite A | Salem OR 97301 | Phone 503-991-2470



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

From: REECE Ann L * WRD <Ann.L.REECE@water.oregon.gov>
Sent: Monday, October 3, 2022 7:45 AM
To: BYRD Kristopher R * WRD <Kristopher.R.BYRD@water.oregon.gov>
Cc: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>
Subject: 5 years getting well driller reasonable?

Hi Kris,

We have a transfer with a completion date of 2022. They are requesting a 5 year extension of time to get a well drilled in Klamath County. Do you know if this is a reasonable request? 5 years to obtain a driller seems like a long time, but I also know these are unusual times. What are your thoughts? (Note: By statue, extensions are granted for 1 year intervals unless adequate justification is given for a longer period of time up to 5 years). Thanks, Ann

Best Regards,

OREGON



WATER RESOURCES
DEPARTMENT

Ann Reece

District Transfer Program Advisor

Oregon Water Resources Department

725 Summer St NE Suite A | Salem OR 97301

Phone: (503) 979-3214

ann.l.reece@water.oregon.gov

<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer>

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

****Teleworking *** Mon, Tu, Wed, Thurs 7:00 to 4:45; Fri 7:00 to 11AM****

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

**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 # **136779**

INVOICE # _____

RECEIVED FROM: RWL Ranch LLC
BY: Wallace

APPLICATION	<u>T-13496</u>
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # 1412 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 230.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

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

0300 OTHER (IDENTIFY) 008U \$230.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

\$

RECEIPT: **136779**

DATED: 11-5-2021 BY: Mindy Carlson

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**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes - Groundwater**



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

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A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

1. ☒ Change in POA(s) or Additional POA(s)

2. ☒ Change in Place of Use

3. ☐ Change in Character of Use

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION #

T-13496

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Deborah Ann Wallace		PHONE NO. 541-891-3609	ADDITIONAL CONTACT NO.
ADDRESS 9480 Buesing Rd.			
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL dwallace@isler-kf.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each*** transfer holder of record must sign this form.

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Deborah Ann Wallace		
ADDRESS 9480 Buesing Rd.		
CITY Klamath Falls	STATE OR	ZIP 97603

4. Date of Site Inspection:

8-05-2021

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Deborah Ann Wallace	8-05-2021	Owner

6. County:

Klamath

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD Aguila G-Boys LK 300 LLC		
ADDRESS 18969 W. McDowell Rd.		
CITY Buckeye	STATE AZ	ZIP 85396

Add additional tables for owners of record as needed

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NOV 05 2021
OWRD

RECEIVED

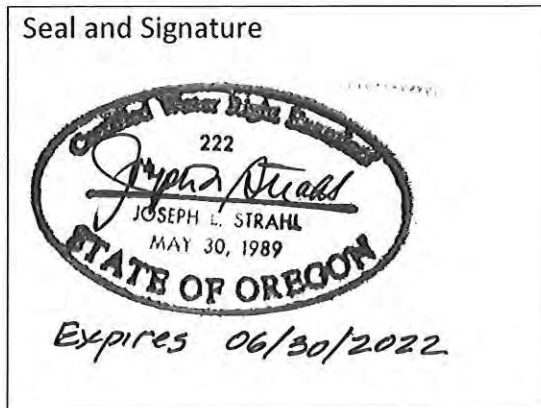
NOV 05 2021

OWRD

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Joseph L. Strahl	PHONE NO. 541-301-2946	ADDITIONAL CONTACT NO.	
ADDRESS 9300 John Day Dr.			
CITY Gold Hill	STATE OR	ZIP 97525	E-MAIL joe4548@gmail.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Deborah Ann Wallace</i>	Deborah Ann Wallace	Owner	11/3/21

SECTION 3

Changes Made

OWRD

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? **YES**

If "NO", this Section can be deleted.

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well #2	KLAM 51848	L 28552	

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

If well logs are available, items A and B below can be deleted

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final? **NO**

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well #2	2.29 CFS	1.2 CFS	1.18 CFS

System Description

Are there multiple new or additional Points of Appropriation (POA)? **NO - see comment**

If "YES" you will need to copy and complete either Section A or B in this Section for each POA.

POA Name or Number this section describes (only needed if there is more than one):

Existing well# 1 and one additional well# 2

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A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA	NA	NA	Turbine	NA	8"

2. Motor Information

MANUFACTURER	HORSEPOWER
US Electric Motors	60 hp

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
60	60	200	0	1.2

4. Provide pump calculations:

See attached

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

--

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

Change #2**Change in Place of Use**

Did the transfer order authorize a change in the place of use?

YES

*If "NO", this Section can be deleted.***1. Claim Summary – Authorized Use:**

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
186.5	186.5

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
NA	NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

--

Change #3**Change in Character of Use**

Did the transfer order authorize a change in character of use?

NO

If "NO", this Section can be deleted.

SECTION 4

CONDITIONS

OWRD

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	6-10-2021	
COMPLETENESS DATE FROM ORDER (C)	10-01-2022	8-05-2021

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? **NO**

If "NO", you may delete the following table.

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? **YES**

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed? **YES**

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #2	McCrometer	06-02400	Working	357.816	2006

If a meter has been installed, items d through f relating to this section may be deleted.

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

If "NO", item b relating to this section may be deleted.

5. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards? **NO**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

Note: The water meter previously required on Well #1 remains in place (both wells have water meters). The conditions for T-13496 do not require water use reporting.

SECTION 5
ATTACHMENTS

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Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
COBU Map	
Well Log KLAM 51848	
Pump calculation sheet	

SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

We use ArcView 10.8.1 mapping. The Klamath County tax lot GIS layer is used for property lines. The Oregon Geospatial Library data is used for the PLSS section and quarter quarter GIS data. Measurements were made on the ESRI aerial World Imagery layer dated 7/20/2020. Accuracy of the aerial imagery was verified using the OnX Hunt GPS function on a smart phone.

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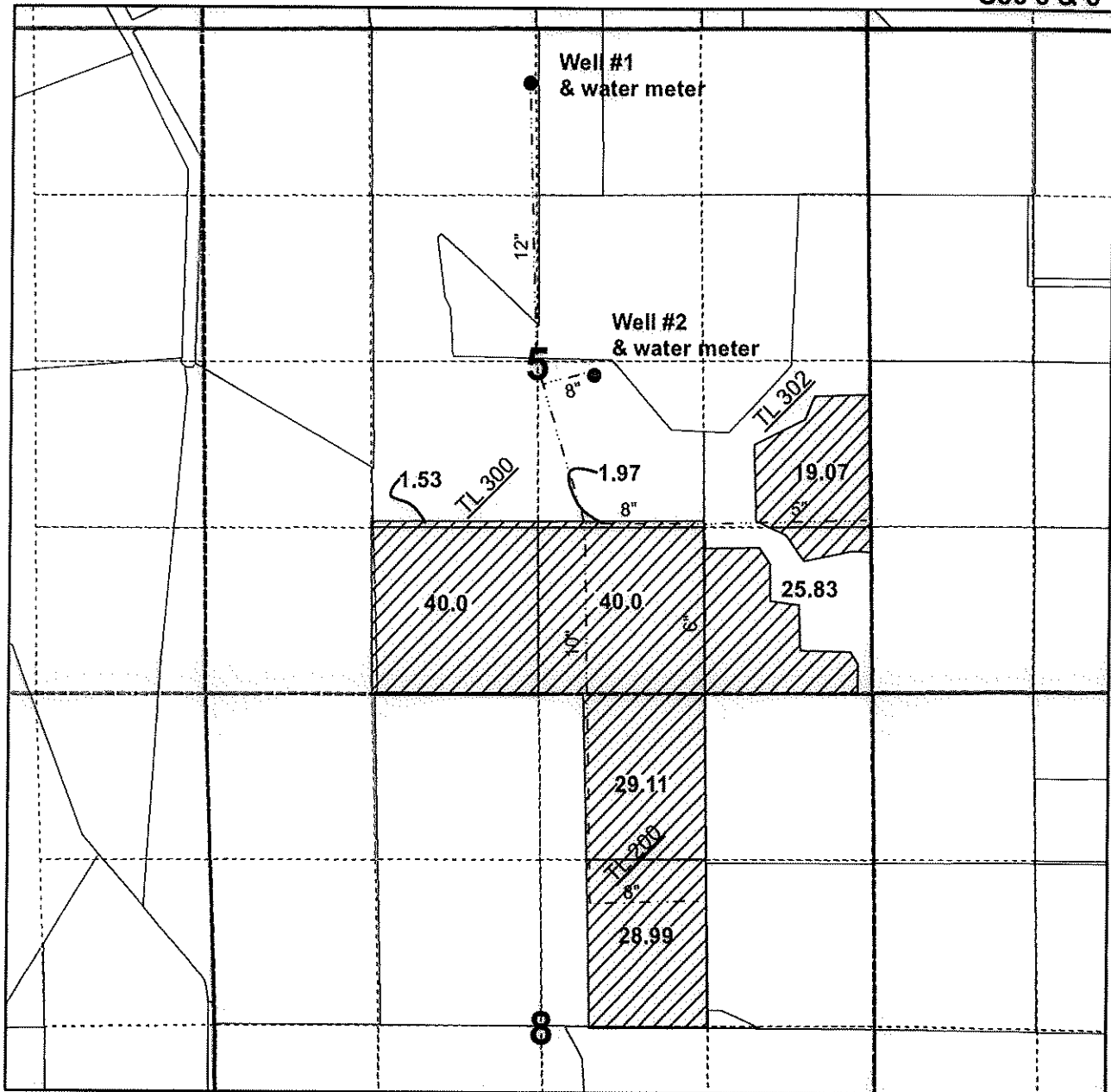
OWRD

Partial Claim of Beneficial Use Map

Portion of T- 13496

Deborah Wallace

T 41 S, R 10 E, WM
Sec 5 & 8



Legend

 Place of Use 186.5 ac

• Wells

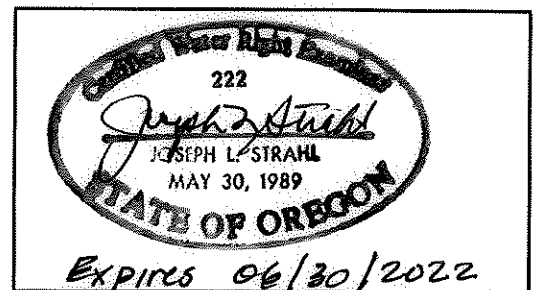
--- Pipelines



1 inch = 1,320 feet

Well #1 Klam 14690 Existing POA
784 Ft North & 30 Ft West From the
Center North 1/16th Cor. Sec 5

Well #2 Klam 51848 Add POA
2694.6 Ft South & 460 Ft East From
the North 1/4 Cor. Sec 5
Both in T 41 S. R 10 E. WM



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

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- N/A Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- N/A Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537765)

JUN 2 1999

WATER RESOURCES DEPT
SALEM, OREGON 97308

KLAM
51848

WELL ID # L28552

(START CARD) # 103247

NOV 05 2021

(1) OWNER

FRANK WALLACE
9450 BUESING RD.
MERRILL

OR 97633

(2) TYPE OF WORK : NEW WELL

(3) DRILL METHOD : ROTARY AIR

(4) PROPOSED USE: Irrigation

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Completed Well 581 ft.
Explosives used NO Type Amount

HOLE		SEAL		AMOUNT	
Diameter	From To	Material	From To	Sacks	
17 1/2"	0 52	CEMENT	0 52	43	
12"	52 310				
10"	310 581				

How was seal Placed C

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of Gravel

(6) CASING / LINER:

Dia.	From To	Gage	Material
CASING 12"	+1 52	250	STEEL / WELDED

Final location of shoe (s)

(7) PERFORATIONS / SCREENS:

METHOD	TYPE	MATERIAL
--------	------	----------

From To Slot size Number Dia. Tele / pipe size

(8) WELL TESTS:

Minimum testing time is 1 hour

TESTING METHOD	Yield GPM	Drawdown	Drill stem at	Time
	800		500'	1 HOUR

Temperature of Water 78 F° Depth Artesian Flow Found

Was a water analysis done? NO By whom

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

(9) LOCATION OF WELL by legal description :

County KLAMATH Latitude Longitude
Township 40 S. Range 10 E.

Section 5 NE 1/4 NW 1/4

Tax Lot 200 Lot Block Subdivision

Street Address of Well (or nearest address)

9450 BUESING RD.

(10) STATIC WATER LEVEL:

153 ft. below land surface Date May 7, 1999

Artesian pressure Date

(11) WATER BEARING ZONES :

Depth at which water was first found 370'

From	To	Estimated Flow Rate	SWL
370'	581'	1000 GPM	153'

(12) WELL LOG:

	FROM	TO	SWL
SOIL	0	1	
YELLOW CLAYSTONE	1	30	
GREY BASALT	30	31	
YELLOW CLAYSTONE	31	44	
GREY BASALT	44	62	
BROWN & GREY BASALT	62	78	
YELLOW CLAYSTONE	78	138	
BLUE CLAY	138	370	
GREY BASALT	370	434	153
BLUE SANDSTONE	434	441	153
GREY BASALT	441	442	153
GREY SANDSTONE	442	480	153
GREY BASALT	480	522	153
BLACK SANDSTONE	522	524	153
GREY BASALT	524	528	153
BLACK SANDSTONE	528	531	153
GREY BASALT	531	581	153

Date started March 4, 1998

Completed May 7, 1999

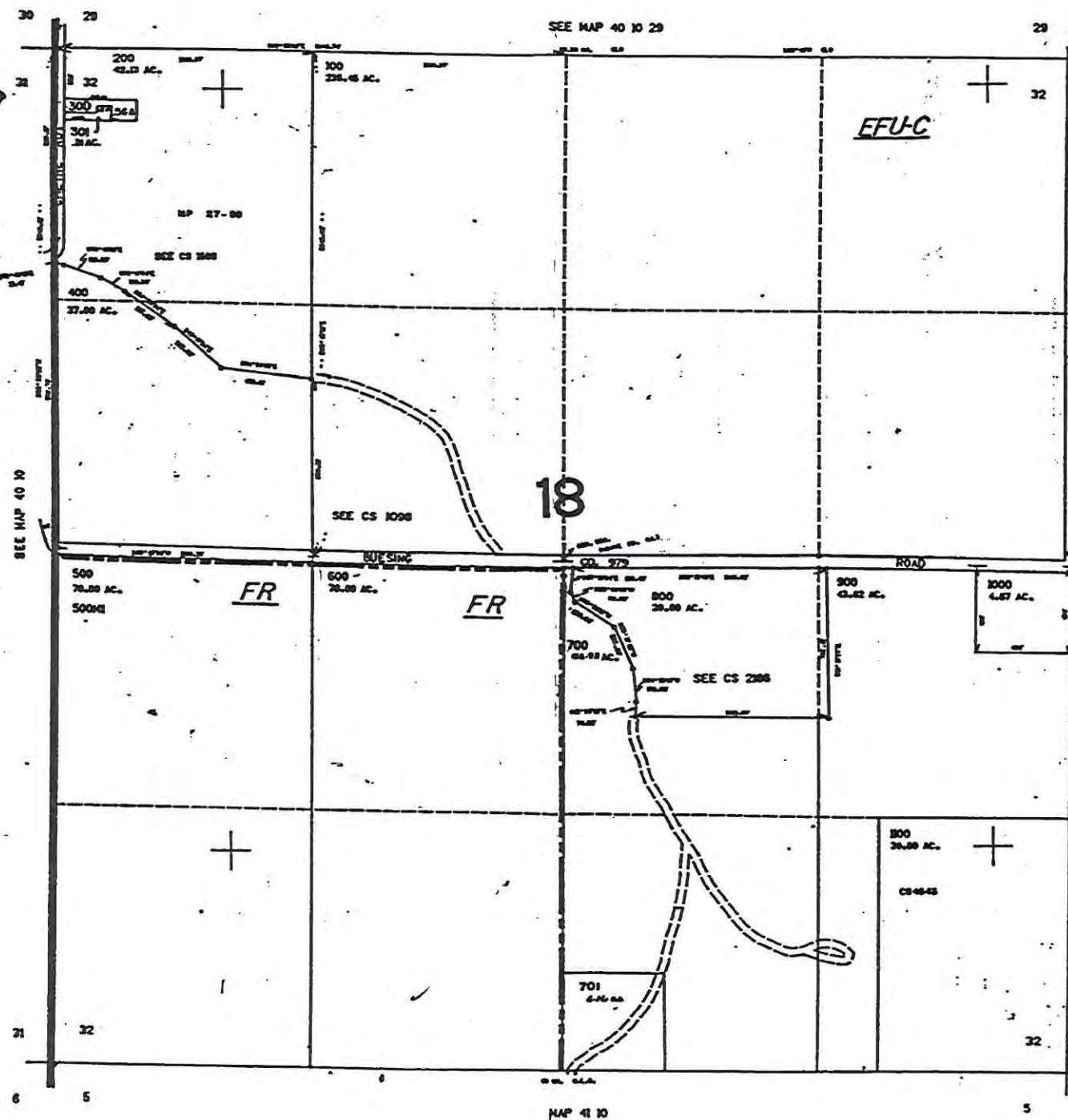
(Unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

(Bonded) Water Well Constructor Certification: I accept responsibility for the construction alteration or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Mark W. A. DATE 5-31-99 WWC # 1452
John Hancock DATE 5-31-99 WWC # 693

Г-400

OWRD



MAP 41 10

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 60
Efficiency = 7.04
Lift = 200
PSI = 60

Results Calculated

$(hp)(\text{efficiency}) = 422.4$
Head based on psi = 152.4
Total dynamic head = 352.4
(head + lift)

Pump Capacity = 1.20 feet per second

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NOV 05 2021

OWRD



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 9, 2021

DEBORAH WALLACE
9480 BUESING RD
KLAMATH FALLS, OR 97603

REFERENCE: Transfer Application T-13496

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this permit amendment, you may contact your caseworker, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at Tamera.L.Smith@oregon.gov.

