

ASSIGNED

Ernest Dennis

c/o Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

dated August 26, 1987

August 26, 1987

suspended until FPD

of applicant
approval AUG 22 1988

CONSTRUCTION

beginning AUG 29 1988

completion OCT 1 1990

ded to 10-1-92, 10-1-93

application of water OCT 1 1991

ded to 10-1-92, 10-1-93

PROSECUTION OF WORK

filed July 5, 1989

filed Sept 26, 1990

filed DO NOT ACCEPT C. 11/27/90

FINAL PROOF

ailed

ceived

ertificate issued

JUN 05 2009

Application No. 69256

Permit No. 50262

Certificate No. 85533

Stream Index, Page No. 14-22A

SEE AOS FILE 202

FEES PAID

Date	Amount	Receipt No.
8/26/87	\$1400.00	5314
10/29/92	100.00	93441
assignment 5-20-94	10.00	112312
11/06/03	25.00	64175

Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
6-2-93	G Bar W Land & Cattle Co.	1059 Crews Rd., Medford, OR 97501	7	2770
5-20-94	" "	" "	7	2909
and	Northwest Farm Credit Svcs. ACA	P.O. Box 3520, Central Pt., OR 97502		

REMARKS

Form 118 sent JUL 8 1989

Form 119 sent 9/28/90

Extension sent 10/24/91

CCWRE 10-2-91

11/6/03 G Bar W Land & Cattle Co, 1059 Crews Rd, Medford, OR 97501

and Northwest Farm Credit Services, FICA, P.O. Box 3520, Central Point, OR 97502



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 25, 2009

Northwest Farm Credit Services, FLCA
P.O. Box 2515
Spokane, Washington 99220

Reference: Application S-69256, Permit S-50262

The requested assignment could not be performed. The water right referenced has been issued a certificate of water right, and is therefore considered a right that goes with the ownership of the property. There is no provision in water law for assigning a certified right.

I am returning your request and check. Please be advised that in July of this year our fees were changed. The fee for an assignment is now \$75. Current forms are available on-line at www.wrd.state.or.us.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: request and check

cc: File



STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G BAR W LAND AND CATTLE CO.
890 B CROWFOOT ROAD
EAGLE POINT, OREGON 97524

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 3520
CENTRAL POINT, OREGON 97502

confirms the right to use the waters of WILLIAMSON RIVER AND IRVING CREEK, tributaries of KLAMATH LAKE, for IRRIGATION of 481.2 ACRES.

This right was perfected under Permit 50262. The date of priority is AUGUST 26, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 12.0 CUBIC FEET PER SECOND (CFS), BEING 4.2 CFS FROM THE WILLIAMSON RIVER AND 7.8 CFS FROM IRVING CREEK, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (pod) are located as follows:

Pod	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
WILLIAMSON RIVER								
1	30 S	10 E	WM	23	NW NE			610 FEET SOUTH AND 1550 FEET WEST FROM NE CORNER, SECTION 23
2	30 S	10 E	WM	24	NW SW			1925 FEET NORTH AND 30 FEET EAST FROM SW CORNER, SECTION 24
3	30 S	10 E	WM	24	NW SW			1820 FEET NORTH AND 750 FEET EAST FROM SW CORNER, SECTION 24
4	30 S	10 E	WM	24	SW SW			695 FEET NORTH AND 895 FEET EAST FROM SW CORNER, SECTION 24
IRVING CREEK								
	30 S	11 E	WM	19	NW SW			10 FEET NORTH AND 60 FEET WEST FROM SE CORNER, NW¼ SW¼, SECTION 19

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

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 either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
WILLIAMSON RIVER							
30 S	10 E	WM	14	NE SW			6.9
30 S	10 E	WM	14	NW SE			16.5
30 S	10 E	WM	14	SW SE			23.1
30 S	10 E	WM	14	SE SE			0.4
30 S	10 E	WM	23	NE NE			20.3
30 S	10 E	WM	23	NW NE			7.6
30 S	10 E	WM	24	NE SW			29.0
30 S	10 E	WM	24	NW SW			36.3
30 S	10 E	WM	24	SW SW			17.0
30 S	10 E	WM	24	SE SW			11.0
IRVING CREEK							
30 S	10 E	WM	23	SE NE			10.2
30 S	10 E	WM	24	NE NE			11.7
30 S	10 E	WM	24	NW NE			40.0
30 S	10 E	WM	24	SW NE			40.0
30 S	10 E	WM	24	SE NE			39.0
30 S	10 E	WM	24	NE NW			40.0
30 S	10 E	WM	24	NW NW			40.0
30 S	10 E	WM	24	SW NW			40.0
30 S	10 E	WM	24	SE NW			40.0
30 S	11 E	WM	19	SW NW			12.2

The right is conditioned to reflect the agreement between the Department of Fish and Wildlife (Department) and Ernest Dennis (Applicant) [Original Applicant] entered into May 26, 1988. The agreement in its entirety is incorporated into this right by reference. It is described in part below.

Obligations of the water user:

1. The water user shall maintain a screen to prevent fish from entering the diversion intake. The screen shall be maintained and repaired according to Department specifications.
2. The water user shall maintain a fishway at any diversion structures that may interfere with the upstream passage of fish. The fishways shall be maintained and repaired according to Department specifications.
3. The water user shall fence the east side of the Williamson River along the entire length of Parcels 1, 2, and 3 described in the application, to control livestock use in the riparian area. The fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Obligations of Oregon Department of Fish and Wildlife:

The Department agrees to accept the water user's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against possible adverse effect of the diversion.

General Provisions:

This agreement shall remain in effect as long as the diversions exist on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Application 69256 for permit to appropriate surface water and shall be binding upon and insure to the benefit of the parties and the respective heirs, administrators, executors, successor, and assigns.

End of Summary

Prior to installation of additional pumps or other diversion facilities, the water user shall comply with the agreement regarding prior approval of the Oregon Department of Fish and Wildlife.

Failure of the water user to comply with the agreement herein referenced may result in regulation of the diversions by the Watermaster. Judgments regarding compliance shall be the responsibility of the Oregon Department of Fish and Wildlife.

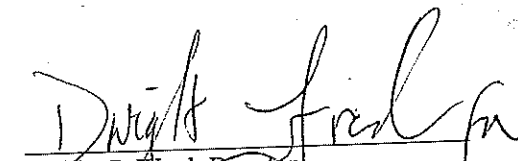
This right is for the beneficial use of water.

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JUN 05 2009


Philip C. Ward, Director
Water Resources Department



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: June 5, 2009

NOTICE OF CERTIFICATE ISSUANCE

The attached certificate confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the qualifying contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Certificate

Scheduled Mailing Date:

Application: S-69256

Permit: 50262

Certificate: 85533

Permit/Certificate Holder:

G BAR W LAND AND CATTLE CO. ✓

890 B CROWFOOT ROAD
EAGLE POINT, OREGON 97524

NORTHWEST FARM CREDIT ✓
SERVICES, FLCA
PO BOX 3520
CENTRAL POINT, OREGON 97502

Copies Mailed

by: Connie Jones
(STAFF)

on: JUN 05 2009
(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 17, Vernon L. Church ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

Erwin R. Ritter, CWRE ✓

Klamath Watershed District Office
1850 Miller Island Rd ✓
Klamath Falls, OR 97603

Include copy of agreement with proposed certificates to G Bar W & ODFW

Mailing List for Certificate Scheduled Mailing Date:

Application: S-69256

Permit: 50262

Certificate: *****

Permit/Certificate Holder:

G BAR W LAND AND CATTLE CO. ✓
890 B CROWFOOT ROAD
EAGLE POINT, OREGON 97524

NORTHWEST FARM CREDIT ✓
SERVICES, FLCA
PO BOX 3520
CENTRAL POINT, OREGON 97502

Copies Mailed	
by: <u>Connie Vance</u>	
(STAFF)	
MAR 13 2009	
on: _____	(DATE)

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2. Data Center (include copy of map)
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4. Vault
5. File ✓

Other persons to receive copies: (include map):

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Include copy of agreement with proposed certificates to G Bar W & ODFW



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

MAILED: MAR 13 2009

NOTICE

Reference: Permit S-50262 Application S-69256

Enclosed is a proposed certificate of water right and a map which illustrates the location of the right. The map and proposed certificate represent the extent water was used within the terms of the permit based upon a survey and inspection.