Sincerely,

Julie C. Baustian

Water Right Services Support
Transfers and Conservation Section

cc: Danette M. Watson, Watermaster Dist. #17 (via email)
Klamath County Planning Department
Sunnyside Irrigation District
Hollie Cannon, Agent
Enclosure

4. On November 20, 2020, the Department contacted the agent requesting a new Affidavit of Partial Diminution (Affidavit) listing the "FROM" lands.
5. On November 30, 2020, the applicant's agent emailed a map of the "FROM" lands being diminished.
6. On December 2, 2020, the Department replied to the agent and requested a new Affidavit listing the "FROM" lands and signed by the owner of the "FROM" lands.
7. On February 24, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13496 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 26, 2021, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On April 14, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13496 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on April 20, 2021, and in the Klamath Falls Herald and News newspaper on April 21 and 28, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
9. The right to be transferred is as follows:

Certificate: 91588 in the name of RANDOLPH WALLACE AND DEBORAH WALLACE (perfected under Permit G-12979)
Use: IRRIGATION of 311.5 ACRES
Priority Date: OCTOBER 22, 1993
Rate: 2.48 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH SEPTEMBER 30
Source: A WELL in the LOST RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NE NW	WELL #1 - 784 FEET NORTH AND 30 FEET WEST FROM THE CENTER N 1/16 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	SE SW	36.3

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	10 E	WM	5	NE NW	36.5
41 S	10 E	WM	5	SE NW	9.9
41 S	10 E	WM	5	NE SW	40.0
41 S	10 E	WM	5	SE SW	40.0
41 S	10 E	WM	5	NW SE	28.8
41 S	10 E	WM	5	SW SE	40.0
41 S	10 E	WM	8	NW NE	40.0
41 S	10 E	WM	8	SW NE	40.0
TOTAL					311.5

10. Transfer Application T-13496 proposes an additional point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NW SE	WELL #2 – 2694.6 FEET SOUTH AND 460 FEET EAST FROM THE NORTH ¼ CORNER OF SECTION 5

11. Transfer Application T-13496 proposes the additional point of appropriation (Well #2) be used in addition to the authorized point of appropriation (Well #1) at the following places of use:

IRRIGATION						Wells
Twp	Rng	Mer	Sec	Q-Q	Acres	
41 S	10 E	WM	5	NE SW	1.53	1 & 2
41 S	10 E	WM	5	SE SW	40.0	
41 S	10 E	WM	5	NW SE	1.97	
41 S	10 E	WM	5	SW SE	40.0	
41 S	10 E	WM	8	NW NE	29.11	
41 S	10 E	WM	8	SW NE	28.99	
TOTAL					141.6	

12. Transfer Application T-13496 proposes to change points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	9	NW NW	WELL #4 – 1270 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 9
41 S	10 E	WM	9	SW NW	WELL #3 - NORTH ZERO DEGREES AND 42 MINUTES EAST, 1287.9 FEET FROM THE WEST ¼ CORNER OF SECTION 9
41 S	10 E	WM	9	NE SW	WELL #5 – NORTH 22 DEGREES AND 48 MINUTES WEST, 2606.2 FEET FROM THE SOUTH ¼ CORNER OF SECTION 9
41 S	10 E	WM	9	NW SE	WELL #6 – 2586.6 FEET NORTH AND 1284.5 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 9

Approximate distance from original point of appropriation in miles (mi.)					
WELL	#2	#3	#4	#5	#6
#1	0.4 mi.	1.3 mi.	1.3 mi.	1.7 mi.	1.9 mi.

13. Transfer Application T-13496 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
41 S	10 E	WM	5	NE SE	19.07	1 & 2
41 S	10 E	WM	5	SE SE	25.83	
TOTAL					44.9	

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Wells
41 S	10 E	WM	9	NE SW	5.7	3, 4, 5, & 6
41 S	10 E	WM	9	NW SW	10.9	
41 S	10 E	WM	9	SW SW	31.9	
41 S	10 E	WM	9	SE SW	39.5	
41 S	10 E	WM	9	SW SE	37.0	
TOTAL					125.0	

Partial Diminution of a Water Right

14. The proposed place of use that is described in Finding of Fact #12 has a pre-existing water right for primary irrigation under Claim KA-1000. On July 14, 2020, Arnott Duncan and Kathleen A. Duncan, Managers of Aguila G-Boys LK 300 LLC, requested to diminish the lands for the new place of use under Certificate 91588 to Supplemental Irrigation. The portion of the right to be diminished as follows:

Certificate: 91588 in the name of RANDOLPH WALLACE (perfected under Permit G-12979)
Use: IRRIGATION of 125.0 ACRES
Priority Date: OCTOBER 22, 1993
Rate: 1.00 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH SEPTEMBER 30
Source: A WELL in the LOST RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NE NW	WELL #1 – 784 FEET NORTH AND 30 FEET WEST FROM THE CENTER NORTH 1/16 TH CORNER OF SECTION 5

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	SE SW	36.30

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	10 E	WM	5	NE NW	36.50
41 S	10 E	WM	5	SE NW	9.90
41 S	10 E	WM	5	NE SW	38.47
41 S	10 E	WM	5	NW SE	3.83
TOTAL					125.00

Transfer Review Criteria (OAR 690-380-4010)

15. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
16. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13496.
17. The proposed changes would not result in enlargement of the right.
18. The proposed changes would not result in injury to other water rights.
19. All other application requirements are met.

Conclusions of Law

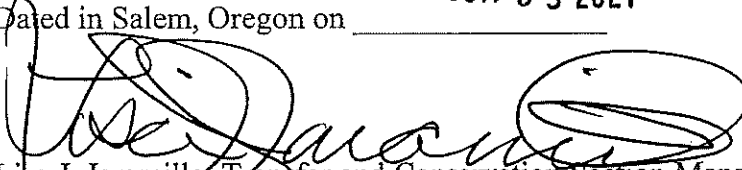
The additional points of appropriation, change in point of appropriation, and change in places of use proposed in Transfer Application T-13496 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation, change in points of appropriation, and change in places of use proposed in Transfer Application T-13496 are approved. The portion of the right proposed to be diminished is diminished.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 91588 and any related decree.
3. Water right Certificate 91588 is cancelled.
4. The quantity of water diverted at the additional point of appropriation, (Well #2), together with that diverted at the original point of appropriation (Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1).

5. The quantity of water diverted at the new points of appropriation, (Well #3, Well #4, Well #5, and Well #6), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1).
6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation, (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
7. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
8. The former place of use of the transferred right shall no longer receive water under the right.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.

Dated in Salem, Oregon on JUN 09 2021


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

Mailing date: JUN 10 2021

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13496

Transfer Specialist: *RB*

Transfer Type: Regular

Applicant: DEBORAH WALLACE 9480 BUESING RD KLAMATH FALLS, OR 97603 Email: <i>WV</i> Phone:		Agent: ☐ N/A HOLLIE CANNON 409 PINE STREET SUITE 311 KLAMATH FALLS, OR 97601 Email: Phone:	
Irrigation District: ☐ N/A Email: <i>Sunnyvale ID</i>		CWRE: ☒ N/A Email:	
Affected Local Gov'ts: ☐ N/A Klamath County Planning Department Email:		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email:	
Current Landowner if other than Applicant: ☐ N/A Email:		Receiving Landowner: ☐ N/A <i>em: up</i> Email: <i>Aguila Group v/vb the TAM under KATK</i>	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G-13535	G-12979	91588	☒ Yes ☐ No	"
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd:	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 2850.00	WM District: 17	ODFW District: <i>e</i>
Initial Public Notice: August 4, 2020	WM Review sent: <i>6/25</i>	ODFW Review sent: <i>e</i>
Acknowledgement Letter Sent ☒	<i>not existing</i>	GW Review sent: <i>9/21/20</i> ☐ N/A
County sent cc: of Ack Letter ☒	BOR notified (date): <i>0</i> ☒ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication: <i>4/21+28</i>

NP buy'd -> > .26 mi. POR / APORS K Falls Herald + News

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 10-10-20 Initials: <i>WV</i>	Date: 10-12-20 Initials: <i>SWH</i>	Date: 1-16-21 Initials: <i>WV</i>	Date: 2/4/21 Initials: <i>PKS</i>	Date: 2-24-21 Initials: <i>WV</i>	CW Sent: 2-24-21	N/A
PD	Date: 3-17-21 Initials: <i>TS</i>	Date: 3/15/21 Initials: <i>CC</i>	Date: <i>WV</i> Initials: <i>WV</i>	Date: 3/19/21 Initials: <i>PKS</i>	Date: 4-5-21 Initials: <i>CB</i>	Date: 4-10-21	Date: _____
FO	Date: 4-9-21 Initials: <i>WV</i>	Date: 4/21/21 Initials: <i>WV</i>	Date: _____ Initials: _____	Date: 5/10/21 Initials: <i>PKS</i>	Date: 5-18-21 Initials: <i>WV</i>	Date: 5-29-21	Date: _____

Special Issues: *Diminution refer to T-12794 for 1B-20*

Special Order Volume: Vol. _____ Pages _____

DC
✓ *→* *UP*
✓

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13496

Review Due Date: 08/29/2020

Applicant Name: Deborah Ann Wallace

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

Reviewer(s): Michelle Angell for Watermaster Date of Review: 08/11/2020

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- 13496

☒ 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

SMITH Tamera L * WRD

From: Hollie Cannon <hcannon@waterrightsolutions.com>
Sent: Wednesday, January 06, 2021 2:05 PM
To: SMITH Tamera L * WRD
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution
Attachments: Wallace diminishment signed.pdf

Tamera

I hope you had a good holidays. I wanted to get this to you before the holidays, but it did not work out.

Attached are the electronic copies of the diminishment affidavits Debbi Wallace and Frank and Peggy Wallace. Also included is a map showing the location of the diminished water right that is being transferred from each of their property.

I will mail the original of the attached.

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St
Klamath Falls, OR 97603
Phone: 541-821-5848

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Wednesday, December 02, 2020 2:40 PM
To: Hollie Cannon <hcannon@waterrightsolutions.com>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Hi Hollie,

Thank you for the map. The Department will also need a Diminution. I'm attaching a new one that got updated to remove some of the confusion. Please email a copy and then mail when you can get to it.

Thank you, Tamera

From: Hollie Cannon <hcannon@waterrightsolutions.com>
Sent: Monday, November 30, 2020 12:25 PM
To: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Tamera

Sorry it has taken me a while to get back to this. I reread your email and I might have misunderstood what you were asking for. It appears you were only asking for a map of the area of FROM land that will be diminished to Supplemental when it is attached to the TO land. That map is attached.

I understood that the owner of the FROM land had to sign the Diminution form, but that is not what you said in the email.

Does this map fix the problem?

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St
Klamath Falls, OR 97603
Phone: 541-821-5848

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Friday, November 20, 2020 9:24 AM
To: Hollie Cannon <hcannon@waterightsolutions.com>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Good morning Hollie,

As I understand it, the diminution and change in place of use can happen simultaneously. However, The Affidavit of Diminution does need to describe the acreage of the FROM lands before the change in place of use. The owners of the FROM land will need to diminish the acreage. So, yes, you've got it right.

Again, my apologies for not catching this sooner.

Best, Tamera

From: Hollie Cannon <hcannon@waterightsolutions.com>
Sent: Thursday, November 19, 2020 4:03 PM
To: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Tamera

Here is my confusion. The groundwater right is currently Primary and not in any irrigation district. A portion of this water right to proposed to be transferred to land that lies in the Sunnyside Irrigation District. Therefore the groundwater will need to be Supplemental to the District water right KA 1000.

I thought the water right would be diminished to Supplemental at the time of it is attached to the KA 1000. If I understand you correctly, it is the current owner that must diminish it to Supplemental before it leave her property? Did I get that right?

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St

Klamath Falls, OR 97603
Phone: 541-821-5848

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Thursday, November 19, 2020 3:42 PM
To: Hollie Cannon <hcannon@waterrightsolutions.com>
Subject: T-13496 Affidavit for Voluntary Partial Diminution

Hello Hollie,

I hope this finds you and yours well.

I have recently discovered that the first page of the Diminution, No. 5, should contain the acreage of the FROM lands being diminished, not the TO lands, along with an accompanying map identifying which FROM lands are being diminished. (Clip picture of the page attached, No. 5 is just below the signature from the Irrigation District Manager).

How soon might you be able to get me the information identifying which lands are being diminished from Certificate 91588?

This would help me to move forward, then you could supply a replacement of the Partial Dim with more time. I do apologize for any inconvenience this causes.

Please let me know of any concerns or questions you may have.

Kindest regards, Tamera

**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 # **134888**

INVOICE # _____

RECEIVED FROM: Duncan Family Farms, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13496

CASH: ☐ CHECK: # 74704 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 273.23

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 213.23
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

\$ _____

RECEIPT: **134888**

DATED: 4-7-2002

BY: [Signature]

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

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

RECEIVED

MAY 04 2021

OWRD

I, Joe Hudon, Advertising Director being duly sworn, depose and say that I am the principle clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at 2701 Foothills Blvd, Klamath Falls, OR 97601 in the aforesaid county and state: that I know from my personal knowledge that the Legal # 19897 Notice of Preliminary Determination

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

Insertion(s) in the following issues: 04/21/21, 04/28/21

Total Cost: \$232.69

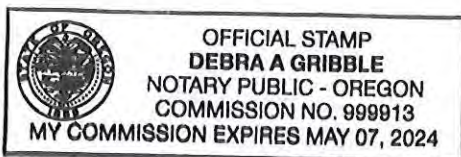


Subscribed and sworn by Joe Hudon before me on:
On 28th day of April, in the year of 2021



Notary Public of Oregon

My commission expires May 7, 2024



**Notice of Preliminary Determination for
Water Right Transfer T-13496**

T-13496 filed by Deborah Ann Wallace, 9480 Buesing Rd., Klamath Falls, OR, 97603, proposes additional points of appropriation, a change in point of appropriation, and a change in places of use under Certificate 91588. The right allows the use of 1.13 cubic feet per second from a well in Sec. 5, T41S, R10E, WM for irrigation in Sec. 32, T40S, R10E, WM and Sects. 5 and 8, T41S, R10E, WM. The applicant proposes additional points of appropriation in Sects. 5 and 9, T41S, R10E, WM and a change in point of appropriation in Sec. 5, T41S, R10E, WM and to change the place of use to Sects. 5, 8 and 9, T41S, R10E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 04/28/2021. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.
#19897 April 21, 28, 2021



Oregon
Kate Brown, Governor

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

APRIL 14 2021

DEBORAH WALLACE
9480 BUESING RD.
KLAMATH FALLS, OR 97603

SUBJECT: Water Right Transfer Application T-13496

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13496. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Klamath Falls Herald and News newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrdd.state.or.us if I may be of assistance.

Kindest regards,

Tamera Smith
Transfer Caseworker
Transfer and Conservation Section

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13496, Klamath County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF
	)	APPROPRIATION, A CHANGE IN
	)	POINTS OF APPROPRIATION, AND A
	)	CHANGE IN PLACE OF USE

Authority

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

Applicant

DEBORAH ANN WALLACE
9480 BUESING RD.
KLAMATH FALLS, OR 97603

Receiving Landowner

AGUILA G-BOYS LK 300 LLC
18969 W. McDOWELL RD.
BUCKEYE, AZ 85396

Findings of Fact

1. On July 23, 2020, DEBORAH ANN WALLACE filed an application for an additional point of appropriation, a change in points of appropriation, and to change the place of use under Certificate 91588. The Department assigned the application number T-13496.
2. On July 23, 2020, the applicant's agent sent an Affidavit for the Voluntary Partial Diminution of a Water Right Permit to the Department for Certificate 91588 for 125.0 acres.
3. Notice of the application for transfer was published on August 4, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On November 20, 2020, the Department contacted the agent requesting a new Affidavit of Partial Diminution (Affidavit) listing the "FROM" lands.
5. On November 30, 2020, the applicant's agent emailed a map of the "FROM" lands being diminished.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

6. On December 2, 2020, the Department replied to the agent and requested a new Affidavit listing the "FROM" lands and signed by the owner of the "FROM" lands.
7. On February 24, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13496 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of March 26, 2021, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. The right to be transferred is as follows:

Certificate: 91588 in the name of RANDOLPH WALLACE AND DEBORAH WALLACE (perfected under Permit G-12979)
Use: IRRIGATION of 311.5 ACRES
Priority Date: OCTOBER 22, 1993
Rate: 2.48 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH SEPTEMBER 30
Source: A WELL in the LOST RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NE NW	WELL #1 - 784 FEET NORTH AND 30 FEET WEST FROM THE CENTER N 1/16 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	SE SW	36.3
41 S	10 E	WM	5	NE NW	36.5
41 S	10 E	WM	5	SE NW	9.9
41 S	10 E	WM	5	NE SW	40.0
41 S	10 E	WM	5	SE SW	40.0
41 S	10 E	WM	5	NW SE	28.8
41 S	10 E	WM	5	SW SE	40.0
41 S	10 E	WM	8	NW NE	40.0
41 S	10 E	WM	8	SW NE	40.0
TOTAL					311.5

9. Transfer Application T-13496 proposes an additional point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NW SE	WELL #2 - 2694.6 FEET SOUTH AND 460 FEET EAST FROM THE NORTH ¼ CORNER OF SECTION 5

10. Transfer Application T-13496 proposes the additional point of appropriation (Well #2) be used in addition to the authorized point of appropriation (Well #1) at the following places of use:

IRRIGATION						Wells
Twp	Rng	Mer	Sec	Q-Q	Acres	
41 S	10 E	WM	5	NE SW	1.53	1 & 2
41 S	10 E	WM	5	SE SW	40.0	
41 S	10 E	WM	5	NW SE	1.97	
41 S	10 E	WM	5	SW SE	40.0	
41 S	10 E	WM	8	NW NE	29.11	
41 S	10 E	WM	8	SW NE	28.99	
TOTAL					141.6	

11. Transfer Application T-13496 proposes to change points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	9	NW NW	WELL #4 – 1270 FEET SOUTH AND 1000 FEET EAST FROM THE NW CORNER OF SECTION 9
41 S	10 E	WM	9	SW NW	WELL #3 - NORTH ZERO DEGREES AND 42 MINUTES EAST, 1287.9 FEET FROM THE WEST ¼ CORNER OF SECTION 9
41 S	10 E	WM	9	NE SW	WELL #5 – NORTH 22 DEGREES AND 48 MINUTES WEST, 2606.2 FEET FROM THE SOUTH ¼ CORNER OF SECTION 9
41 S	10 E	WM	9	NW SE	WELL #6 – 2586.6 FEET NORTH AND 1284.5 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 9

Approximate distance from original point of appropriation in miles (mi.)					
WELL	#2	#3	#4	#5	#6
#1	0.4 mi.	1.3 mi.	1.3 mi.	1.7 mi.	1.9 mi.

12. Transfer Application T-13496 also proposes to change the place of use of the right to:

IRRIGATION						Wells
Twp	Rng	Mer	Sec	Q-Q	Acres	
41 S	10 E	WM	5	NE SE	19.07	1 & 2
41 S	10 E	WM	5	SE SE	25.83	
TOTAL					44.9	

SUPPLEMENTAL IRRIGATION						Wells
Twp	Rng	Mer	Sec	Q-Q	Acres	
41 S	10 E	WM	9	NE SW	5.7	3, 4, 5, & 6
41 S	10 E	WM	9	NW SW	10.9	
41 S	10 E	WM	9	SW SW	31.9	
41 S	10 E	WM	9	SE SW	39.5	
41 S	10 E	WM	9	SW SE	37.0	
TOTAL					125.0	

Partial Diminution of a Water Right

13. The proposed place of use that is described in FOF #12 has a pre-existing water right for primary irrigation under Claim KA-1000. On July 14, 2020, Arnott Duncan and Kathleen A. Duncan, Managers of Aguila G-Boys LK 300 LLC, requested to diminish the lands for the new place of use under Certificate 91588 to Supplemental Irrigation. The portion of the right to be diminished as follows:

Certificate: 91588 in the name of RANDOLPH WALLACE (perfected under Permit G-12979)
Use: IRRIGATION of 125.0 ACRES
Priority Date: OCTOBER 22, 1993
Rate: 1.00 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 1 THROUGH SEPTEMBER 30
Source: A WELL in the LOST RIVER BASIN

Authorized Point of Appropriation:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NE NW	WELL #1 – 784 FEET NORTH AND 30 FEET WEST FROM THE CENTER NORTH 1/16 TH CORNER OF SECTION 5

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twtp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	SE SW	36.30
41 S	10 E	WM	5	NE NW	36.50
41 S	10 E	WM	5	SE NW	9.90
41 S	10 E	WM	5	NE SW	38.47
41 S	10 E	WM	5	NW SE	3.83
TOTAL					125.00

Transfer Review Criteria (OAR 690-380-4010)

14. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13496.
16. The proposed change would not result in enlargement of the right.

17. The proposed change would not result in injury to other water rights.
18. All other application requirements are met.

Determination and Proposed Action

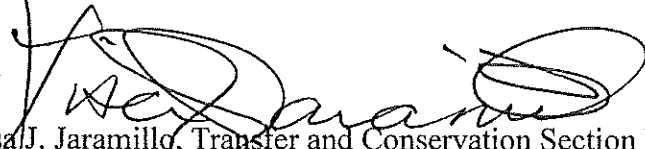
The additional points of appropriation, change in point of appropriation, and change in places of use proposed in Transfer Application T-13496 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13496 is approved, the final order will include the following:

1. *The additional point of appropriation, change in points of appropriation, and change in places of use proposed in Transfer Application T-13496 are approved. The portion of the right proposed to be diminished is diminished.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 91588 and any related decree.*
3. *Water right Certificate 91588 is cancelled.*
4. *The quantity of water diverted at the additional point of appropriation, (Well #2), together with that diverted at the original point of appropriation (Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1).*
5. *The quantity of water diverted at the new points of appropriation, (Well #3, Well #4, Well #5, and Well #6), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1).*
6. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation, (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
7. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
8. *The former place of use of the transferred right shall no longer receive water under the right.*

9. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.*

Dated in Salem, Oregon on APR 14 2021


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

This Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-986-0864 or tamera.l.smith@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Notice Regarding Service Members: Active duty service members have a right to stay these proceedings under the federal service members Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**

RECEIVED

JAN 11 2021

OWRD

State of Oregon)
) ss
County of Klamath)

I, Frank H. and Peggy L. Wallace,
residing at 9450 Buesing Road, Klamath Falls, OR 97603,
telephone number _____, being first duly sworn depose and say:

1. I am the legal owner(s) of the property described as tax lot number 4110-03200-00600
_____, within the SE 1/4 SW 1/4, Section 32, Township 40 S, Range 10 E, of the
Willamette Meridian, in Klamath County, Oregon, as shown on the
attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 91588 issued to Randolph and Deborah
Wallace, 9480 Buesing Rd., Klamath Falls, OR 97603, with a date of priority of October 22, 1993
for use of 2.48 cubic foot per second of water
from A well (sources) for the
purpose of Irrigation (uses) is appurtenant to
our property;
3. The appurtenant water right is located within the boundaries of an irrigation, drainage, water
improvement, or water control district, or federal reclamation project (if the right is located within a district
or reclamation project, name it here:
After transfer the water right will be in Sunnyside Irrigation District);
4. If the water right is issued in the name of an irrigation district, then the affiant must have the
concurrence of the district to the diminishment of the portion of the water right. (Signature of district
manager on the line below documents concurrence of the district.)

See attached form

Signature of district manager

Printed Name

Date

5. We have obtained a transfer of this right to land served by a primary water right held by
Sunnyside Irrigation District. This water right needs to be supplemental to KA-1000 (e.g.,
better, more economical) source of water for the primary irrigation of the portion of this water right
shown on the attached map and described as follows: The right to the use of 1 cubic foot per second for
the irrigation of 125 acres located:

<u>NE 1/4 SW 1/4</u>	<u>5.7</u> Acres
<u>NW 1/4 SW 1/4</u>	<u>10.9</u> Acres
<u>SW 1/4 SW 1/4</u>	<u>31.9</u> Acres
<u>SE 1/4 SW 1/4</u>	<u>39.5</u> Acres
<u>SW 1/4 SE 1/4</u>	<u>37.0</u> Acres

Section 9

Township 41S, Range 10E, WM;

6. We request the water right be diminished from a right for primary irrigation to a right for
supplemental irrigation of the lands described above in item #5;

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

RECEIVED

JAN 11 2021

OWRD

7. We agree that if this change is approved, it is permanent and the right to the use of water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) cannot be changed back to the primary source unless otherwise provided by law. We also agree that so long as there is sufficient water available from the new primary source, we are not entitled to use any water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) for primary irrigation of these lands.

Frank H. Wallace
Signature of legal owner as listed on deed, or authorized agent

12/23/20
Date

Peggy Wallace
Signature of legal co-owner as listed on deed
(if applicable)

12/23/20
Date

Subscribed and Sworn to Before Me this 23 day of December, 20020.

Megan Green
Notary Public for Oregon

My Commission Expires November 1, 2024



PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP,
- 2) WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

RECEIVED

JAN 11 2021

2012-002850

Klamath County, Oregon

OWRD



00115440201200028500020023

03/16/2012 11:54:37 AM

Fee: \$42.00

Grantors: Frank H. Wallace and Peggy L. Wallace
9450 Buesing Road, Klamath Falls, OR 97603

Grantees: Frank H. Wallace, and Peggy L. Wallace
co-Trustees of The Wallace Family Living Trust

9450 Buesing Road

Klamath Falls, OR 97603

AFTER RECORDING RETURN TO
AND SEND TAX STATEMENTS TO:

Frank H. Wallace and Peggy L. Wallace, co-Trustees

9450 Buesing Road

Klamath Falls, OR 97603

Space above for recorder's use

WARRANTY DEED

Frank H. Wallace and Peggy L. Wallace, husband and wife and tenants by the entirety, Grantors convey and warrant to Frank H. Wallace and Peggy L. Wallace, co- Trustees, or their successors in Trust, under the Wallace Family Living Trust dated June 10, 2011, Grantee, the following described real property situated in Klamath County, Oregon, commonly known as 9450 Buesing Road, Klamath Falls OR 97603 and further legally described:

Legally described as set out in Exhibit "One" which is attached hereto and incorporated herein.

Exceptions: Any exceptions of record, as of the date of this deed.

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, OF CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES OF THE LOT OR PARCEL AND 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 to 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS TO 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$0. This transfer is being made for estate planning purposes.

Dated this 16 day of March, 2012.

Frank H. Wallace
FRANK H. WALLACE

Peggy L. Wallace
PEGGY L. WALLACE

STATE OF OREGON, County of Klamath) ss

The foregoing instrument was acknowledged before me this 16th day of March, 2012, by
Frank H. Wallace and Peggy L. Wallace.

AKA Margaret

Paula Jeanne Harris
Notary Public for the State of Oregon
My commission expires: Nov 29, 2012

Page 1 of 2



RECEIVED

JAN 11 2021

OWRD

EXHIBIT "ONE"

PARCEL 1 OF LAND PARTITION 30-94 SITUATED IN THE E1/2 SW 1/4
SECTION 32, TOWNSHIP 40 SOUTH RANGE 10 EAST OF THE WILLAMETTE
MERIDIAN, KLAMATH COUNTY, OREGON THE E1/2W1/2 AND SE 1/4 OF
SECTION 5, AND THE E1/2NW1/4 AND W1/2 NE1/4 OF SECTION 8,
TOWNSHIP 41 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN,
KLAMATH COUNTY, OREGON.

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Klamath)

RECEIVED
JAN 11 2021

I, Deborah Ann Wallace,
residing at 9480 Buesing Rd, Klamath Falls, OR 97603,
telephone number 541-891-3609, being first duly sworn depose and say:

OWRD

1. I am the legal owner of the property described as tax lot number 4110-00-00300, within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, Township 41 S, Range 10 E, of the Willamette Meridian, in Klamath County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right certificate number 91588 issued to Randolph and Deborah Wallace, 9480 Buesing Rd., Klamath Falls, OR 97603, with a date of priority of October 22, 1993 for use of 2.48 cubic foot per second of water from A well (sources) for the purpose of Irrigation (uses) is appurtenant to our property;

3. The appurtenant water right is located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here:
After transfer the water right will be in Sunnyside Irrigation District);

4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

See form already submitted

Signature of district manager

Printed Name

Date

5. We have obtained a transfer of this right to land served by a primary water right held by Sunnyside Irrigation District. This water right needs to be supplemental to KA-1000 (e.g., better, more economical) source of water for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of 1 cubic foot per second for the irrigation of 125 acres located:

<u>NE $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>5.7</u> Acres
<u>NW $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>10.9</u> Acres
<u>SW $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>31.9</u> Acres
<u>SE $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>39.5</u> Acres
<u>SW $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>37.0</u> Acres

Section 9
Township 41S, Range 10E, WM;

6. We request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the lands described above in item #5;

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JAN 11 2021

OWRD

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. We agree that if this change is approved, it is permanent and the right to the use of water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) cannot be changed back to the primary source unless otherwise provided by law. We also agree that so long as there is sufficient water available from the new primary source, we are not entitled to use any water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) for primary irrigation of these lands.

Deborah Ann Wallace
Signature of legal owner as listed on deed, or authorized agent

12-22-2020
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 22ND day of DECEMBER, 2002020.

Shannon Michelle Kuhlman
Notary Public for Oregon

My Commission Expires 09-13-2022



PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP,
- 2) WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

**2015-003860**

Klamath County, Oregon

04/24/2015 03:01:29 PM

Fee: \$52.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Randolph F. Wallace and Deborah Ann Wallace9480 Buesing RoadKlamath Falls, OR 97603**RECEIVED****JAN 11 2021****OWRD**Until a change is requested all tax statements
shall be sent to the following address:Randolph F. Wallace and Deborah Ann Wallace9480 Buesing RoadKlamath Falls, OR 97603File No. 33288AM

STATUTORY WARRANTY DEED**Frank H. Wallace and Peggy L. Wallace, co-trustees of under the Wallace Family Living Trust dated June 10, 2011,**

Grantor(s), hereby convey and warrant to

Randolph F. Wallace and Deborah Ann Wallace, as Tenants by the Entirety,

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

See attached Exhibit "A"The true and actual consideration for this conveyance is **\$153,675.00.**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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.

5800000

Page 2 Statutory Warranty Deed
Escrow No. 33288AM

Dated this 24th day of April, 2015

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JAN 11 2021

OWRD

Frank H. Wallace and Peggy L. Wallace,
co-trustees of under the Wallace Family Living Trust
dated June 10, 2011

By: Frank H. Wallace, trustee
Frank H. Wallace, co-trustee

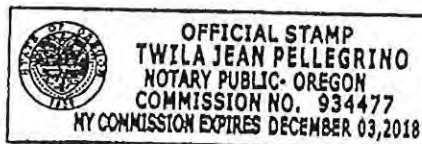
By: Peggy L. Wallace, trustee
Peggy L. Wallace, co-trustee

State of Oregon } ss
County of Klamath }

On this 24th day of April, 2015, before me,
Twila Jean Pellegrino a Notary Public in and for said state, personally
appeared Frank H. Wallace and Peggy L. Wallace, co-trustees of under the Wallace Family Living Trust dated June 10, 2011,
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me
that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above
written.