If you do not agree with the proposed certificate or the map, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, the recorded certificate of water right will be mailed to the permittee.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Administrator
Water Rights Division

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

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G BAR W LAND AND CATTLE CO.
890 B CROWFOOT ROAD
EAGLE POINT, OREGON 97524

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 3520
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30 S	10 E	WM	24	SE SW			11.0
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30 S	10 E	WM	24	NE NW			40.0
30 S	10 E	WM	24	NW NW			40.0
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30 S	10 E	WM	24	SE NW			40.0
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The right is conditioned to reflect the agreement between the Department of Fish and Wildlife (Department) and Ernest Dennis (Applicant) [Original Applicant] entered into May 26, 1988. The agreement in its entirety is incorporated into this right by reference. It is described in part below.

Obligations of the water user:

1. The water user shall maintain a screen to prevent fish from entering the diversion intake. The screen shall be maintained and repaired according to Department specifications.
2. The water user shall maintain a fishway at any diversion structures that may interfere with the upstream passage of fish. The fishways shall be maintained and repaired according to Department specifications.
3. The water user shall fence the east side of the Williamson River along the entire length of Parcels 1, 2, and 3 described in the application, to control livestock use in the riparian area. The fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

PROPOSED

Obligations of Oregon Department of Fish and Wildlife:

The Department agrees to accept the water user's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against possible adverse effect of the diversion.

General Provisions:

This agreement shall remain in effect as long as the diversions exist on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Application 69256 for permit to appropriate surface water and shall be binding upon and insure to the benefit of the parties and the respective heirs, administrators, executors, successor, and assigns.

End of Summary

Prior to installation of additional pumps or other diversion facilities, the water user shall comply with the agreement regarding prior approval of the Oregon Department of Fish and Wildlife.

Failure of the water user to comply with the agreement herein referenced may result in regulation of the diversions by the Watermaster. Judgments regarding compliance shall be the responsibility of the Oregon Department of Fish and Wildlife.

This right is for the beneficial use of water.

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued _____.

PROPOSED

Phillip C. Ward, Director
Water Resources Department



Department of Fish and Wildlife

506 SW MILL STREET, P.O. BOX 59, PORTLAND, OREGON 97207

RECEIVED

AUG -4 1988

WATER RESOURCES DEPT.
SALEM, OREGON

AGREEMENT

Application No. ⁶⁹²⁵⁶
Permit No. ⁵⁰²⁶² Water Resources Application No. 69256
Ernest Dennis, Applicant

*File copy -
Keep in file*

This agreement is entered into this 26th day of May, 1988, between the State of Oregon, by and through its DEPARTMENT OF FISH AND WILDLIFE, hereinafter called the "Department," and ERNEST DENNIS, c/o Dennis Ranch, 5300 South Etna, Klamath Falls, Oregon, 97603, hereinafter called the "Applicant."

RECITALS

WHEREAS the Department has the responsibility and authority as prescribed by ORS 496.138 and ORS 506.119 to protect and enhance fish and wildlife, in the waters of the State of Oregon; and

WHEREAS the Applicant has proposed to divert the waters of the Williamson River, a tributary to Klamath Lake, Klamath County, Oregon, for purposes of agricultural irrigation, said diversion more particularly described in the Developer's Application No. 69256 to appropriate the public waters of the State of Oregon, submitted to the Water Resources Department of the State of Oregon, dated August 24, 1987, which application is attached hereto as Exhibit A and by this reference incorporated herein, and which application is hereinafter called "Application No. 69256"; and

WHEREAS the Department and Applicant recognize the need to protect the fish and wildlife of Williamson River, including populations of rainbow trout, brook trout and Klamath largescale sucker, against adverse effects of the diversion; and

WHEREAS, in accordance with ORS 183.415(5), the parties agree that it is in their mutual best interest to informally dispose of the issues which are the subject of this agreement rather than to suffer the time and expense involved in contesting the matter in an administrative proceeding;

NOW, THEREFORE, in light of the above and in consideration of the covenants contained herein, the parties hereto mutually agree as follows:

A. Obligations of the Developer.

1. Prior to any diversion of water, the Applicant shall furnish, install, and maintain a screen(s) to prevent fish from entering the diversion

Application No. 69256
Permit No. 50262

intake(s). The screen(s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required screen(s) the Applicant shall prepare for approval of the Department, design drawings of the screen(s) and a written plan for installing and maintaining the screen(s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the screen(s) will be attached hereto as Exhibit B and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.

2. Prior to any diversion of water, the Applicant shall furnish, install, and maintain a fishway(s) at any diversion structure(s) that may interfere with the upstream passage of fish. The fishway(s) shall be constructed, installed, maintained and repaired according to Department specifications. Prior to construction and installation of the required fishway(s) the Applicant shall prepare, for approval of the Department, design drawings of the fishway(s) and a written plan for installing and maintaining the fishway(s) to meet design, construction, and operating criteria specified by the Department. The approved design drawings and written plans for the fishway(s) will be attached hereto as Exhibit C and by this reference incorporated in this Agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.

3. The Applicant agrees to maintain a continuous flow of water in the channel of (not applicable), as specified below, in order to maintain upstream and downstream fish passage, reproduction, growth, and maintenance of fish populations in the section of (not applicable) affected by the diversion.

The Applicant shall provide a means of regulating and gaging the flow of (not applicable) approved by the Department to ensure that the instream flow requirements specified herein are met at all times. The Applicant shall provide to the Department such stream gage records as may be specified by the Department.

Flow to be Left in Channel

<u>Description of Stream Section or Measuring Point</u>	<u>Time Period</u>	<u>Cubic Feet Per Second</u>
not applicable		

4. Other obligations of the Applicant, if applicable, are attached hereto as Exhibit D and by this reference incorporated in this agreement.

5. The Department stipulates that general condition(s) 2 and 3 are not applicable in this agreement.

B. Obligations of the Department.

1. The Department agrees to accept the Applicant's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against

Application No. 69256
Permit No. 50262

possible adverse effects of the diversion; and therefore further agrees not to protest approval of the Application No. 69256 by the Oregon Water Resources Department.

C. General Provisions.

1. This agreement shall remain in effect as long as the said diversion exists on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Department application 69256 for permit to appropriate surface water and it shall be binding upon and inure to the benefit of the parties and their respective heirs, administrators, executors, successors, and assigns.

2. Time is of the essence of this agreement. A default shall occur if the Applicant fails to perform any obligation imposed by this agreement and does not correct or commence correction of such failure within 15 days of the date of written notice from the Department specifying the manner in which the Applicant is in default.

3. In the event of a default, the Department may take either or both of the following steps:

(a) Specifically enforce the terms of this agreement by civil action.

(b) Obtain an injunction against operation of the project until the Applicant has corrected or commenced correction of the default.

IN WITNESS WHEREOF, the parties hereto have executed this instrument in duplicate through their duly authorized officials as of the first date written.

APPLICANT

By Ernest Dennis representing Ernest Dennis, Diane Taylor
Title Part owner (and Carolyn Johnson, the other owners
Date July 15, 1988

STATE OF OREGON

County of Lane

The foregoing instrument was acknowledged before me this 15th
day of July, 1988, by Ernest Dennis.



Diane Williams
Notary Public for Oregon
My Commission Expires 10-28-90

Application No. 69256
Permit No. 50262

State of Oregon
DEPARTMENT OF FISH AND WILDLIFE

By John D. Fortune

Date 7-22-88

STATE OF OREGON
County of Multnomah

The foregoing instrument was acknowledged before me this 22nd day
of July, 1988, by JOHN D. FORTUNE,
the Klamath District Fish Biologist of the Oregon Department of
Fish and Wildlife.

C. Wayne Rawlins
Notary Public for Oregon
My Commission Expires 05-16-92

copies to:

- Applicant
- Water Resources Department - Salem
- DFW - Contract Office
- DFW - Region Office
- DFW - District Biologist
- DFW Habitat Conservation Division - WRD Applications File

#D4-2

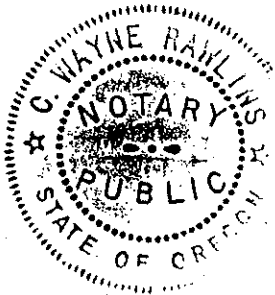


Exhibit D

The Applicant shall fence the east side of the Williamson River along the entire length of Parcels 1, 2 and 3, described in the application, to control livestock use in the riparian area. Said fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five (5) years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Application No.

Permit No.

69256

50262

FINAL PROOF SURVEY

UNDER

PERMIT #69256 PERMIT #50262

SITUATED IN THE NE1/4 SW1/4 AND SE1/4 OF SECTION 14, THE NE1/4 OF SECTION 23, THE N1/2 AND SW1/4 OF SECTION 24, T30S, R10EWM, AND THE SW1/4 NW1/4 OF SECTION 19, T30S, R10EWM, KLAMATH COUNTY, OREGON

SEPTEMBER 1994

MAP PREPARED FOR

-- G-W LAND & CATTLE Co. --

SCALE 1" = 1320'

MAP PREPARED FROM

-- R.O.S. - 3083 --

-- AERIAL PHOTO --

-- FIELD SURVEY --

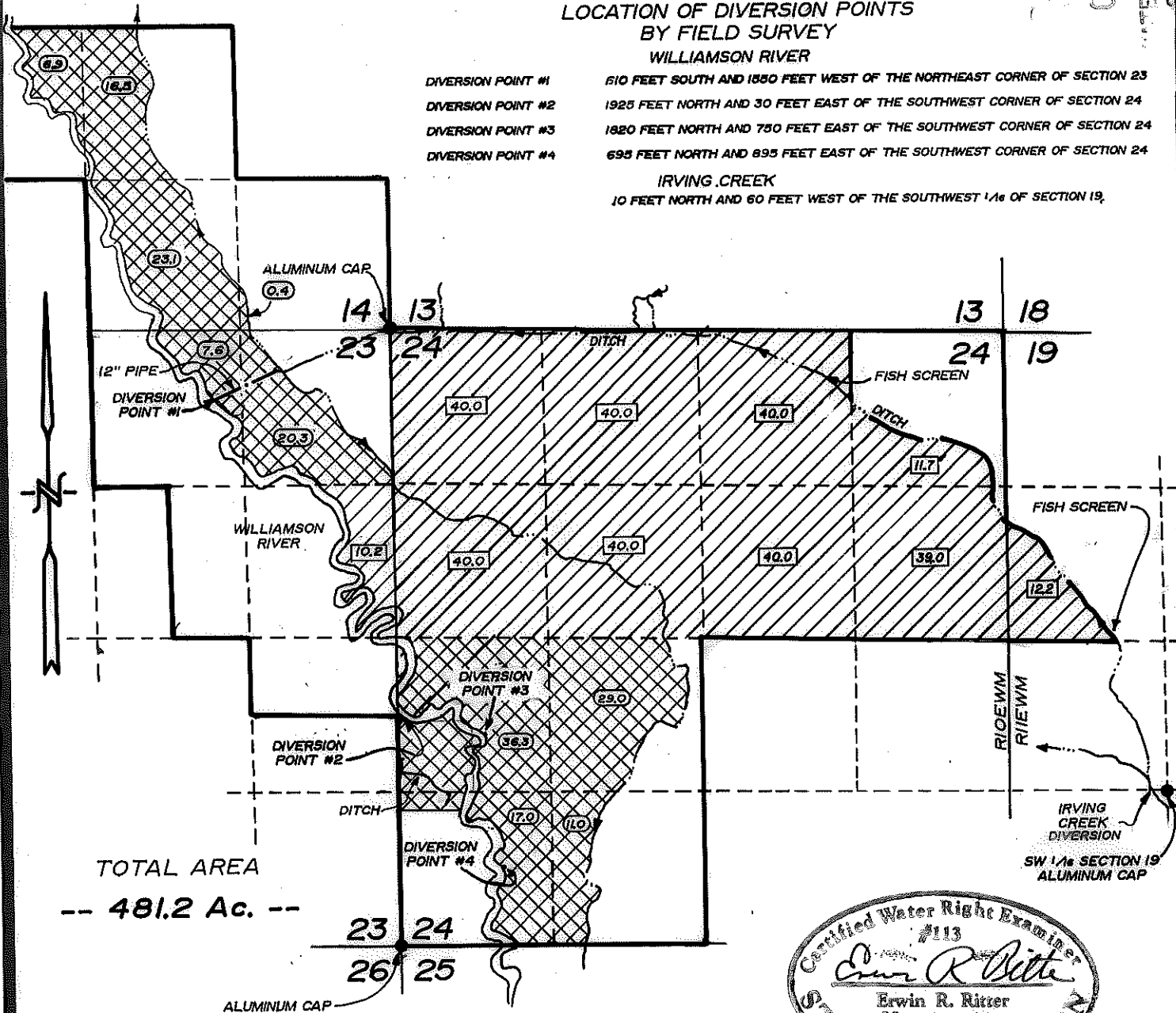
LOCATION OF DIVERSION POINTS BY FIELD SURVEY

WILLIAMSON RIVER

- DIVERSION POINT #1 610 FEET SOUTH AND 1880 FEET WEST OF THE NORTHEAST CORNER OF SECTION 23
- DIVERSION POINT #2 1925 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
- DIVERSION POINT #3 1820 FEET NORTH AND 750 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
- DIVERSION POINT #4 695 FEET NORTH AND 895 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24