Twila Pellegrino
Notary Public for the State of Oregon
Residing at: Klamath County
Commission Expires: 12-3-2018



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JAN 11 2021

OWRD

Exhibit "A"

Parcel 2 of Land Partition 30-94 situated in the E1/2 SW1/4 of Section 32 Township 40 South Range 10, East of the Willamette Meridian, the E1/2 W1/2 and SE1/4 of Section 5 and the E1/2 NW1/4 and the W1/2 NE1/4 of Section 8. Township 41 South Range 10 East of the Willamette Meridian, Klamath County Oregon.

EXCEPTING THEREFROM a Portion of the N1/2 NW1/4 SE1/4 of said Section 5, being more particularly described as follows:

Beginning at the C-E 1/16 corner of said Section 5, being the Northerly corner common to Parcels 2 and 3 of said "Land Partition 30-94"; thence S89°59'00" W along the boundary of said Parcel 2, 732.55 feet; thence S45°01'00" E 660.44 feet; thence N89°59'00" E 271.15 feet to a point on the East line of said Parcel 2; thence N00°42'15" W, along the said East line 467.03 feet to the point of beginning, with bearings based on "Land Partition 30-94" (R.O.S. 5709) on File at the office of the Klamath County Surveyor.

ALSO EXCEPTING THEREFROM; a portion of the SE1/4 NW1/4 of said Section 5, being more particularly described as follows:

Beginning at the C1/4 corner of said Section 5; thence N00°37'30" W, along the East line of said Parcel 2, 365.57 feet to a point on the Northeasterly line of a 40 foot wide non-exclusive easement (as shown on "Land Partition 30-94"); thence along the said Northeasterly line, N53°20'46": W119.95 feet and N48°07'32" W 917.13 feet; thence leaving said Northeasterly line S41°56'20" W 42.78 feet; thence S06°53'37"E 477.98 feet; thence S25°31'12"E 90.13 feet; thence S03°37'57" E 117.99 feet; thence S02°17'46" E 235.32 feet; thence S13°53'16"E 112.24 feet to a point on the East West centerline of said Section 5; Thence N89°59'00" E 671.67 feet to the point of beginning with bearings based on "Land Partition 30-94" (R.O.S. 5709) on file at the office of the Klamath County Surveyor.

Map of
Portion of Certificate 91588
Diminish to Supplemental

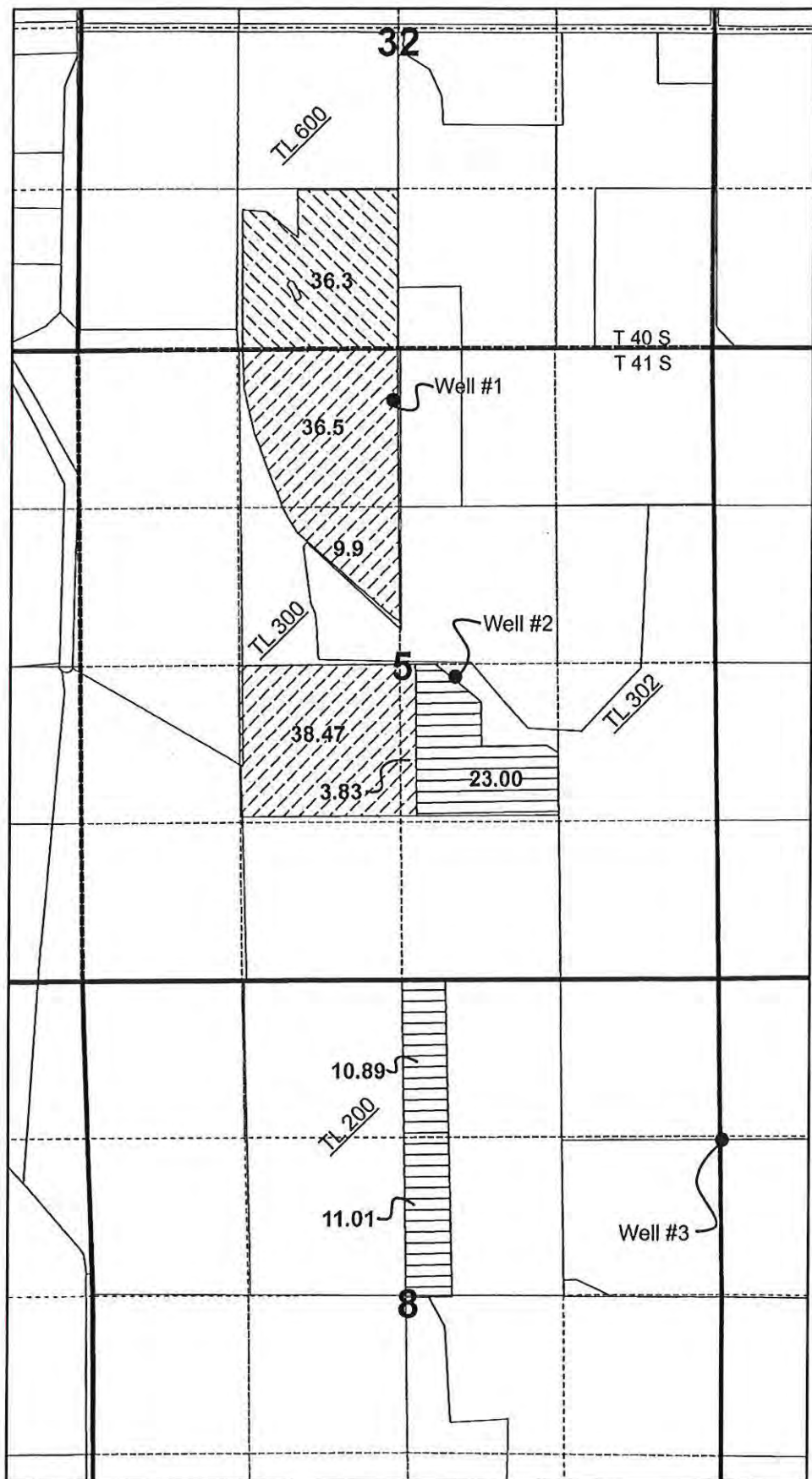
T 40 & 41 S, R 10 E
Sec 32, 5 & 8

Map 1 of 2

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JAN 11 2021

OWRD



Legend

- Wells
-  Deborah Ann Wallace diminish 88.7 ac
-  Frank & Peggy Wallace diminish 36.3 ac
-  Portion of Cert 91588 Trans and remain Primary 44.9 ac



1 inch = 1,320 feet

Map of
Water Right Transfer
Certificate 91588
Deborah Wallace

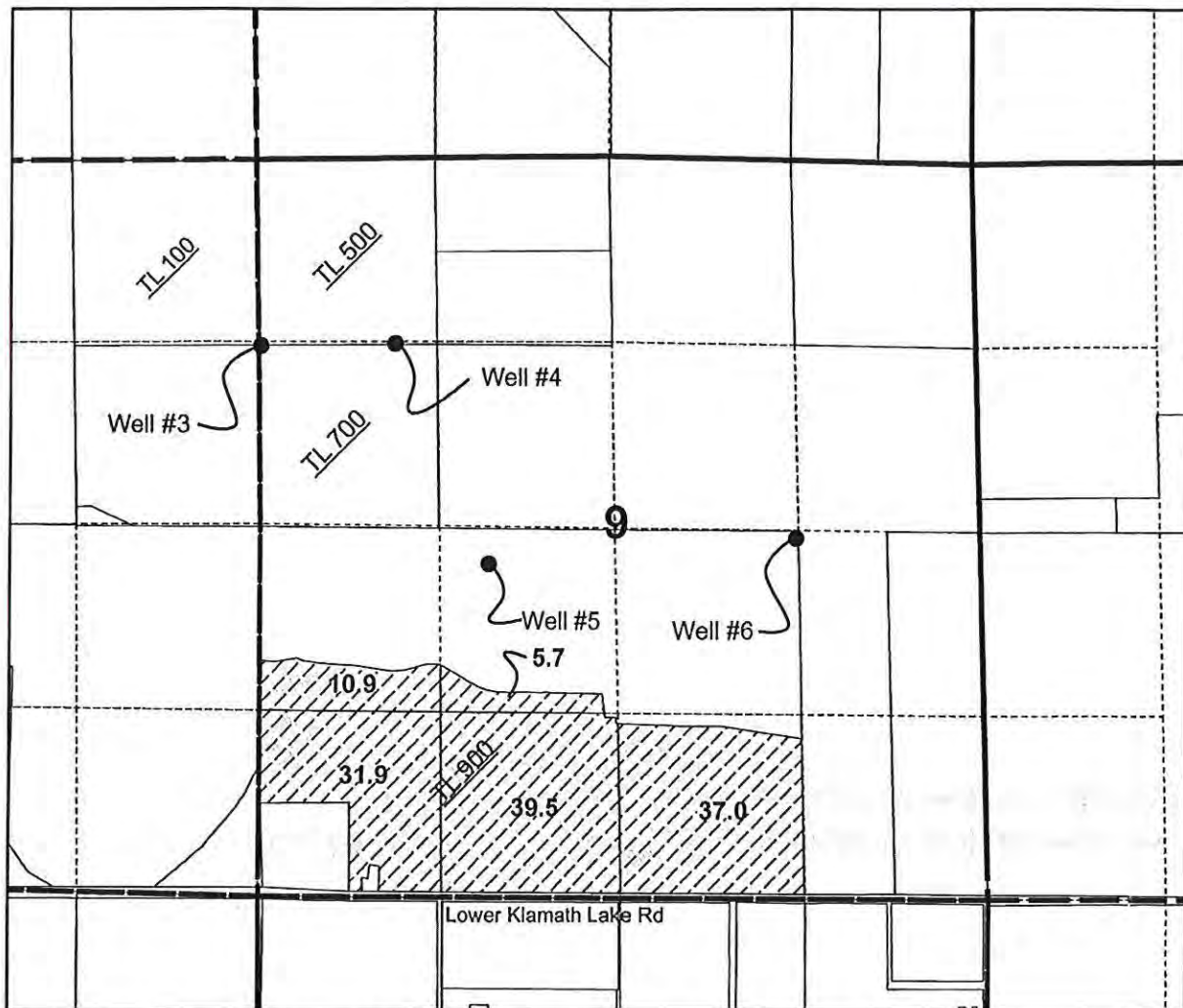
RECEIVED

JAN 11 2021

OWRD

T 41 S, R 10 E
Sec 9

Map 2 of 2



Well #3: KLAM 14946 in the SWNW Sec 9
N 0° 42' E - 1287.9 ft Fm W ¼ Cor. Sec 9
(as described Cert by 29724 & 29725)

Well #4: KLAM 14941 in the NWNW Sec 9
1270 ft South & 1000 ft East Fm the NW Cor. Sec 9
(as described by Cert 49130)

Well #5: KLAM 57323 in the NESW Sec 9
N 22° 48' W 2606.2 ft Fm S 1/4 Cor. Sec 9
(as described Cert by 29724)

Well #6: Proposed new well in the NWSE Sec 9
2586.6 ft North & 1284.5 ft East Fm S 1/4 Cor Sec 9

Legend

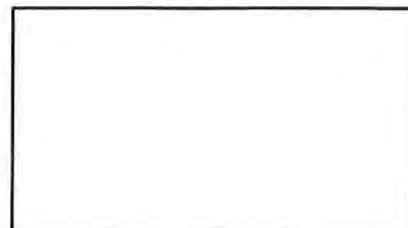
Trans POU TO & POA to Wells 3, 4, 5 & 6 also Diminish to Supp 125.0 ac

Primary Water Right KA 1000

Wells



1 inch = 1,320 feet



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

SMITH Tamera L * WRD

From: Hollie Cannon <hcannon@waterrightsolutions.com>
Sent: Monday, November 30, 2020 12:25 PM
To: SMITH Tamera L * WRD
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution
Attachments: Diminish Map 1.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Tamera

Sorry it has taken me a while to get back to this. I reread your email and I might have misunderstood what you were asking for. It appears you were only asking for a map of the area of FROM land that will be diminished to Supplemental when it is attached to the TO land. That map is attached.

I understood that the owner of the FROM land had to sign the Diminution form, but that is not what you said in the email.

Does this map fix the problem?

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St
Klamath Falls, OR 97603
Phone: 541-821-5848

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Friday, November 20, 2020 9:24 AM
To: Hollie Cannon <hcannon@waterrightsolutions.com>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Good morning Hollie,

As I understand it, the diminution and change in place of use can happen simultaneously. However, The Affidavit of Diminution does need to describe the acreage of the FROM lands before the change in place of use. The owners of the FROM land will need to diminish the acreage. So, yes, you've got it right.

Again, my apologies for not catching this sooner.

Best, Tamera

From: Hollie Cannon <hcannon@waterightsolutions.com>
Sent: Thursday, November 19, 2020 4:03 PM
To: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Subject: RE: T-13496 Affidavit for Voluntary Partial Diminution

Tamera

Here is my confusion. The groundwater right is currently Primary and not in any irrigation district. A portion of this water right to proposed to be transferred to land that lies in the Sunnyside Irrigation District. Therefore the groundwater will need to be Supplemental to the District water right KA 1000.

I thought the water right would be diminished to Supplemental at the time of it is attached to the KA 1000. If I understand you correctly, it is the current owner that must diminish it to Supplemental before it leave her property? Did I get that right?

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St
Klamath Falls, OR 97603
Phone: 541-821-5848

From: SMITH Tamera L * WRD <Tamera.L.Smith@oregon.gov>
Sent: Thursday, November 19, 2020 3:42 PM
To: Hollie Cannon <hcannon@waterightsolutions.com>
Subject: T-13496 Affidavit for Voluntary Partial Diminution

Hello Hollie,

I hope this finds you and yours well.

I have recently discovered that the first page of the Diminution, No. 5, should contain the acreage of the FROM lands being diminished, not the TO lands, along with an accompanying map identifying which FROM lands are being diminished. (Clip picture of the page attached, No. 5 is just below the signature from the Irrigation District Manager).

How soon might you be able to get me the information identifying which lands are being diminished from Certificate 91588?

This would help me to move forward, then you could supply a replacement of the Partial Dim with more time. I do apologize for any inconvenience this causes.

Please let me know of any concerns or questions you may have.

Kindest regards, Tamera

Map of
Portion of Certificate 91588
Diminish to Supplemental

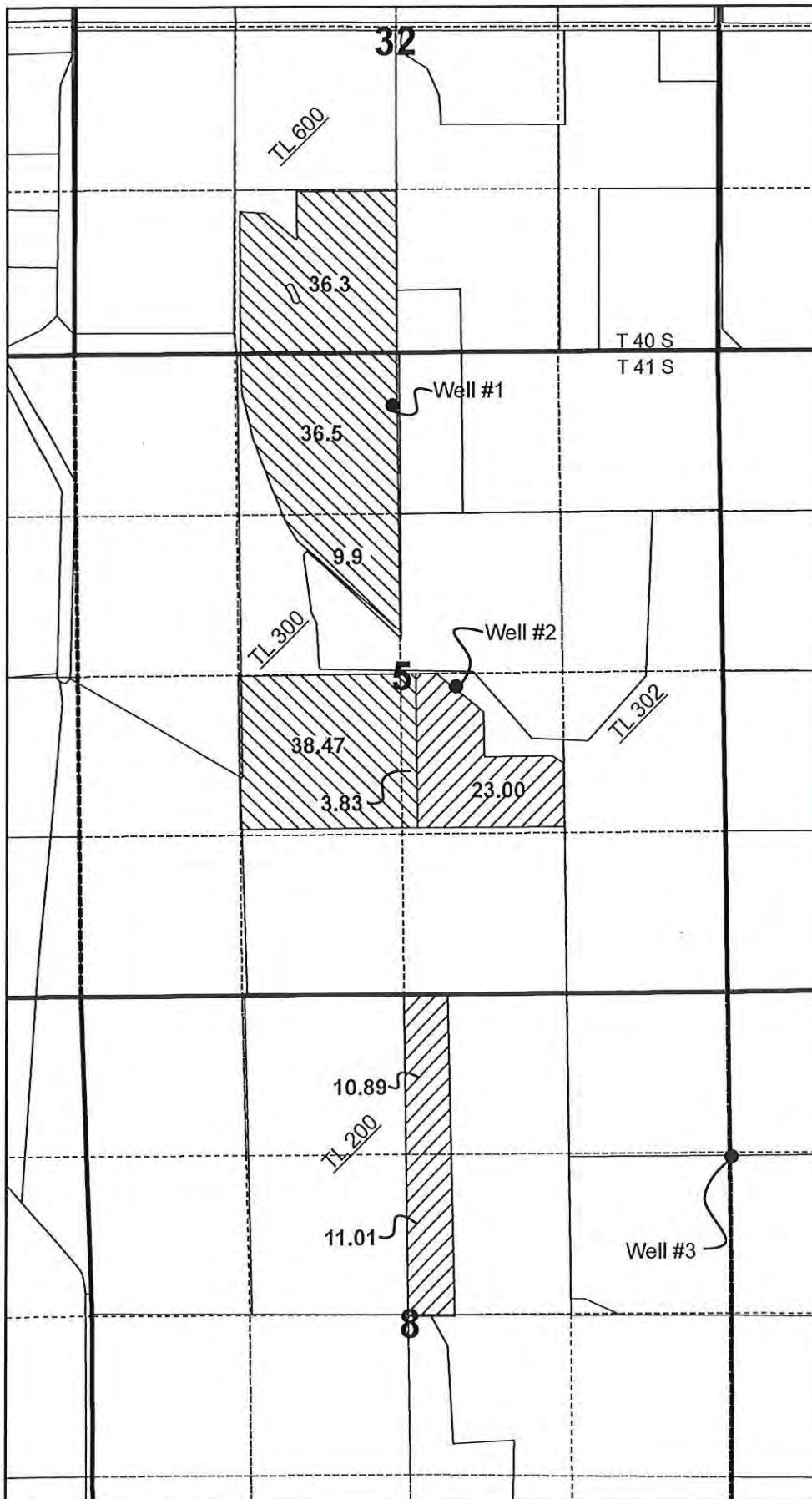
T 40 & 41 S, R 10 E
Sec 32, 5 & 8

Map 1 of 2

Received by OWRD

NOV 30 2020

Salem, OR



Legend

● Wells

 Portion of Cert 91588 Trans and remain Primary 44.9 ac

 Portion of Cert 91588 Trans and Diminish to Supplemental 125.0 Ac



1 inch = 1,320 feet

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 # 133376

INVOICE # _____

RECEIVED FROM:

BY:

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ 1569.49

CASH:

CHECK: #

OTHER: (IDENTIFY)

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

0412 OTHER:

(IDENTIFY)

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

0410 RESEARCH FEES

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

\$

\$

EXAM FEE

\$

0202

0204

0219

0220

RECORD FEE

\$

\$

\$

\$

LICENSE FEE

\$

\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY)

\$

\$

CARD #

CARD #

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: 133376

DATED: 9.2.2020 BY: [Signature]

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

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SEP 02 2020

OWRD

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-273-21**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Deborah Ann Wallace**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 986-0886 Fax: 503 986-0901 Email: patrick.k.starnes@oregon.gov	Name: Deborah Ann Wallace Contact: Address: 9480 Buesing Rd. Klamath Falls, OR 97603 Phone: (541) 891-3609 Fax: Email: dwallace@isler-kf.com	Name: Water Right Solutions, LLC Contact: Hollie Cannon Address: 409 Pine St., Suite 311 Klamath Falls, OR 97601 Phone: (541) 821-5848 Fax: Email: hcannon@waterrightsolutions.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-13496)

- Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- Consideration.**
 - Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$1,569.48**. Applicant agrees to pay the full amount of **\$1,569.48** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant: Deborah Ann Wallace
Name/Title: _____

For OWRD: Dwight French
Dwight French – Administrator

8-24-20
Date

9-10-20
Date

Mail signed Agreement to:

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

**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 # **133112**

INVOICE # _____

RECEIVED FROM: Water Right Solutions, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13496</u>

CASH: ☐ CHECK: # 1903 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,425.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	\$
0205	TRANSFER	\$ <u>1,425.00</u>	\$
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
	LANDOWNER'S PERMIT	\$	\$
	OTHER (IDENTIFY)		\$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **133112**

DATED: 7-23-2020 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

INVOICE # _____

RECEIPT # **133111**

RECEIVED FROM: RWL Ranch LLC
BY: Wallace

APPLICATION	
PERMIT	
TRANSFER	<u>T-134916</u>

CASH: ☐ CHECK: # 1357 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,425.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 I/S Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY)	\$	
TC162 DEPOSIT LIAB. (IDENTIFY)	\$	
0240 EXTENSION OF TIME	\$	
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$ <u>1,425.00</u>	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **133111**

DATED: 7-23-2020 BY: [Signature]

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

OREGON



WATER RESOURCES
DEPARTMENT

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

(503) 986-0900

www.oregon.gov/OWRD

This 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.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed 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 new online fee calculator at: 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 Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 91588**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation 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.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

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Revised 11/6/2019

Permanent Transfer Application Form – Page 1 of 11

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TACS

Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ 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 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), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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[illegible]

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$840.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:		13496

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Deborah Ann Wallace		PHONE NO. 541-891-3609	ADDITIONAL CONTACT NO.
ADDRESS 9480 Buesing Rd.		FAX NO.	
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL dwallace@isler-kf.com
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 Hollie Cannon / Water Right Solutions, LLC		PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.
ADDRESS 3246 Hammer St.		FAX NO.	
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL hcannon@waterightsolutions.com
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:
See "Attachment 1"

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

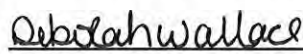
Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Herald and News.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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


Applicant signature

Deborah Wallace
Print Name (and Title if applicable)

7/6/2020
Date

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JUL 23 2020

Applicant signature

Print Name (and Title if applicable)

Date

OWRD

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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME Aguila G-Boys LK 300 LLC		PHONE NO. 928-920-9125	ADDITIONAL CONTACT NO.
ADDRESS 18969 W. McDowell Rd			FAX NO.
CITY Buckeye	STATE AZ	ZIP 85396	E-MAIL mark@duncanfamilyfarms.net

Describe any special ownership circumstances here: _____

- ☒ 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. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Sunnyside Irrigation District	ADDRESS 10601 Lower Klamath Lake Rd.	
CITY Merrill	STATE OR	ZIP 97633

- ☐ 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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Klamath County	ADDRESS 305 Main Street	
CITY Klamath Falls	STATE OR	ZIP 97601

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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 additional rows to tables within the form.

CERTIFICATE # 91588

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Description of Water Delivery System

System capacity: 1.35 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. There is a turbine pump in Well #1 powered by a 100 hp motor. There is about 9,500 feet of buried PVC (10"), 1,000 feet of 8" PVC and 1320 feet of 6" and 5" PVC. There are 10 wheel lines and some misc. hand lines used to irrigate the corner where the wheel lines do not reach.

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)
Well #1	☒ Authorized ☐ Proposed	KLAM 14690	41 S	10 E	5	NE NW	300	784 ft North & 30 ft West of the Center North 1/16 th Cor. Sec 5
Well #2	☐ Authorized ☒ Proposed	KLAM 51848	41 S	10 E	5	NW SE	300	2694.6 ft. South & 460 ft. East from the North ¼ Cor. Sec 5
Well #3	☐ Authorized ☒ Proposed	KLAM 14946	41 S	10 E	9	SW NW	700	N 0°42'E – 1287.9 ft from W ¼ Cor Sec 9
Well #4	☐ Authorized ☒ Proposed	KLAM 14941	41 S	10 E	9	NW NW	700	1270 ft South & 1000 ft East from the NW Cor Sec 9
Well #5	☐ Authorized ☒ Proposed	KLAM 57323	41 S	10 E	9	NE SW	900	N 22°48'W 2606.2 ft from S ¼ Cor Sec 9
Well #6	☐ Authorized ☒ Proposed		41 S	10 E	9	NW SE	900	2586.6 ft North & 1284.5 ft East from S ¼ Cor Sec 9

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

- ☒ Yes Complete only the Proposed ("to" or "on" 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.

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

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

Table 2. Description of Changes to Water Right Certificate # 91588

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
40	S	10	E	32	SE	SW	600		36.3	IR	Well #1	10/22/1993	POU/APOA	41	S	10	E	5	NE	SE	302		19.07	IR	Well #1 and Well #2	10/22/1993		
41	S	10	E	5	NE	NW	300		36.5	IR	Well #1	10/22/1993	POU/APOA	41	S	10	E	5	SE	SE	302		25.83	IR	Well #1 and Well #2	10/22/1993		
41	S	10	E	5	SE	NW	300		9.9	IR	Well #1	10/22/1993	POU/POA/ DIMINISH	41	S	10	E	9	NE	SW	900		5.7	IS	Wells #3,4,5,& 6	10/22/1993		
41	S	10	E	5	NE	SW	300		40	IR	Well #1	10/22/1993	POU/POA/ DIMINISH	41	S	10	E	9	NW	SW	900		10.9	IS	Wells #3,4,5,& 6	10/22/1993		
41	S	10	E	5	SE	SW	300		40	IR	Well #1	10/22/1993	POU/POA/ DIMINISH	41	S	10	E	9	SW	SW	900		31.9	IS	Wells #3,4,5,& 6	10/22/1993		
41	S	10	E	5	NW	SE	300		28.8	IR	Well #1	10/22/1993	POU/POA/ DIMINISH	41	S	10	E	9	SE	SW	900		39.5	IS	Wells #3,4,5,& 6	10/22/1993		
41	S	10	E	5	SW	SE	300		40	IR	Well #1	10/22/1993	POU/POA/ DIMINISH	41	S	10	E	9	SW	SE	900		37	IS	Wells #3,4,5,& 6	10/22/1993		
41	S	10	E	8	NW	NE	200		40	IR	Well #1	10/22/1993	APOA	41	S	10	E	5	NE	SW	300		1.53	IR	Well #1 & #2	10/22/1993		
41	S	10	E	8	SW	NE	200		40	IR	Well #1	10/22/1993	APOA	41	S	10	E	5	SE	SW	300		40	IR	Well #1 & #2	10/22/1993		
													APOA	41	S	10	E	5	NW	SE	300		1.97	IR	Well #1 & #2	10/22/1993		
													APOA	41	S	10	E	5	SW	SE	300		40	IR	Well #1 & #2	10/22/1993		
													APOA	41	S	10	E	8	NW	NE	200		29.11	IR	Well #1 & #2	10/22/1993		
													APOA	41	S	10	E	8	SW	NE	200		28.99	IR	Well #1 & #2	10/22/1993		
TOTAL ACRES:									311.5						TOTAL ACRES:									311.5				

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Additional remarks: Wells #1 & #2 pertain to Map 1 and Wells #3, #4, #5 & #6 pertain to Map 2.

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For Place of Use or Character 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: KA 1000. (on part of the "to" lands)



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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- ☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well #1	Yes	KLAM 14690	See well log							
Well #2	Yes	KLAM 51848	See well log							
Well #3	Yes	KLAM 14946	See well log							

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Well #4	Yes	KLAM 14941	See well log							
Well #5	Yes	KLAM 57323	See well log							
Well #6	No	Proposed	820	16"	0 to 250	0 to 250				
				12"	250 to 820		400 to 820	140	Broken Rock, gravel	1.00 CFS

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Explanation of the purpose of this transfer

The portion of the transfer that pertains to the property of Deborah Wallace.

The water right will be used on the most productive soil. Part of the TO land is already irrigated (because of the better soil) and this transfer will correct to location of the water right to the place of actual use. The additional POA (Well #2) is to allow the use of a well that is closer to the actual place of use. Well #1 will remain as a POA but will be a backup well in case of failure of Well #2.

The portion of the transfer that pertains to the property of AGB LK300, LLC

This portion of this property subject to this transfer has a primary water right by KA-1000 through Sunnyside Irrigation District. SID is B Land in the Klamath Reclamation Project and therefore not a dependable supply. Because of the nature of the business of AGB LK300, LLC and contracts for leafy green vegetables it is necessary to have a secure source of water. This transfer will move this groundwater right to be supplemental to the KA-1000 Project primary water right. The groundwater right will be diminished to supplemental. AGB LK300, LLC already has three wells (on this transfer they are identified for this transfer as Wells #3, #4 and #5) that are the POA for Certificates 29724, 29725 and 49130. The water right by this transfer will utilize Wells #3, #4 & #5, but the combined production of these wells is marginal to provide the needed flow for all the water rights attached to the wells, it is requested to add a new Well #6 to ensure pumping capacity to meet the Rate of all the water rights.

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

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.

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Suborah Wallace

Signature of Affiant

7/6/2020

Date

Signed and sworn to (or affirmed) before me this 6TH day of JULY, 2020.



Skuhlman

Notary Public for Oregon

My Commission Expires: 09-13-2022

Supporting Documents	Examples
☒ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☐ 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. 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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

RANDOLPH WALLACE
DEBORAH WALLACE
9480 BUESING RD
KLAMATH FALLS OR 97603

confirms the right to the use of water perfected under the terms of Permit G-12979. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13535

SOURCE OF WATER: A WELL IN THE LOST RIVER BASIN

PURPOSE or USE: IRRIGATION OF 311.5 ACRES

MAXIMUM RATE: 2.48 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: OCTOBER 22, 1993

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	5	NE NW	784 FEET NORTH AND 30 FEET WEST OF THE C-N 1/16 CORNER OF SECTION 5

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	SE SW	36.3
41 S	10 E	WM	5	NE NW	36.5
41 S	10 E	WM	5	SE NW	9.9

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	10 E	WM	5	NE SW	40.0
41 S	10 E	WM	5	SE SW	40.0
41 S	10 E	WM	5	NW SE	28.8
41 S	10 E	WM	5	SW SE	40.0
41 S	10 E	WM	8	NW NE	40.0
41 S	10 E	WM	8	SW NE	40.0

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Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user 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.

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

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

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

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

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

The reference level against which any future measurements will be compared is 210.75 feet below land surface.

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

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

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

The well(s) shall be maintained 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

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

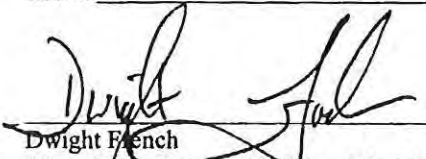
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

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

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

Issued AUG 12 2016


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

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Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Klamath)

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JUL 23 2020

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I Frank H. and Peggy L. Wallace in my/our capacity as Owners,
mailing address 9450 Buesing Rd, Klamath Falls, OR 97603,
telephone number _____, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 91588
described in a Transfer Application (T-_____) submitted by Deborah Ann Wallace,
(transfer number, if known)
on the property in tax lot number(s) 600, Section 32, Township 40
South, Range 10 East, W.M., located at 9450 Buesing Rd, Klamath Falls, OR 97603.
(site address)

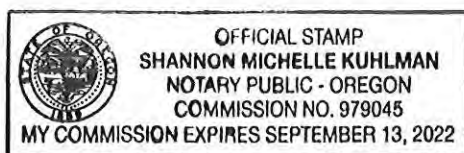
Frank H. Wallace
Signature of Affiant

Date

Peggy L. Wallace
Signature of Affiant

7-5-2020
Date

Subscribed and Sworn to before me this 5th day of JULY, 2020.



Shannon Michelle Kuhlman
Notary Public for Oregon

My commission expires 09-13-2022

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Klamath)ss
)

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I AGUILA G-BOYS LK300, LLC in my/our capacity as Owner,
mailing address 18969 W. McDowell Rd., Buckeye, AZ 85396,
telephone number 928-920-9125, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 91588
described in a Transfer Application (T-_____) submitted by Deborah Ann Wallace,
(transfer number, if known)
on the property in tax lot number(s) 900, Section 9, Township 41
South, Range 10 East, W.M., located at 11835 Lower Klamath Lake Rd., Merrill, OR 97633.
(site address)

[Signature]
Signature of Affiant

7/14/20
Date

[Signature]
Signature of Affiant

7/14/20
Date

Subscribed and Sworn to before me this 14 day of July, 2020.