IRVING CREEK

10 FEET NORTH AND 60 FEET WEST OF THE SOUTHWEST 1/4 OF SECTION 19,



TOTAL AREA

-- 481.2 Ac. --

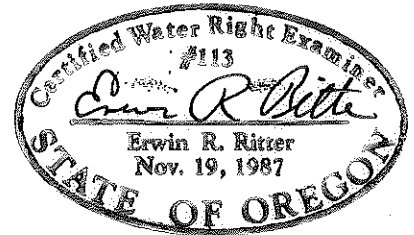


LANDS IRRIGATED BY IRVING CREEK WATERS



LANDS IRRIGATED BY WILLIAMSON RIVER WATERS

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



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

RECEIVED
OCT 04 1994
WATER RESOURCES DEPARTMENT

FINAL PROOF SURVEY

UNDER

PERMIT #63252 PERMIT #50265

SITUATED IN THE NE 1/4 SW 1/4 AND SE 1/4 OF SECTION 14, THE NE 1/4 OF SECTION 14, THE NE 1/4 AND SW 1/4 OF SECTION 24, T30S, R10E2W, AND THE SW 1/4 NW 1/4 OF SECTION 19, T30S, R10E2W, KLAMATH COUNTY, OREGON

SEPTEMBER 1994

SCALE 1" = 1320'

MAP PREPARED FOR

-- G-W LAND & CATTLE CO. --

MAP PREPARED FROM

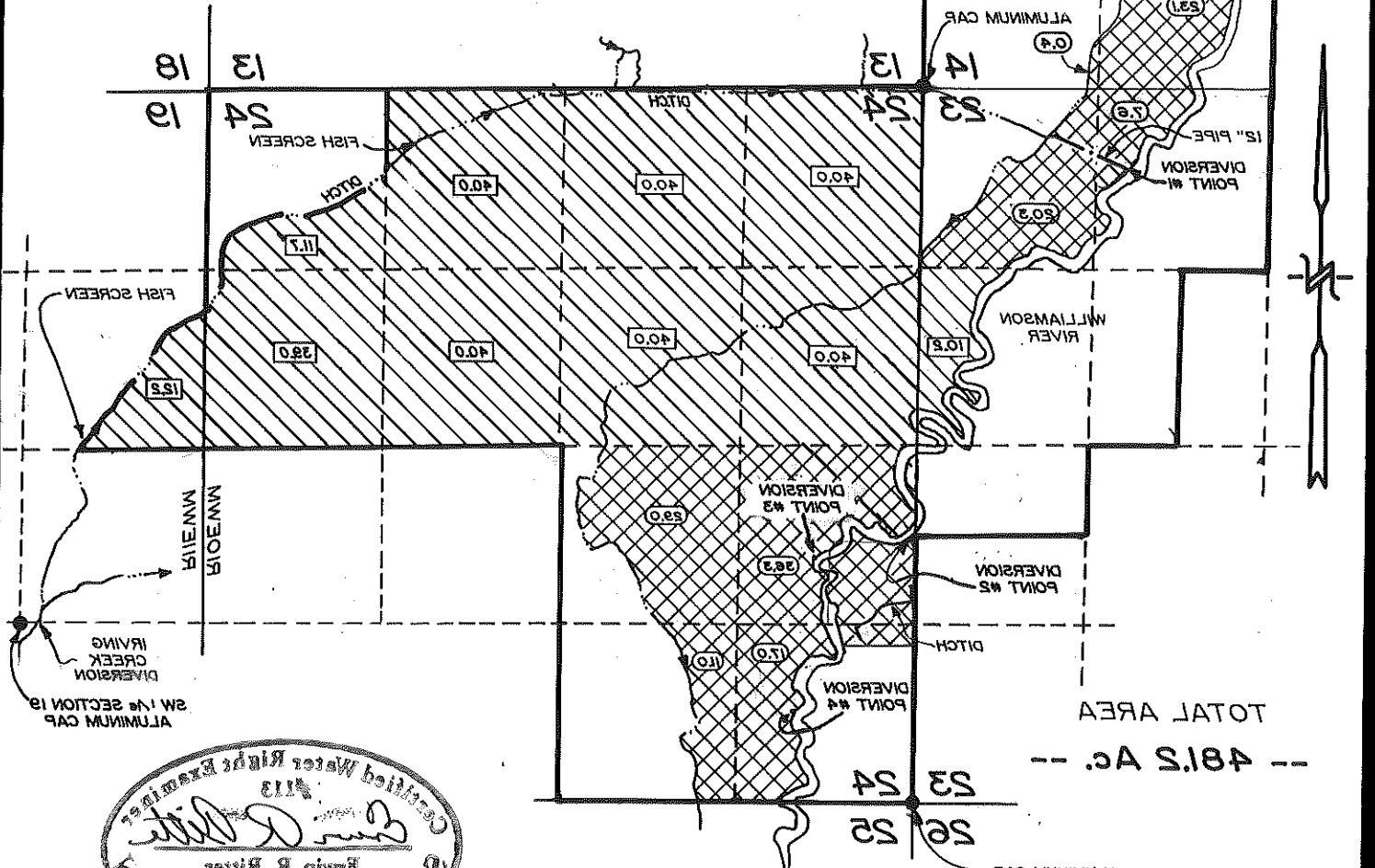
-- R.O.S. - 3083 --

-- AERIAL PHOTO --

-- FIELD SURVEY --

LOCATION OF DIVERSION POINTS
BY FIELD SURVEY
WILLIAMSON RIVER

10 FEET NORTH AND 60 FEET WEST OF THE SOUTHWEST CORNER OF SECTION 19
DIVERSION POINT #4
695 FEET NORTH AND 895 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
DIVERSION POINT #3
1820 FEET NORTH AND 750 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
DIVERSION POINT #2
1925 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
DIVERSION POINT #1
210 FEET SOUTH AND 1820 FEET WEST OF THE NORTHEAST CORNER OF SECTION 23



TOTAL AREA
-- 481.5 Ac. --

LANDS IRRIGATED BY IRVING CREEK WATERS



LANDS IRRIGATED BY WILLIAMSON RIVER WATERS



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

KLAMATH FALLS, OREGON 97603
3333 SUMMERS LANE
TRI-LINE SURVEYING



APR 10 1990
RECEIVED
CLERK OF COURTS
CLATSOP COUNTY, OREGON

March 6, 2009

Patricia,

We routinely modify permit conditions when carried forward to the certificate. Things like where the permit condition says that prior to diversion of water the permit holder shall install and maintain a fish screen. We modify it to say the water user shall maintain the fish screen. The idea is that the fish screen has been installed, or we would not be certificating the right.

This permit makes reference to an agreement that was negotiated to settle a protest. I have modified the language similar to what we would normally do.

A couple of twists to this are:

One the water user uses a portable pump from 4 PODs. He has a fish screen on the pump. But I wanted to capture the idea that if in the future he uses more portable pumps or installs fixed pumps, he needs to get prior approval for the fish screens, as part of compliance with the agreement.

I added a paragraph just below the end of the summary.

Two, we know the fence was installed. But we don't know that the cattle were excluded for 5 years. The C-date was set prior to the end of the five years. If there has not been a continuous period of 5 years that the cattle were excluded, the condition becomes a potential enforcement issue. So I changed "applicant" to "water user". But that is about it for this condition.

Could you take a quick look at this to make sure I have captured the spirit of the agreement and that my language is reasonable?