Micaiah E.L. Caldwell
Notary Public for Oregon

My commission expires 3-16-2024

13496

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**

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State of Oregon)
) ss
County of Klamath)

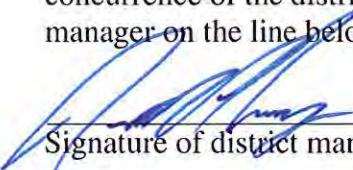
I, Aguila G-Boys LK 300 LLC,
residing at 18969 W McDowell Rd., Buckeye, AZ 85396,
telephone number 928-920-9125, being first duly sworn depose and say:

1. I am the legal owner(s) of the property described as tax lot number 4110-00900-00900, within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 41 S, Range 10 E, of the Willamette Meridian, in Klamath County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right certificate number 91588 issued to Randolph and Deborah Wallace, 9480 Buesing Rd., Klamath Falls, OR 97603, with a date of priority of October 22, 1993 for use of 2.48 cubic foot per second of water from A well (sources) for the purpose of Irrigation (uses) is appurtenant to our property;

3. The appurtenant water right is located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: Sunnyside Irrigation District);

4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)


Signature of district manager

Sesse Hickory
Printed Name

7/10/2020
Date

5. We have obtained a transfer of this right to land served by a primary water right held by Sunnyside Irrigation District. This water right needs to be supplemental to KA-1000 (e.g., better, more economical) source of water for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of 1 cubic foot per second for the irrigation of 125 acres located:

<u>NE $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>5.7</u> Acres
<u>NW $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>10.9</u> Acres
<u>SW $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>31.9</u> Acres
<u>SE $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>39.5</u> Acres
<u>SW $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>37.0</u> Acres

Section 9
Township 41S, Range 10E, WM;

6. We request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation of the lands described above in item #5;

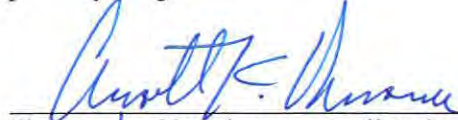
**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

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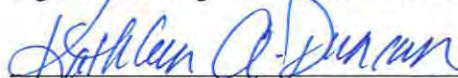
OWRD

7. We agree that if this change is approved, it is permanent and the right to the use of water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) cannot be changed back to the primary source unless otherwise provided by law. We also agree that so long as there is sufficient water available from the new primary source, we are not entitled to use any water from Well#3, #4, #5, #6 (KLAM 14946, KLAM 14941, KLAM 57323, proposed #6) (source) for primary irrigation of these lands.


Signature of legal owner as listed on deed, or authorized agent

7/14/20

Date


Signature of legal co-owner as listed on deed
(if applicable)

7/14/20

Date

Subscribed and Sworn to Before Me this 14 day of July, 2020.


Notary Public for Oregon

My Commission Expires 3-16-2024



PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP,
- 2) WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

13496

APPROVALS

SURVEYOR'S CERTIFICATE

DECLARATION

FILED FOR RECORD THIS 1st DAY OF June, 1998

**CENTERLINE ACCESS
EASEMENT TABLE**

THEY ARE TO ATTEST THAT CATHERINE WEIRAN IS THE OCEED HOLDOR OF THE LAND WILLAGE AND PERRY L. WALLACE IS THE SURVIVOR OF THE LAND SALE CONTRACT IN WHICH SHE AND ANCECEDOR EDWICH FORBES MADE ON PAGE 4633 OF THE DEED RECORDS OF KLAMATH COUNTY, OREGON ARE THE OWNERS OF LAND PARITION 30-B-A, MORE PARTICULARLY DESCRIBED IN THE ANNEXED BUYERS CERTIFICATE, AND THAT THE ANNEXED MAP, AND THAT THEY DO FOR THEMSELVES, THEIR HEIRS AND ASSIGNS HIERBY CHEATRE THE 40 FOOT WIDE NON-EXCLUSIVE EASEMENT AS SHOWN ON THE ANNEXED MAP. SAID MAP BEING A PART OF THIS INSTRUMENT. ALL RIGHTS RESERVED BY APPLICANT FOR PERMILE D-18530, AND OTHER WATER RIGHTS APPURTENANCE.

BE IT REMEMBERED THAT ON THIS 18 DAY OF MAY, 1938

HE IT REMEMBERED THAT ON THIS 18 DAY OF MAY, 1988,
PERSONALLY APPEARED BEFORE ME
FRANK M. WALLACE AND PEGGY L. WALLACE WHO
ARE KNOWN TO ME TO BE THE EXACTIAL FRANKS DESCRIBED IN AND WHO EXECUTED
THE ABOVE INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE
SAME FREELY AND VOLUNTARILY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY OFFICIAL NOTARIAL SEAL ON THE
DAY AND YEAR LAST WRITTEN ABOVE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY OFFICIAL NOTARIAL SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NARRATIVE

LAND PARTITION 30-34 WAS NOT REQUIRED TO BE SURVEYED. HOWEVER, THE DESCRIBED 40 FOOT WIDE NON-EXCLUSIVE EASEMENT WAS LOCATED BY A FIELD SURVEY. ALL BEARINGS AND DISTANCES AS SHOWN ARE RECORD OR COMPUTED USING RECORDED SURVEY NO. 1098.

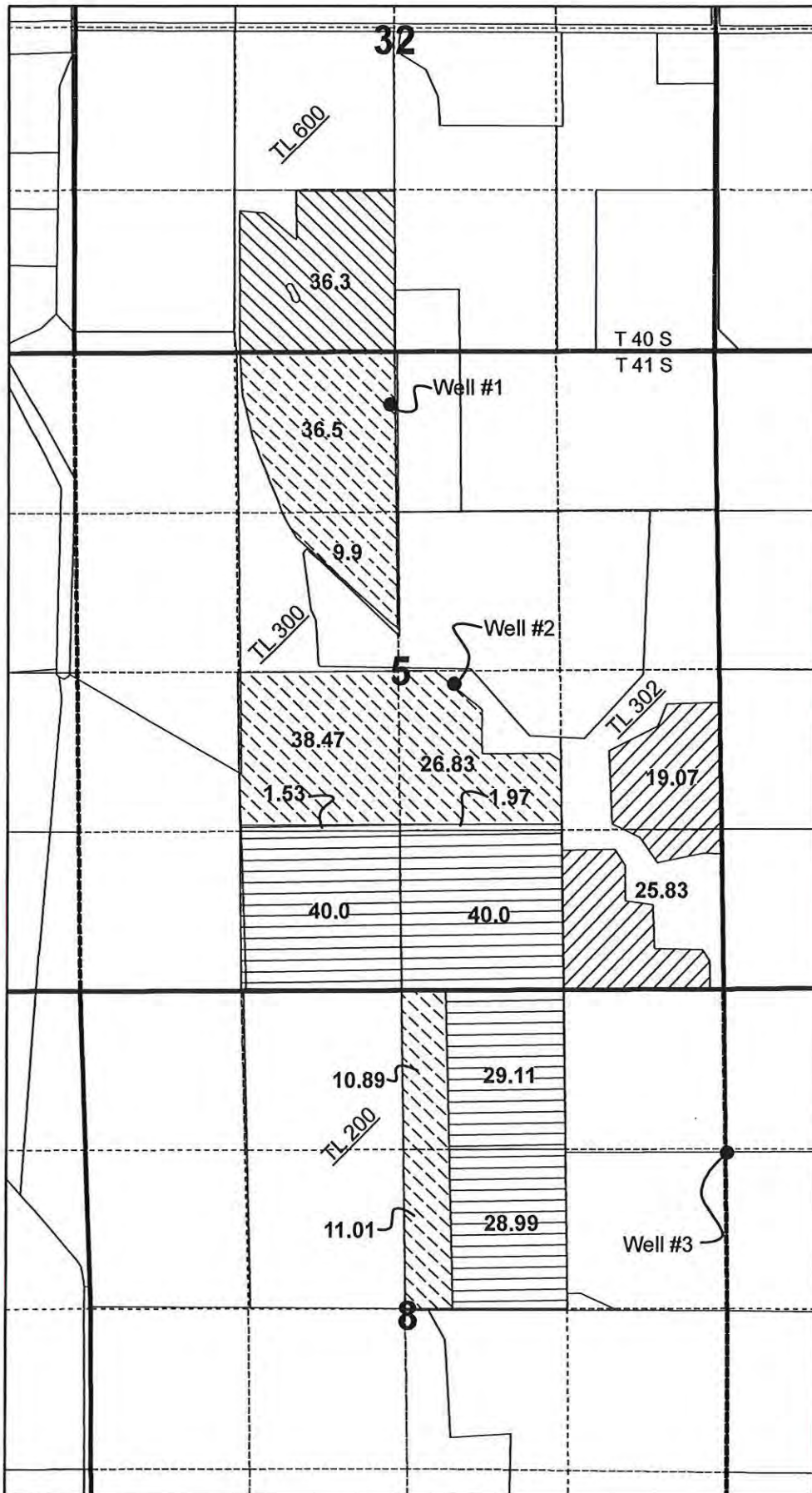
TRU-LINE SURVEYING
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

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JUL 23 2020
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**Map of
Water Right Transfer
Certificate 91588
Deborah Wallace**

**T 40 & 41 S, R 10 E
Sec 32, 5 & 8**

Map 1 of 2



Well #1 Klam 14690 Existing POA
784 Ft North & 30 Ft West From the
Center North 1/16th Cor. Sec 5

Well #2 Klam 51848 Add POA
2694.6 Ft South & 460 Ft East From
the North 1/4 Cor. Sec 5
Both in T 41 S. R 10 E. WM

Legend

- Wells
- No Change POU, use POA wells 1 & 2, 141.6 ac
- Frank Wallace FROM 36.3 ac
- Deborah Wallace FROM 133.6 ac
- Deborah Wallace TO POU & POA use Wells 1 & 2, 44.9 ac

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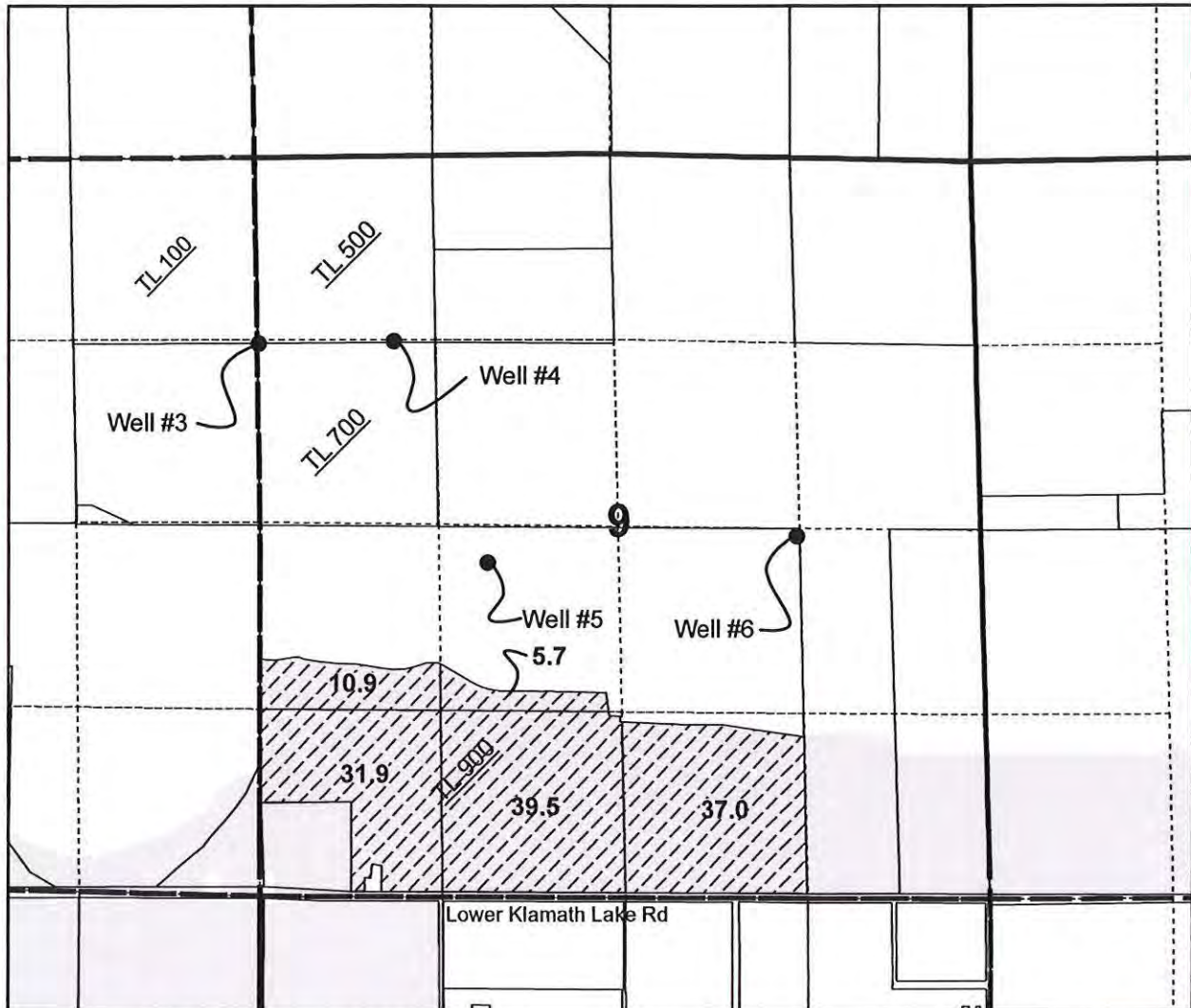
1 inch = 1,320 feet



Note: This map is not intended to provide legal dimensions or locations of property ownership lines. **13496**

**Map of
Water Right Transfer
Certificate 91588
Deborah Wallace**

**T 41 S, R 10 E
Sec 9
Map 2 of 2**



Well #3: KLAM 14946 in the SWNW Sec 9
N 0° 42' E - 1287.9 ft Fm W ¼ Cor. Sec 9
(as described Cert by 29724 & 29725)

Well #4: KLAM 14941 in the NWNW Sec 9
1270 ft South & 1000 ft East Fm the NW Cor. Sec 9
(as described by Cert 49130)

Well #5: KLAM 57323 in the NESW Sec 9
N 22° 48' W 2606.2 ft Fm S1/4 Cor. Sec 9
(as described Cert by 29724)

Well #6: Proposed new well in the NWSE Sec 9
2586.6 ft North & 1284.5 ft East Fm S1/4 Cor Sec 9

Legend

 Trans POU TO & POA to Wells 3, 4, 5 & 6 also Diminish to Supp 125.0 ac

 Primary Water Right KA 1000

 Wells



1 inch = 1,320 feet



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

13496

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

Applicant(s): Deborah Ann Wallace

Mailing Address: 9480 Buesing Rd.

City: Klamath Falls

State: OR

Zip Code: 97603

Daytime Phone: 541-891-3609

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>NE NW</u>	<u>300</u>	_____	☒ Diverted	☐ Conveyed	☐ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>NW SE</u>	<u>300</u>	_____	☒ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>NE SW</u>	<u>300</u>	_____	☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>SE SW</u>	<u>300</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>SW SE</u>	<u>300</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>NE SE</u>	<u>302</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>5</u>	<u>SE SE</u>	<u>302</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>8</u>	<u>NW NE</u>	<u>200</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>8</u>	<u>SW NE</u>	<u>200</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>SW NW</u>	<u>700</u>		☒ Diverted	☐ Conveyed	☐ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>NW NW</u>	<u>700</u>		☒ Diverted	☐ Conveyed	☐ Used	<u>IR</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>NE SW</u>	<u>900</u>		☒ Diverted	☒ Conveyed	☒ Used	<u>IS</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>NW SE</u>	<u>900</u>		☒ Diverted	☐ Conveyed	☐ Used	<u>IS</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>NW SW</u>	<u>900</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IS</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>SW SW</u>	<u>900</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IS</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>SE SW</u>	<u>900</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IS</u>
<u>41 S</u>	<u>10 E</u>	<u>9</u>	<u>SW SE</u>	<u>900</u>		☐ Diverted	☒ Conveyed	☒ Used	<u>IS</u>

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

Klamath

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WR / FS

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: 1.35 ☒ 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:

To correct location of water right to the place of actual use, add an additional POA to use a well that is closer to POU. A portion of the transfer is being moved to secure a reliable source of water that will be supplemental to the primary Water right of KA1000 utilizing wells authorized under Certificates 29724, 297252 and 49130.

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. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

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

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

Name: Erik Nobel Title: Planning Dir.