Thanks,

Larry

Good look ok

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
WILLIAMSON RIVER							
30 S	10 E	WM	14	NE SW			6.9
30 S	10 E	WM	14	NW SE			16.5
30 S	10 E	WM	14	SW SE			23.1
30 S	10 E	WM	14	SE SE			0.4
30 S	10 E	WM	23	NE NE			20.3
30 S	10 E	WM	23	NW NE			7.6
30 S	10 E	WM	24	NE SW			29.0
30 S	10 E	WM	24	NW SW			36.3
30 S	10 E	WM	24	SW SW			17.0
30 S	10 E	WM	24	SE SW			11.0
IRVING CREEK							
30 S	10 E	WM	23	SE NE			10.2
30 S	10 E	WM	24	NE NE			11.7
30 S	10 E	WM	24	NW NE			40.0
30 S	10 E	WM	24	SW NE			40.0
30 S	10 E	WM	24	SE NE			39.0
30 S	10 E	WM	24	NE NW			40.0
30 S	10 E	WM	24	NW NW			40.0
30 S	10 E	WM	24	SW NW			40.0
30 S	10 E	WM	24	SE NW			40.0
30 S	11 E	WM	19	SW NW			12.2

The right is conditioned to reflect the agreement between the Department of Fish and Wildlife (Department) and Ernest Dennis (Applicant) [Original Applicant] entered into May 26, 1988. The agreement in its entirety is incorporated into this right by reference. It is described in part below.

Obligations of the water user:

1. The water user shall maintain a screen to prevent fish from entering the diversion intake. The screen shall be maintained and repaired according to Department specifications.
2. The water user shall maintain a fishway at any diversion structures that may interfere with the upstream passage of fish. The fishways shall be maintained and repaired according to Department specifications.
3. The water user shall fence the east side of the Williamson River along the entire length of Parcels 1, 2, and 3 described in the application, to control livestock use in the riparian area. The fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Obligations of Oregon Department of Fish and Wildlife:

The Department agrees to accept the water user's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against possible adverse effect of the diversion.

General Provisions:

This agreement shall remain in effect as long as the diversions exist on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Application 69256 for permit to appropriate surface water and shall be binding upon and insure to the benefit of the parties and the respective heirs, administrators, executors, successor, and assigns.

End of Summary

Prior to installation of additional pumps or other diversion facilities, the water user shall comply with the agreement regarding prior approval of the Oregon Department of Fish and Wildlife.

Failure of the water user to comply with the agreement herein referenced may result in regulation of the diversions by the Watermaster. Judgments regarding compliance shall be the responsibility of the Oregon Department of Fish and Wildlife.

This right is for the beneficial use of water.

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued _____.

Phillip C. Ward, Director
Water Resources Department

SEE
ADJ FILE
202

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

ASSIGNED

ERNEST DENNIS
C/O DENNIS RANCH
5300 SOUTH ETNA
KLAMATH FALLS, OREGON 97603

G Bar W Land + Cattle Co.
1059 Crews Rd. 503-884-4578
Medford 97501
and NW Farm Credit Svcs ACA
POB 3520
Central Pt. 97502

12/92
LAWDS NOT CLAIMED IN #202
ARE NOT TO BE IRRIGATED UNTIL ODFW
TEAMS MET

is hereby issued a permit to use the waters from WILLIAMSON RIVER AND IRVING CREEK, TRIBUTARIES OF KLAMATH LAKE for IRRIGATION OF 560.0 ACRES. The permit to the use of these waters has been issued under Application 69256 with a date of priority of AUGUST 26, 1987. The permit is limited to not more than 14.0 CUBIC FEET PER SECOND, BEING 5.8 CFS FROM WILLIAMSON RIVER AND USE OF 8.2 CFS FROM IRVING CREEK or its equivalent in case of rotation, measured at the point of diversion.

12.03 cfs
Williamson - 4.98 cfs
Irving 9.05 cfs

The points of diversion are located as follows:

point 1 SW 1/4 SE 1/4, Section 14, T 30 S, R 10 E, WM;
1120 FEET NORTH & 2530 FEET WEST FROM SE CORNER, SECTION 14.

point 2 NW 1/4 NE 1/4, Section 23, T 30 S, R 10 E, WM;
690 FEET SOUTH & 1480 FEET WEST FROM NE CORNER, SECTION 23.

point 3 NE 1/4 NE 1/4, Section 23, T 30 S, R 10 E, WM;
1230 FEET SOUTH & 800 FEET WEST FROM NE CORNER, SECTION 23.

point 4 SE 1/4 SW 1/4, Section 19, T 30 S, R 11 E, WM;
1090 FEET NORTH & 1520 FEET EAST FROM SW CORNER, SECTION 19.

point 5 NW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
2300 FEET NORTH & 160 FEET EAST FROM SW CORNER, SECTION 24.

point 6 NW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1870 FEET NORTH & 630 FEET EAST FROM SW CORNER, SECTION 24.

point 7 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1130 FEET NORTH & 530 FEET EAST FROM SW CORNER, SECTION 24.

point 8 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1020 FEET NORTH & 690 FEET EAST FORM SW CORNER, SECTION 24.

point 9 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
460 FEET NORTH & 550 FEET EAST FROM SW CORNER, SECTION 24.

point 10 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
30 FEET NORTH & 580 FEET EAST FROM SW CORNER, SECTION 24.

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

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The places of use are as follows:

ACRES 1/41/4 SECTION TOWNSHIP RANGE, WM

Williamson River:

primary	8.00	NE SW	14	30 S	10 E 1
primary	7.90	NW SE	14	30 S	10 E 1 ? 17-9 2
primary	27.20	SW SE	14	30 S	10 E 1
primary	1.30	SE SE	14	30 S	10 E 1
primary	22.00	NE NE	23	30 S	10 E 1
primary	7.60	NW NE	23	30 S	10 E 1
primary	33.00	NE SW	24	30 S	10 E 3
primary	39.30	NW SW	24	30 S	10 E 3
primary	35.70	SW SW	24	30 S	10 E 3
primary	40.00	SE SW	24	30 S	10 E 3

Irving Creek:

primary	14.80	SW NW	19	30 S	11 E
primary	13.20	SE NE	23	30 S	10 E
primary	13.00	NE NE	24	30 S	10 E Parcel 2
primary	40.00	NW NE	24	30 S	10 E
primary	40.00	SW NE	24	30 S	10 E
primary	40.00	SE NE	24	30 S	10 E
primary	40.00	NE NW	24	30 S	10 E
primary	40.00	NW NW	24	30 S	10 E
primary	40.00	SW NW	24	30 S	10 E
primary	40.00	SE NW	24	30 S	10 E
primary	7.00	NE SW	24	30 S	10 E

Total: 560.00 acres.

Actual construction work shall begin on or before August 29, 1989, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

The permit was reviewed and considered by the Water Resources Commission on April 1, 1988.

The permit is further conditioned to reflect the agreement between the Department of Fish and Wildlife (Department) and Ernest Dennis (Applicant) entered into on May 26, 1988. The Agreement in its entirety is incorporated into this permit by reference. It is quoted in part below.

Obligations of the Applicant:

1. Prior to any diversion of water, the applicant shall furnish, install, and maintain a screen (s) to prevent fish from entering the diversion intake (s). The screen (s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required screen(s) the Applicant shall prepare for approval of the Department, design drawings of the screen (s) and a written plan for installing and maintaining the screen (s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the screen (s) will be attached hereto as Exhibit B and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.
2. Prior to any diversion of water, the applicant shall furnish, install, and maintain a fishway (s) at any diversion structure (s) that may interfere with the upstream passage of fish. The fishway (s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required fishway(s) the Applicant shall prepare for approval of the Department, design drawings of the fishway (s) and a written plan for installing and maintaining the fishway (s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the fishway (s) will be attached hereto as Exhibit C and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.
3. The applicant shall fence the east side of the Williamson River along the entire length of Parcels 1, 2, and 3, described in the application, to control livestock use in the riparian area. Said fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five (5) years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Obligations of Oregon Department of Fish and Wildlife:

The Department agrees to accept the Applicant's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against possible adverse effects of the diversion; and therefore further agrees not to protest approval of the Application 69256 by the Oregon Water Resources Department.

General Provisions:

1. This agreement shall remain in effect as long as the said diversion exists on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Department Application 69256 for permit to appropriate surface water and it shall be binding upon and insure to the benefit of the parties and their respective heirs, administrators, executors, successor, and assigns.

End of summary

Failure of the Applicant to comply with the agreement herein referenced may result in regulation of the diversion by the watermaster. Judgements regarding compliance shall be the responsibility of the Oregon Department of Fish and Wildlife.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued this date, August 29, 1988.

Water Resources Department
William H. Young
Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

January 14, 2009

G Bar W Land and Cattle Company
1059 Crews Rd
Medford, OR 97501

NW Farm Credit Services FLCA
PO Box 3520
Central Point, OR 97500

Reference: File 69256, Permit 50262

The Department is reviewing the Claim of Beneficial Use (COBU) submitted for your permit. The permit allowed two sources of water, Irving Creek and the Williamson River. The permit contained several conditions which appear not to have been met.

Two of the conditions required fish screens and fish passage facilities to be approved prior to diversion of water. There is a letter in the file from the Oregon Department of Fish and Wildlife (ODFW) saying the Irving Creek facilities are approved. However, there is no indication the Williamson River pump fish screen was approved. 11/29/90
by ODFW

If a fish screen was installed on the Williamson River portable pump, you will need to provide a letter from ODFW saying an approved fish screen was installed prior to diversion of water. If the fish screen was not installed prior to the diversion of water, advice from the Attorney General's Office says the lack of a fish screen may not be cured by an extension of time. OK
Therefore the Williamson River portion of the permit would be eliminated.

Another condition required the riparian area along the Williamson River be fenced off and cattle excluded from the riparian area. The COBU indicates the fence was not completed and the cattle had not been excluded. The report indicates the fence would be completed and the cattle excluded in the future. OK -
see 192 1st of
Time App

If the fence was completed and the cattle excluded from the riparian area, an extension of time would need to be requested, and approved, to allow the time for the compliance with this condition.

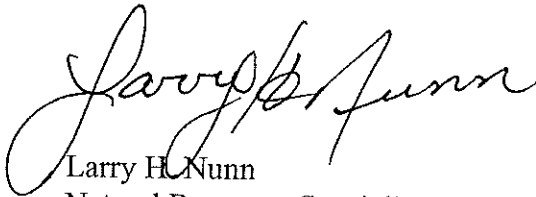
The Department will withhold further action on this file for 60 days to allow time for you to submit a request an extension of time for compliance with the riparian area conditions. If the extension of time request is not received within the 60 day period, the Department will begin the process to cancel the permit.

G Bar W Land and Cattle Company
NW Farm Credit Services FLCA
Reference: File 69256, Permit 50262
January 14, 2009

Page 2

If you have any questions about the extension of time request, you may call Scott Kudlmeyer at 503-986-0813. If you have any other questions you may call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,

A handwritten signature in cursive script that reads "Larry H. Nunn". The signature is written in black ink and is positioned above the printed name and title.

Larry H. Nunn
Natural Resource Specialist

cc: Erwin R. Ritter, CWRE
Vern Church, Watermaster
Kyle Gorman, Regional Manager

G BAR W LAND & CATTLE CO.
890 CROWFOOT ROAD, UNIT B
EAGLE POINT, OR. 97524
(541) 826-7359

February 10, 2009

Oregon Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, Or. 97301-1271

Attn: Larry H. Nunn, Natural Resources

Re: File 69256, Permit 50262

Pursuant to the recent letter and our phone conversation, I reviewed our files and came up with the following:

First off - it appears to me the Dennis Ranch had previously taken care of the approval by the ODFW of the pump screen, and also had done whatever fence required, but not the Irving Creek screen, the only thing left was the Irving Creek screen.

See A - Letter 11/29/90 from Dept of Fish and Wildlife approving pump screening - Greg Robart;

See B, C, D & E - Reapplication for Extension of Time and information on pump fence they constructed etc. - Dave Nichols and Dallas Miller;

See F - Ok by Oregon Fish and Wildlife on Irving Creek - John Fortune;

See G - Claim of Beneficial Use as per letter of December 2, 1994- Dallas Miller;

See H - Letter of Notice of Complete Application of Water to a Beneficial Use etc - Thomas Shook;

See I - Our letter to Oregon Water Resources with Beneficial Use attached.

Secondly, regarding to our fence;

1 - Conservation Plan with EQIP - 2001 where we fenced out the rest of the river, both sides, that the Dennis Ranch was not required to do under their Permit 30262 they had already done everything except the Irving Creek screens done in 1993 - Shelley Tucker;

RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

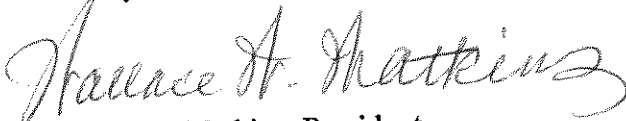
2 - NRCS Status Review Letter showing we completed the project - Shelley Tucker and Lee Porter, NRCS.

3 - NRCS Status Review - Shelley Tucker.

I personally believe that the Dennis Ranch, before we bought it, did everything required except screen Irving Creek and we did that as soon as we could get someone up to the ranch.

I trust this is everything you need.

Sincerely,



Wallace W, Watkins, President
G - W Land & Cattle Co.

✓ Copy to Farm Credit Services, FLCA
P. O. Box 3520
Central Point, Or. 97502

RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

(B)

ATTACHMENT
to Application for Extension of Time

1. Within the past year we accomplished the following:
 - a. Purchased 500 ft. of 22 inch diameter Poly Pipe for pump irrigation. Cost: \$310.99
 - b. Purchased two rolls of Flex-i-Flume tubing, 328 feet per roll, 16 inch diameter. Cost: \$1,499.17
(Used in pump irrigation)
 - c. Purchased and installed two 20 foot, 18 inch diameter culverts and headgate for one of the culverts. These were installed to improve field irrigation. Cost: \$366.77
Total Cost: \$2,176.93
 - d. Using back-hoe on tractor, cleaned out and re-built ditchbank for over one-half mile of the irrigation ditch from Irving Creek.
 - e. Continued in cooperative contact with the Dept. of Fish and Wildlife regarding the planning of screen installation at the diversion point on Irving Creek. Fish and Wildlife has not yet approved a screen design applicable to this type of gravity flow diversion. ← *note*
Did later
Q

2. Prior to this past year we accomplished the following:
 - a. Constructed a fence on the east side of the Williamson River along the entire length of Parcels 1, 2, and 3, described in the application, to control livestock use in the riparian area. The fence was constructed according to the criteria specified in the application. *note*
 - b. Installed eight culverts with headgates to control flow of irrigation water.
 - c. Repaired irrigation ditches, constructed some new irrigation ditches, repaired dikes to accomplish full coverage through flood irrigation.
 - d. Obtained Crisafulli pump and poly-pipe to pump irrigate from the Williamson River per permit. *note*

e. Obtained approval from the Dept. of Fish and Wildlife for a screen design for the Crisafulli pump (designed per their specifications), and paid for the fabrication and installation of this screen at a cost of \$1,450.00. *Inspected by DQJRW - 1992*

Note: The extension of time is needed for two reasons:

- a. Drought conditions have prevented irrigation of all the land under the permit. The Klamath Falls Herald and News reports that the 1992 season had 40 percent below normal rainfall in the Klamath Basin and that the reservoir levels were at an all time low due to lack of adequate precipitation. (See attached newspaper article)

- b. The Fish and Wildlife have not yet approved a screen design applicable to installation at the Irving Creek diversion point.

RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

note -
Did in 94

(C)

File No. 69256
Dennis Ranch

Attachment # 1
to Application for Extension of Time

(1) Within the past year:

note →

Following receipt of final approval from Department of Fish and Wildlife (dated Nov. 29, 1990), arranged for fabrication of the screens for the Crisafulli pump per approved specifications from Dept. of Fish and Wildlife. The fabrication of the screens was completed and installed at a cost of \$1,450.00.

note →

Used the Crisafulli pume with the approved screens to pump irrigation water from the Williamson River per permit no. 50262, and accomplished flood irrigation.

Continued in cooperative contact with the Dept. of Fish and Wildlife regarding the issue of screen installation at the diversion point on Irving Creek. This diversion point is on adjoining private property and this adjoining property owner also uses Irving Creek water from this diversion point for irrigation purposes. It has been clarified with the Dept. of Fish and Wildlife that the construction of this screen must be with prior consent and approval of this adjoining property owner. The screen design must also accommodate to the irrigation needs of this adjoining property owner.

approved by CRFW Sept 1994

Fish and Wildlife reports that a screen design is in the process of being granted final approval which would be suitable for this proposed installation. Done *DN*

2
Came in 94

Fish and Wildlife has arranged a site visit in early 1992 and it is planned that the approval for a screen design for this diversion point will take place following that site visit, providing that the adjoining property owner is also agreeable to this installation at the diversion point on his property.

not there tell later 93.

Dave Nichols, Staff Biologist and Fish Passage Specialist with the Dept. of Fish and Wildlife can provide verification of our on-going cooperation and compliance with the Fish and Wildlife stipulations in the Permit and that discussions are continuing on the remaining portion of this project. If this verification is needed, Mr. Nichols can be contacted at the following location:

Dave Nichols
Department of Fish and Wildlife
Habitat Conservation Division
Telephone: 229-5410, extension 443

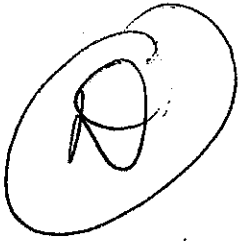
10 am Friday
Call Monday

John Fortune
983-5732

RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON



File No. 69256
Dennis Ranch

ATTACHMENT # 2
to Application for Extension of Time

(2) Prior to this past year:

Constructed a fence on the east side of the Williamson River along the entire length of Parcels 1, 2, and 3, described in the application, to control livestock use in the riparian area. The fence was constructed according to the criteria specified in the application.

Installed eight culverts with headgates to control flow of irrigation water.

Repaired irrigation ditches, constructed some new irrigation ditches, repaired dikes to accomplish full coverage through flood irrigation.

Obtained Crisafulli pump and poly-pipe.

(3) continued from page 1:

lack of need for frequent pump irrigation during the 1991 irrigation season. There was a later than usual spring run-off which held the water table higher than usual and there were some rains during the irrigation season which reduced the need to pump irrigate. We irrigated 120 acres during the 1991 season in parcel # 3 but found that we did not need to continue due to the rains. The 120 acres were flood irrigated using the Crisafulli pump with the approved screens installed.

Note →

Fence constructed by Dennis We completed the entire river - See NRCS 2004

RECEIVED

FEB 13 1991

WATER RESOURCES
SALEM, OR

Feb 7, 2009 - note - there is nothing on this letter to indicate any problem w/ fencing - partly done by Deanes - and balance by June 15, 1995 - and nothing about any pump not being screened or approved

J. Matthews

G-W LAND AND CATTLE CO
1058 CREWS ROAD
MEDFORD, OREGON 97501

REFERENCE: File 69256

During our review of the claim and map for Permit 50262, the following problems were noted:

You need to include in the site report the sysem capacity or actual measurement of the amount of water diverted from Irving Creek for irrigation. You state in your report that the flow is less than 1 cfs. We need to know the measured maximum rate of use or system capacity so we can determine the amount to allow from that source on the final certificate.

We are returning the claim. You are responsible for correcting the above discrepancies. Please submit the corrected claim within ninety (90) days.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,

Dallas S. Miller

DALLAS S. MILLER
Water Rights Specialist

DSM:

CC: ERWIN RITTER

1 ru - line went up there twice to check flo - Cost \$550⁰⁰

*J. Matthews
J. Bar...*

As per your request on Irving Creek -



RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

P

Oregon

DEPARTMENT OF
FISH AND
WILDLIFE



Klamath District Office

September 27, 1994

Oregon Department of Water Resources
Commerce Building
158 12th St., NE
Salem, OR 97310-0210

Attn: A. Reed Marbeit - Tom Shook

Re: Permit 50262

Dear sirs:

I have inspected the screening devices installed by the G-W Land and Cattle Co. on their diversion from Irving Cr. Those devices are functional and adequate to meet ODFW standards. If you have questions, please give me a call at 883-5732.

Sincerely,

John D. Fortaine Jr.
District Fish Biologist



1400 Miller Island Rd V
Klamath Falls, OR 97603
(503) 883-5732

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WATER RESOURCES DEPT
SALEM, OREGON



December 2, 1994

Oregon

WATER
RESOURCES
DEPARTMENT

ERWIN RITTER, CWRE
2333 SUMMERS LANE
KLAMATH FALLS OR 97603

REFERENCE: File 69256

On OCTOBER 4, 1994, we received the Claim of Beneficial Use and map you submitted for Permit 50262 in the name of G BAR W LAND AND CATTLE CO. AND NW FARM CREDIT SERVICES ACA. On SEPTEMBER 29, 1994, we received your FAX letting us know that this claim was forthcoming.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,

Dallas S. Miller
DALLAS S. MILLER
Water Rights Specialist *TCB*

DSM:tcb

cc: G BAR W LAND AND CATTLE CO.
1059 CREWS ROAD
MEDFORD, OR 97701

NW FARM CREDIT SERVICES ACA
PO BOX 3520
CENTRAL POINT, OR 97502

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WATER RESOURCES DEPT
SALEM, OREGON



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

H

August 31, 1993

G BAR W LAND AND CATTLE CO
1059 CREWS RD
MEDFORD, OR 97701

REFERENCE FILE: 69256

Your copy of the letter to the Oregon Department of Fish and Wildlife, dated August 26, 1993 has been received.

You will have to complete the enclosed "Notice of Complete Application of Water to a Beneficial Use" statement and send it to us at your earliest convenience. A brief description of the number of acres irrigated from the Williamson River should be given.

Water is not to be diverted from Irving Creek since the terms of permit 50262 were not met. *(Watermaster says this is baloney -)*

A final proof survey of the project will have to be submitted within one year of receipt of the above requested statement. If the statement is received after October 1, 1993, the report will have to be received by October 1, 1994. A list of examiners is enclosed.

Sincerely,

Thomas E. Shook

Thomas E. Shook
Water Right Specialist

John - Picked Tru-line as they were already working on it - July 94

*Installing
creeks for
the
fortune
inspect*



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FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

G-W LAND & CATTLE CO.