Signature: [Signature] Phone: 541-851-3648 Date: 7-8-2020

Government Entity: Klamath County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

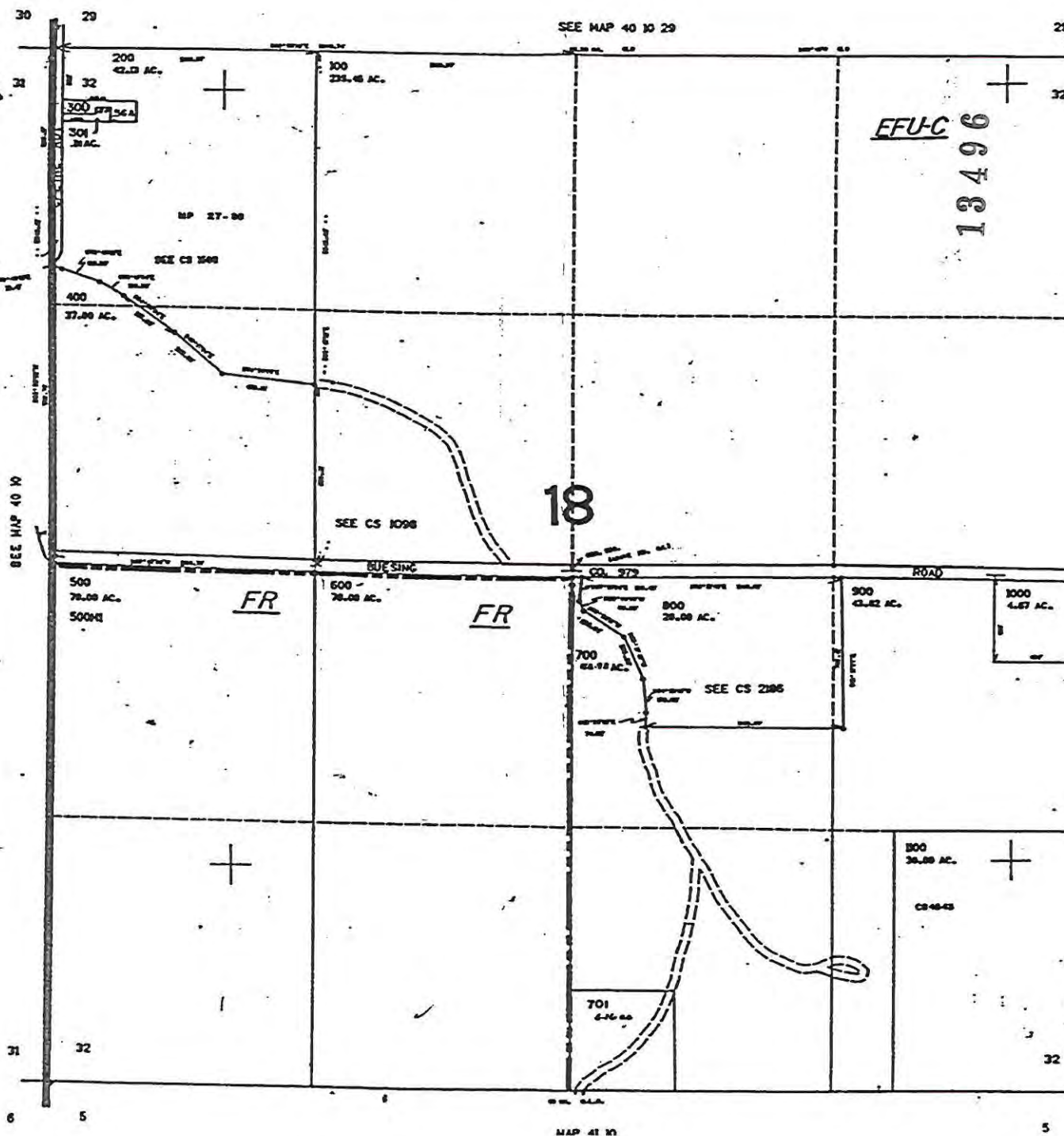
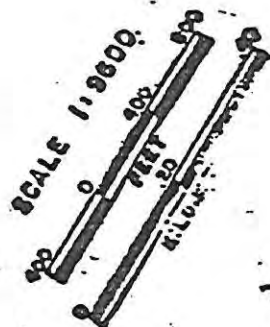
Signature: _____ Phone: _____ Date: _____

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KLAMATH COUNTY

Г-400





2015-003860
Klamath County, Oregon
04/24/2015 03:01:29 PM
Fee: \$52.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Randolph F. Wallace and Deborah Ann Wallace
9480 Buesing Road
Klamath Falls, OR 97603

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

Randolph F. Wallace and Deborah Ann Wallace
9480 Buesing Road
Klamath Falls, OR 97603

File No. 33288AM

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STATUTORY WARRANTY DEED

Frank H. Wallace and Peggy L. Wallace, co-trustees of under the Wallace Family Living Trust dated June 10, 2011,

Grantor(s), hereby convey and warrant to

Randolph F. Wallace and Deborah Ann Wallace, as Tenants by the Entirety,

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

See attached Exhibit "A"

The true and actual consideration for this conveyance is \$153,675.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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.

58ant.

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Dated this 24th day of April, 2015

Frank H. Wallace and Peggy L. Wallace,
co-trustees of under the Wallace Family Living Trust
dated June 10, 2011

By: Frank H. Wallace, trustee
Frank H. Wallace, co-trustee

By: Peggy L. Wallace, trustee
Peggy L. Wallace, co-trustee

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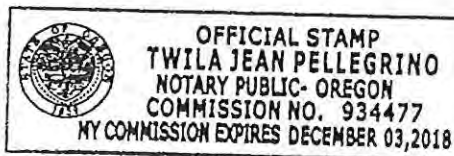
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State of Oregon } ss
County of Klamath }

On this 24th day of April, 2015, before me,
Twila Jean Pellegrino a Notary Public in and for said state, personally
appeared Frank H. Wallace and Peggy L. Wallace, co-trustees of under the Wallace Family Living Trust dated June 10, 2011,
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me
that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above
written.

Twila Pellegrino
Notary Public for the State of Oregon
Residing at: Klamath County
Commission Expires: 12-3-2018



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Exhibit "A"

Parcel 2 of Land Partition 30-94 situated in the E1/2 SW1/4 of Section 32 Township 40 South Range 10, East of the Willamette Meridian, the E1/2 W1/2 and SE1/4 of Section 5 and the E1/2 NW1/4 and the W1/2 NE1/4 of Section 8. Township 41 South Range 10 East of the Willamette Meridian, Klamath County Oregon.

EXCEPTING THEREFROM a Portion of the N1/2 NW1/4 SE1/4 of said Section 5, being more particularly described as follows:

Part of TL 410
Beginning at the C-E 1/16 corner of said Section 5, being the Northerly corner common to Parcels 2 and 3 of said "Land Partition 30-94"; thence S89°59'00" W along the boundary of said Parcel 2, 732.55 feet; thence S45°01'00" E 660.44 feet; thence N89°59'00" E 271.15 feet to a point on the East line of said Parcel 2; thence N00°42'15" W, along the said East line 467.03 feet to the point of beginning, with bearings based on "Land Partition 30-94" (R.O.S. 5709) on File at the office of the Klamath County Surveyor.

ALSO EXCEPTING THEREFROM; a portion of the SE1/4 NW1/4 of said Section 5, being more particularly described as follows:

Part of TL 410
Beginning at the C1/4 corner of said Section 5; thence N00°37'30" W, along the East line of said Parcel 2, 365.57 feet to a point on the Northeasterly line of a 40 foot wide non-exclusive easement (as shown on "Land Partition 30-94"); thence along the said Northeasterly line, N53°20'46": W119.95 feet and N48°07'32" W 917.13 feet; thence leaving said Northeasterly line S41°56'20" W 42.78 feet; thence S06°53'37"E 477.98 feet; thence S25°31'12"E 90.13 feet; thence S03°37'57" E 117.99 feet; thence S02°17'46" E 235.32 feet; thence S13°53'16"E 112.24 feet to a point on the East West centerline of said Section 5: Thence N89°59'00" E 671.67 feet to the point of beginning with bearings based on "Land Partition 30-94" (R.O.S. 5709) on file at the office of the Klamath County Surveyor.

Parcel 2 is

- | | | | |
|----|--------------|-------|--------|
| 1) | E 1/2 NW 1/4 | Sec 5 | (BOAC) |
| 2) | E 1/2 SW 1/4 | " | (BOAC) |
| 3) | W 1/2 SE 1/4 | " | (BOAC) |
| 4) | W 1/2 NE 1/4 | Sec 8 | (BOAC) |
| 5) | E 1/2 NW 1/4 | Sec 8 | (BOAC) |

2012-002850

Klamath County, Oregon



00115440201200028500020023

03/16/2012 11:54:37 AM

Fee: \$42.00

Grantors: Frank H. Wallace and Peggy L. Wallace
9450 Buesing Road, Klamath Falls, OR 97603

Grantees: Frank H. Wallace, and Peggy L. Wallace
co-Trustees of The Wallace Family Living Trust

9450 Buesing Road
Klamath Falls, OR 97603

**AFTER RECORDING RETURN TO
AND SEND TAX STATEMENTS TO:**

Frank H. Wallace and Peggy L. Wallace, co-Trustees
9450 Buesing Road
Klamath Falls, OR 97603

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Space above for recorder's use

WARRANTY DEED

Frank H. Wallace and Peggy L. Wallace, husband and wife and tenants by the entirety, **Grantors** convey and warrant to Frank H. Wallace and Peggy L. Wallace, co- Trustees, or their successors in Trust, under the Wallace Family Living Trust dated June 10, 2011, **Grantee**, the following described real property situated in Klamath County, Oregon, commonly known as 9450 Buesing Road, Klamath Falls OR 97603 and further legally described:

Legally described as set out in Exhibit "One" which is attached hereto and incorporated herein.

Exceptions: Any exceptions of record, as of the date of this deed.

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, OF CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES OF THE LOT OR PARCEL AND 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 to 195.336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS TO 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$0. This transfer is being made for estate planning purposes.

Dated this 16 day of March, 2012.

Frank H. Wallace
FRANK H. WALLACE

Peggy L. Wallace
PEGGY L. WALLACE

STATE OF OREGON, County of Klamath) ss

The foregoing instrument was acknowledged before me this 16th day of March, 2012, by
Frank H. Wallace and Peggy L. Wallace.

AKA Margaret

Paula Jeanne Harris

Notary Public for the State of Oregon

My commission expires: Nov 29, 2012



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EXHIBIT "ONE"

PARCEL 1 OF LAND PARTITION 30-94 SITUATED IN THE E1/2 SW 1/4
SECTION 32, TOWNSHIP 40 SOUTH RANGE 10 EAST OF THE WILLAMETTE
MERIDIAN, KLAMATH COUNTY, OREGON THE E1/2W1/2 AND SE 1/4 OF
SECTION 5, AND THE E1/2NW1/4 AND W1/2 NE1/4 OF SECTION 8,
TOWNSHIP 41 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN,
KLAMATH COUNTY, OREGON.

TL 600

conveyed to
Randolph & Deborah
by 2015-003860

WHEN RECORDED RETURN TO:

Tax Statements
Fennemore Craig, P.C.
Attn: William G. Ridenour
2394 E. Camelback Road
Suite 600
Phoenix, Arizona 85016

2020-005592

Klamath County, Oregon



05/05/2020 08:57:10 AM

Fee: \$87.00

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SPECIAL WARRANTY DEED

This transfer is exempt pursuant to Oregon Revenue and Taxation Code 11925

ARNOTT DUNCAN and KATHLEEN DUNCAN, as Tenants in the entirety ("Grantor"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to AGUILA G-BOYS LK 300 LLC, an Arizona limited liability company, all of Grantor's right, title and interest in that certain real property, together with all of Grantor's interest, if any, in any improvements and fixtures located thereon, and all rights and appurtenances pertaining thereto, situated in Klamath County, Oregon, and legally described as follows:

TL 900 The SW 1/4 and the West 1/2 of the SE 1/4 of Section 9, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, Except the SW 1/4 SW 1/4 SW 1/4, ALSO EXCEPTING THEREFROM, any portion lying within the limits of the County Road. TL 1000 out

TL 500 All of the SE 1/4 of the NE 1/4 of Section 8, Township 41 South, Range 10 East of the Willamette Meridian, except approximately one acre in the Southwest corner; more particularly described as follows:

Commencing at the Southwest corner of said SE 1/4 of NE 1/4 of said Section 8; thence North on forty line 135 feet to a point; thence East 100 feet to a point; thence Southeasterly to a point on the South line of said forty which point is 396 feet East of the point of beginning; thence West on forty line 396 feet to the point of beginning. TL 501 out

TL 100 NE 1/4 NE 1/4 of Section 8; NW 1/4 NW 1/4 of Section 9 all being in Township 41 South, Range 10 East of the Willamette Meridian.

TL 700 All of the SW 1/4 of the NW 1/4 of Section 9, Township 41 South, of Range 10 East of the Willamette Meridian.

SUBJECT to all taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, and all matters which an accurate survey of the property or a physical

13496

inspection of the property would disclose, Grantor warrants the title against the acts of Grantor and none other.

DATED as of the 20 day of January, 2020.

Arnett K. Duncan
Arnett K. Duncan

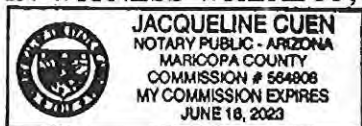
Kathleen Duncan
Kathleen Duncan

STATE OF ARIZONA)
) ss.
County of Maricopa)

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The foregoing instrument was acknowledged before me this 20 day of January, 2020, by Arnett K. Duncan.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Jacqueline Cuen
Notary Public

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 20 day of January, 2020, by Kathleen Duncan.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Jacqueline Cuen
Notary Public

Description of document this notarial certificate is being attached to:	
Type/Title	Special Warranty Deed
Date of Document	<u>1/20</u> , 2020
Number of Pages	2
Add'l. Signers (other than those named in the notarial certificate)	None

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)

(Do not write above this line)

State Well No.

WATER RESOURCES DEPT. Permit No.

SALEM, OREGON

(1) OWNER:

Name Cather Catherine Weiser
Address 203 High St Hlms 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 ☐

CASING INSTALLED:

Threaded ☐ Welded ☒
12" Diam. from +1 ft. to 241 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☒ Yes ☐ No.
Type of perforator used Factory Perforated Casing
Size of perforations 1/8 in. by 3 in.
960 perforations from 201 ft. to 341 ft.
perforations from ft. to ft.
perforations from ft. to 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? Interstate pump R.E.
Yield: 700 gal./min. with 69 ft. drawdown after 2 1/2 hrs.
" " " " " "

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 55° Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Portland Cement
Well sealed from land surface to 310 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 20 sacks
Number of sacks of bentonite used in well seal _____ sacks
Brand name of bentonite _____
Number of pounds of bentonite per 100 gallons
of water _____ lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Wash Driller's well number 7
E 1/2 SW 1/4 Section 32 T. 40S R. 10E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 323 ft.
Static level 185 ft. below land surface. Date April 27
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12"
Depth drilled 370 ft. Depth of completed well 370 ft.

Formation: Describe color, texture, grain size 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
0-2 Boulders & Brown Clay	0	2	
2 Yellow Clay	2	65	
Grey Clay	65	75	
Yellow Clay	75	160	
Grey Sticky Clay	160	323	
Black Broken LAVA (Water Bearing)	323	370	185

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Work started April 14 19 76 Completed MAY 18 19 76

Date well drilling machine moved off of well MAY 19 19 76

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] Gerald Horn Date MAY 19 19 76
(Drilling Machine Operator)

Drilling Machine Operator's License No. 958

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 Denny McLane Well Drilling
(Person, firm or corporation) (Type or print)

Address 1604 Austin Hlms Falls Ore

[Signed] Denny McLane Date MAY 19 19 76
(Water Well Contractor)

Contractor's License No. 18476 Date MAY 19 19 76

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537765)

JUN 2 1999

WATER RESOURCES DEPT.
SALEM, OREGON 97308

KLAM
51848

WELL ID # L28552

(START CARD) # 103247

(1) OWNER

FRANK WALLACE
9450 BUESING RD.
MERRILL

OR 97633

(2) TYPE OF WORK :

NEW WELL

(3) DRILL METHOD :

ROTARY AIR

(4) PROPOSED USE:

Irrigation

(5) BORE HOLE CONSTRUCTION:

Special Construction Approval NO Depth of Completed Well 581 ft.
Explosives used NO Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	AMOUNT Sacks
17 1/2"	0	52	CEMENT	0	52	43
12"	52	310				
10"	310	581				

How was seal Placed C

Backfill placed from ft. to ft. Material

Gravel placed from ft. to ft. Size of Gravel

(6) CASING / LINER:

CASING Dia.	From	To	Gage	Material
12"	+1	52	250	STEEL / WELDED

Final location of shoe (s)

(7) PERFORATIONS / SCREENS:

METHOD	TYPE	MATERIAL
--------	------	----------

From To Slot size Number Dia. Tele / pipe size

(8) WELL TESTS:

Minimum testing time is 1 hour

TESTING METHOD	Yield GPM	Drawdown	Drill stem at	Time
AIR	800		500'	1 HOUR

Temperature of Water 78 F° Depth Artesian Flow Found

Was a water analysis done? NO By whom

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

(9) LOCATION OF WELL by legal description :

County KLAMATH Latitude Longitude

Township 40 S Range 10 E

Section 5 NE 1/4 NW 1/4

Tax Lot 200 Lot Block Subdivision

Street Address of Well (or nearest address)

9450 BUESING RD.

(10) STATIC WATER LEVEL:

153 ft. below land surface Date May 7, 1999

Artesian pressure Date

(11) WATER BEARING ZONES :

Depth at which water was first found 370'

From	To	Estimated Flow Rate	SWL
370'	581'	1000 GPM	153'

(12) WELL LOG:

Ground Elevation

SOIL	FROM	TO	SWL
YELLOW CLAYSTONE	0	1	
GREY BASALT	1	30	
YELLOW CLAYSTONE	30	31	
GREY BASALT	31	44	
BROWN & GREY BASALT	44	62	
YELLOW CLAYSTONE	62	78	
BLUE CLAY	78	138	
GREY BASALT	138	370	
BLUE SANDSTONE	370	434	153
GREY BASALT	434	441	153
GREY SANDSTONE	441	442	153
GREY BASALT	442	480	153
BLACK SANDSTONE	480	522	153
GREY BASALT	522	524	153
BLACK SANDSTONE	524	528	153
GREY BASALT	528	531	153
GREY BASALT	531	581	153

Date started March 4, 1998

Completed May 7, 1999

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

M. L. Wright DATE 5-31-99 WWC # 1452
(Bonded) Water Well Constructor Certification: I accept responsibility for the construction alteration or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

John L. Wright DATE 5-31-99 WWC # 893
13496

K LAM
14946RECEIVED
APR 29 1960
K LAM 14946File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL REPORT

STATE OF OREGON

G1704

State Well No.

State Permit No.

41/10-9E(1)

(1) OWNER:

Name Wendel Moore

Address Merrill, Oregon

(2) LOCATION OF WELL:

County Klamath Owner's number, if any—

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner

3 miles west of Merrill

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):

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

(5) TYPE OF WELL:

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

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

12" Diam. from 12 ft. to 12 ft. Gage

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☐ Yes ☐ No

Type of perforator used

SIZE of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name

Model No.

Slot size Set from ft. to ft.

Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

Was a surface seal provided? ☐ Yes ☒ No To what depth? ft.

Material used in seal—

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? WLT Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 45 ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] Wendell Moore Date April 20, 1960

(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? -

Yield: 200 gal./min. with 25 ft. drawdown after 4 hrs.

" 500 " 70 " 4 "

" 500 " 70 " 4 "

Ballor test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water 72 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well inches.

Depth drilled ft. Depth of completed well ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top soil	0	4
Hard Pan	4	10
Yellow shalk	10	50
Sticky blue chalk	50	280
Chalk	280	285
Chalk mixed with sand	285	330
Sandy chalk with thin rock shells	330	345
Chalk mixed with sand	345	402
Sandy chalk	402	423
Thin rock shells	423	425
Rock	425	427 1/2
Cemented gravel	427 1/2	433
Rock	433	436
Sand rock	436	438
Rock	438	441
Chalky sand rock	441	448
Rock	448	454
Rockshells and clay	454	457
Rock	457	460
Rock shells with clay	460	465
Rock	465	480
Decomposed rock	480	484
Rock	484	486
Decomposed Rock	486	496
Gritty clay	496	503

Work started 19 Completed 19

(13) PUMP:

Manufacturer's Name

Type: RECEIVED H.P.

Well Driller's Statement:

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

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

Address

Driller's well number

[Signed] Owen Henry (Well Driller)

License No. 194 Date 1955

13496

KLAM
14946

APR 29 1960 KLAM 14946

File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL REPORT

STATE OF OREGON

State Well No. 41/10-9E(1)

State Permit No.

(1) OWNER:

Name Wendel Moore continued

Address

(2) LOCATION OF WELL:

County _____ Owner's number, if any—

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

" abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐

Irrigation ☐ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐

Cable ☐ Jetted ☐

Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☐ Yes ☐ No

Type of perforator used

SIZE of perforations In. by In.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name _____

Model No. _____

Slot size _____ Set from _____ ft. to _____ ft.

Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☐ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

Was a surface seal provided? ☐ Yes ☐ No To what depth? _____ ft.

Material used in seal—

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? _____ Depth of strata _____

Method of sealing strata off

(10) WATER LEVELS:

Static level _____ ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by: _____

(Signed) Wendel Moore Date April 20, 1960

(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom?

Yield: 500 gal./min. with 25 ft. drawdown after 4 hrs.

" 500 " 25 " 4 "

" 500 " 25 " 4 "

Ballor test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow g.p.m. Date _____

Temperature of water 72 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well _____ inches.

Depth drilled _____ ft. Depth of completed well _____ ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Blue clay	503	515
Clay with rock shells	515	526
Rock shells	526	529
Clay with rock shells	529	545
Blue clay with rock shells and streaks of black sand	545	576
Rock	576	577 1/2
Sand rock	577 1/2	598
Blue clay	598	620
Blue chalk with thin rock shells	620	645
Green clay	645	670
Blue shale (Sticky with occasional rock shell)	670	1040
Hard rock shell	1040	1042
Hard blue shale	1042	1155
Reduced 15" hole to 12" hole	1155	
Hard blue shale	1155	1176
Hard Rock	1176	1177
Sticky blue shale	1177	1185
Rock, Hard	1185	1188
Sticky blue shale	1188	1189
Rock	1189	1234
Clay	1234	1241
Rock	1241	1249
Clay	1249	1251

Work started _____ 19 _____ Completed _____ 19 _____

(13) PUMP:

Manufacturer's Name _____

Type: _____ H.P. _____

Well Driller's Statement:

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

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

Address _____

Driller's well number _____

(Signed) Orin Storey

License No. 194 13496 Date 6/9/55, 19____

KLAM
14946

RECEIVED
APR 29 1960
KLAM 14946

WATER WELL REPORT
STATE OF OREGON

State Well No. 41/10-9E(1)

State Permit No.

File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGON

(1) OWNER:

Name Wendel Moore Continued

Address

(2) LOCATION OF WELL:

County _____ Owner's number, if any—

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):

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

(5) TYPE OF WELL:

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

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☐ Yes ☐ No

Type of perforator used

SIZE of perforations in. by in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name _____

Model No. _____

Slot size _____ Set from _____ ft. to _____ ft.

Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☐ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

Was a surface seal provided? ☐ Yes ☐ No To what depth? _____ ft.

Material used in seal—

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? _____ Depth of strata _____

Method of sealing strata off

(10) WATER LEVELS:

Static level _____ ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by:

[Signed] Kindell Moore Date April 20, 1960
(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☐ No If yes, by whom? _____

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " "

" " " "

Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well _____ inches.

Depth drilled _____ ft. Depth of completed well _____ ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Rock	1251	1280
Rock	1280	1297
Shale	1297	1298
Rock	1298	1300
Rock	1300	1303
Conglomerate Hard	1303	1308
Rock	1308	1328
Red lava rock	1328	1332
Grey rock	1332	1340
Loose lava rock	1340	1342
Brown rock	1342	1357
Loose lava rock	1357	1360
Grey rock	1360	1370

Small seep of water at 70'. Another seep of water at 150'. At 200' enough water to drill with. First sign of grit at 285'. Baled at 415'. Lower water 14' in 5 Baler fulls. At 477 water level raised from 50' to 45'. At 1280' some show of water. At 1297 Layer of water bearing gravel.

Water level before pumping 47'

Water level after pumping 47 1/2'

100'---500 Gal. per minute

135'---780 Gal. per minute

150'---900 Gal. per minute

Elevator chain in bottom of well

Work started _____ 19 _____ Completed _____ 19 _____

(13) PUMP:

Manufacturer's Name _____

Type: _____ H.P. _____

Well Driller's Statement:

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

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

Address _____

Driller's well number _____

[Signed] Oren Storey (Well Driller)

License No. 194 Date 134 98 19 _____

NOTICE TO WATER WELL CONTRACTOR

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

RECEIVED KLAM 14941
JUN 8 1971 STATE OF OREGON
STATE ENGINEER (Please type or print)
SALEM, OREGON (Do not write above this line)

STATE ENGINEER, SALEM, OREGON 97301
within 30 days from the date
of well completion,

State Well No. 41/10-966

State Permit No. _____

(1) OWNER:

Name Mr Wendell MooreAddress Lower Klamath RoadMerrill, Oregon 97633

(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 ☐

CASING INSTALLED:

Threaded ☐ Welded ☒12 3/4 Diam. from 1 ft. to 20 ft. Gage 250— " Diam. from — ft. to — ft. Gage —— " Diam. from — ft. to — ft. Gage —

PERFORATIONS:

Perforated? ☐ Yes ☒ No.Type of perforator used —Size of perforations — in. by — in. →— perforations from — ft. to — ft.— perforations from — ft. to — ft.— perforations from — ft. to — ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ NoManufacturer'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 Pump CenterWas a pump test made? ☒ Yes ☐ No If yes, by whom? inc.Yield: 500 gal./min. with 41 ft. drawdown after 2 hrs.700 " " 60 " " 2 "975 " " 70 " " 2 "Ballor test — gal./min. with — ft. drawdown after — hrs.Artesian flow — g.p.m. —Temperature of water 90 Depth artesian flow encountered — ft.

(9) CONSTRUCTION:

Well seal—Material used cement, sand, and BentoniteWell sealed from land surface to 19 ft.Diameter of well bore to bottom of seal 18 in.Diameter of well bore below seal 12 in.Number of sacks of cement used in well seal 2 sacksNumber of sacks of bentonite used in well seal 1 sacksBrand name of bentonite Wyoming Bentonite

Number of pounds of bentonite per 100 gallons

of water 50 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 strata —Method of sealing strata off —Was well gravel packed? ☐ Yes ☒ No Size of gravel: —Gravel placed from — ft. to — ft.

(10) LOCATION OF WELL:

County Klamath

Driller's well number

NW 1/4 NW 1/4 Section 9 T. 41S R. 10E W.M.

Bearing and distance from section or subdivision corner

Approx 1056 feet South of the North
line and 1056 feet East of the west section 1

(11) WATER LEVEL: Completed well.

Depth at which water was first found 95 ft.Static level 81 ft. below land surface. Date 5/31/71Artesian pressure — lbs. per square inch. Date —

(12) WELL LOG:

Diameter of well below casing 12 inchDepth drilled 695 ft. Depth of completed well 695 ft.

Formation: Describe color, texture, grain size 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
Brown top soil	0	4	
Brown clay or chalk	4	7	
Yellow chalk	7	30	
Semi Hard sand & Gravel	30	70	
Brown shale	70	80	
Brown Clay (water)	80	95	81
Black Clay	95	115	
Sandy shale Dark Brown Clay	115	305	
Sandy Shale (water)	305	310	81
Dark Brown Clay	305	347	
Black Lava Rock	347	360	
Brown lava rock Blue grey lava	360	405	
Brown Lava w/pockets of mud	405	420	
Black Lava	420	430	
Brown Clay	430	445	
Brown clay w/ pockets of			
sand	445	490	
Brown Clay	490	520	

Work started Feb 22 1971 Completed May 11 1971

Date well drilling machine moved off of well May 20 1971

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] Walter L. Wilson Date 5/20, 1971
(Drilling Machine Operator)Drilling Machine Operator's License No. 169

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 Wilson Drilling Contractor
(Person, firm or corporation) (Type or print)Address P.O. Box 136, Merrill, Oregon 97633[Signed] Walter L. Wilson
(Water Well Contractor)Contractor's License No. 201 Date 5/20, 1971

KLAM 57323

KLAM 57323

RECEIVED

Page 1 of 1

STATE OF OREGON

WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

03-30-2010

WELL LABEL # L 92060

JUL 23 2020

START CARD # 1009535

(1) LAND OWNER

Owner Well ID.

First Name BILL

Last Name MOORE

Company B & W MOORE FARMS, LLC

Address P.O. BOX 1009

City MERRILL

State OR

Zip 97633

(2) TYPE OF WORK

☐ New Well ☒ Deepening ☒ Conversion☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

☐ Rotary Air ☒ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ Attach copy

Depth of Completed Well 1,475.00 ft.

BORE HOLE

Dia	From	To	Material	SEAL	From	To	Ant	sacks/
17.5	0	280	Cement	0	18	15	S	
12	280	1,200	Bentonite Chips	18	200	148	S	
10	1,200	1,475	Cement	200	280	45	S	

How was seal placed:

Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POURED DRY, PUMPED

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	☒	12	☒	1	283	.250	☒	☒	☒	☒

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 283Temp casing ☐ Yes Dia From To

(7) PERFORATIONS/SCREENS

Perforations Method

Screens Type Material

Per/S Case/Screen

green Liner Dia From To Seren/slot Slot # of Tele/

green	Liner	Dia	From	To	Seren/slot	Slot	# of	Tele/
width	length	slots	pipe size					
1,000	200	1						

WATER RESOURCES DEPT
SALEM, OREGON
Flowing Artesian
Drawdown Drill stem Pump depth Duration (hr)

1,000	200	1
-------	-----	---

Temperature 100 °F Lab analysis ☐ Yes ByWater quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County Klamath Twp 41.00 S N/S Range 10.00 E E/W WM

Sec 9 NE 1/4 of the SW 1/4 Tax Lot 900

Tax Map Number

Lot

Lat 0 0 " or DMS or DD

Long 0 0 " or DMS or DD

☐ Street address of well ☒ Nearest address

11835 LOWER KLAMATH LAKE RD.

(10) STATIC WATER LEVEL

Date SWL (psi) + SWL (ft)

Existing Well / Predeepening	02-23-2010	85
Completed Well	03-22-2010	79

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)
03-19-2010	1,389	1,475	1,000		79

(11) WELL LOG

Ground Elevation

Material	From	To
EXISTING HOLE	0	720
BLUE & BROWN CLAYSTONE	720	722
HARD LOST CIRC	722	723
HARD BASALT	723	748
SOFT OPEN	748	763
MED. HARD BASALT	763	845
GREY CLAY	845	922
GREY BASALT	922	1,000
SOFT GREY CLAYSTONE	1,000	1,002
GREY BASALT MED. W/ CLAY	1,002	1,086
BLUE & BROWN CLAY W/ BASALT FINGERS	1,086	1,090
GREY BASALT W/ CLAY	1,090	1,120
GREY BASALT	1,120	1,127
HARD GREY BASALT	1,127	1,146
GREY BASALT W/ GREY CLAYSTONE	1,146	1,150
HARD GREY BASALT	1,150	1,161
GREY BASALT MED. W/ CLAY	1,161	1,294
HARD GREY BASALT	1,294	1,475

Date Started 02-23-2010

Completed 03-22-2010

(unbonded) Water Well Constructor Certification

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

License Number Date

Electronically Filed

Signed

(bonded) Water Well Constructor Certification

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

License Number 1844

Date 03-30-2010

Electronically Filed

Signed COLTER CHANCELLOR (E-filed)

Contact Info (optional)

13496

ORIGINAL - WATER RESOURCES DEPARTMENT

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

Form Version: 0.95

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, DEBORAH ANN WALLACE, in my capacity as OWNER,

mailing address 9480 BUESING RD., KLAMATH FALLS, OR 97603

telephone number (541)891-3609, 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 # 91588; **OR**

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☒ Confirming Certificate # 91588 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)

13496

RECEIVED
JUL 23 2020
OWRD

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **133205**

INVOICE # _____

RECEIVED FROM: Water Right Solutions, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13496</u>

CASH: ☐ CHECK: # 1905 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11273-24 \$
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **133205**

DATED: 8-6-2020 BY: [Signature]



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number T-13496

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	Deborah Ann Wallace	Hollie Cannon / Water Right Solutions LLC
Address:	9480 Buesing Rd. Klamath Falls OR 97603	409 Pine Street, Suite 311 Klamath Falls, OR 97601
Phone:	541-891-3609	541-821-5848
Fax:		
E-Mail Address:	dwallace@isler-kf.com	hcannon@waterrightsolutions.com

I understand the following:

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

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

I certify that I am the (check one):

☐ Applicant ☒ Applicant's Representative ☐ Other (Please specify) _____

Name: Hollie Cannon

Signature: _____

OWRD USE ONLY: Reimbursement Authority Number: R11-273-21

RECEIVED

AUG 06 2020

OWRD



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 30, 2020

DEBORAH WALLACE
9480 BUESING RD
KLAMATH FALLS, OR 97603

Reference: Application T- 13496

On , we received your water right Transfer application. The application was accompanied by \$2850.00. Our receipt number 133111; 133112 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. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion/appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

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

Cc: Watermaster Dist. #17 (*via email*)
Hollie Cannon, Agent

Enclosure

Regular Permanent Water Right Transfer Application Checklist

Checked by J. Dan Date 7-28-20

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

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

☒ 2. Are fees included and correct? Fee paid: 2850.00
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, 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.

cert 91588
issued 8-12-2016 ✓

POU / POA / APOA

CEI recurring land owner
Aguila G-Boys Lk 300 LLC

*
Partial Dim

T-13494

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____