RANCH
(503)783-3113
CELLULAR
(503)821-1234

ROAD #49 OFF
SILVER LAKE HWY
BUS. OFFICE - 1059 CREWS ROAD
MEDFORD, OR. 97501

OFFICE
(503)773-5309
FAX
(503)770-9426

I
4I-1

September 29, 1994

Oregon Water Resources Department
Commerce Building
158 12th Street NE
Salem, Or. 97310-0210

Attn: A. Reed Marbut - Tom Shook

Re: File 69256, Permit 50262

Gentlemen:

Enclosed is the following:

- 1 - Site Report and Map as done by Tru-Line Surveying.
- 2 - Letter copy from John Fortune, Oregon Fish and Wildlife on fish protection of Irving Creek.

We hereby request an issuance of a Certificate of Water Right covering the entire acreage covered under #69256-50262.

cc: John Fortune, Oregon Fish and Wildlife,
Del Sparks, Watermaster
Klamath County, Or.
David Gilstrap, Attn:
legal file

Sincerely,

Brenda C. Watkins
Brenda C. Watkins
Secretary/Treasurer

Encl. *appl. Water Use special use permit 9/2/93 letter of Aug 31-93*

H-1

~~John H. Greb,
President~~

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FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
KLAMATH FALLS FIELD OFFICE (503)883-6932

CONSERVATION PLAN

Client: Watkins, Wally
Assisted By: S. Tucker

G-Bar-W Land & Cattle Co.

23600
9.00
1.43 per ft
133729
236
1012
944
689

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FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

LAND UNITS		PLANNED			APPLIED		PLANNED CONSERVATION TREATMENT
TRACT	MGTUNT	AMOUNT	MONTH	YEAR	AMOUNT	DATE	
2408	A	1660.0ac					<p>Range</p> <p>This Conservation Management system (CMS) is designed to improve forage production and quality, reduce streambank erosion, and increase wildlife diversity. This CMS meets the minimum quality criteria of the local NRCS Field Office Technical Guide as a Resource Management System.</p>
2408	A	6250.0ft	09	2001			<p>FENCE</p> <p>Construct a fence for use as a barrier to wildlife, livestock, or people.</p> <p>A permanent fence will be installed. This practice will be installed in accordance with NRCS standards and specifications. The design will be approved by NRCS and reviewed with the landowner prior to installation.</p>
	A	4950.0ft	09	2002			
	A	4300.0ft	09	2003			
	A	5700.0ft	09	2004			
	A	2400.0ft	09	2005			
2408	A	27.0ac	09	2005			<p>FILTER STRIP</p> <p>Establish a strip of perennial vegetation for trapping sediment and other pollutants from runoff or waste water. Vegetation will re-establish with the use of permanent fence. Grazing will be in accordance with Prescribed Grazing (528A) standard.</p>
2408	A	0.2ac	09	2002			<p>HEAVY USE AREA PROTECTION</p> <p>Protect heavily used areas by providing soil protection with vegetation, surfacing material or mechanical structures.</p> <p>This practice will be used in conjunction with the riparian fencing to protect areas of livestock access. Fencing and rock placement will be applied according to NRCS standards and specifications.</p>
	A	0.2ac	09	2003			
	A	0.2ac	09	2004			
	A	0.4ac	09	2005			
2408	A	1660.0ac	09	2002			<p>PRESCRIBED GRAZING</p> <p>Grazing will be managed according to a schedule that meets the needs of the soil, water, air, plant and animal resources and the objectives of the resource manager.</p>
2408	A	1010.0ac	09	2002			<p>UPLAND WILDLIFE HABITAT MANAGEMENT</p> <p>Create, maintain or enhance area(s) to provide upland wildlife food and cover.</p> <p>Upland wildlife habitat will be managed to provide suitable habitat for promoting and sustaining a diversity of upland wildlife - deer, birds, and other small mammals and reptils. Prescribed Grazing (528A) will be used.</p>
2408	A	650.0ac	09	2002			<p>WETLAND WILDLIFE HABITAT MANAGEMENT</p> <p>Retain, create, or manage wetland habitat for water fowl, furbearers, or other wildlife.</p>

\$46,000 Total
cost-share (c/s)

43,600
c/s
\$8,938
7,074
6,149
8,151
3,432
33,729

No c/s

c/s
\$2,650
2,751
1,850
5,000
12,251

No c/s

No c/s

No c/s

32000 ft total - upper + lower - smooth wire - Balance Barb -
1660 acres -

2

United States Department of Agriculture



2316 Sth 6th St. Suite C
Klamath Falls, OR 97601

541/883-6932 ext. 113
FAX 541/882-9044

Wallace Watkins
G Bar W Land & Cattle Co.
1059 Drews Rd
Medford, OR 97501

7/29/04

Attached is the annual Status Review for your Environmental Quality Incentives Program (EQIP) cost-share contract (2000-0070).

All of your practices (both cost-shared and management) have been completed and all payments have been made. Therefore, we are closing the contract.

Please review and sign the Status Review, and return to me in the enclosed envelope as soon as possible. Be sure to keep your copy.

Shelley S. Tucker
Resource Conservationist

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FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

3

United States Department of Agriculture
Natural Resources Conservation Service

STATUS REVIEW
EQIP FY 2001

FORM APPROVED
OMB NUMBER 0578-0019

NRCS-LTP-13
10/97

This information is used in both the development and implementation of a Conservation, Reclamation or Water Quality plan as the basis for technical assistance and/or cost sharing. The authorities for such work are: 16 USC 590a-f (Soil Conservation); 16 USC 1301-1311 (Water Bank); 16 USC 590p(b) (Great Plains); 30 USC 1236 et seq. (Rural Abandoned Mines); 33 USC 1288 et seq. (Rural Clean Water); 43 USC 1592(c) (Colorado River Basin Salinity Control); 16 USC 3831 (Conservation Reserve). Furnishing information is voluntary and will be confidential; however, it is necessary in order to receive assistance.

County KLAMATH Date 11/9/01 Contract or Agreement No. 20000070

Name WALLY WATKINS Address 1059 CREWS RD. MEDFORD, OR 97501

Progress in applying plan:
FENCE AND HEAVY USE AREA PROTECTION HAVE BEEN COMPLETED.

Revision of plan or modification of contract needed:
CONTRACT NEEDS TO BE MODIFIED TO INCLUDE HEAVY USE AREA PROTECTION, AND DELETE PIPELINE, TROUGH, AND PUMPING PLANT PRACTICES. HEAVY USE AREA PROTECTION WILL ACCOMPLISH SAME BENEFIT AS DELETED PRACTICES.

Need for technical assistance:
PRESCRIBED GRAZING, UPLAND AND WETLAND WILDLIFE HABITAT MANAGEMENT ARE SCHEDULED FOR APPLICATION IN FY 2002

Land is still under control of the participant: Yes No

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FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

Signed [Signature]
District Conservationist of Administering Agency

[Signature] Participant
[Signature]



A

Department of Fish and Wildlife

2501 SW FIRST AVENUE, PO BOX 59, PORTLAND, OREGON 97207 PHONE (503) 229-5400

November 29, 1990

Mr. Ernie Dennis
Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

Dear Mr. Dennis:

Re: Water Right Permit 50262, Application Number 69256,
Dennis Ranch, Williamson River (5.8cfs), and Irving
Creek (8.2 cfs).

This letter approves your fish screening plans submitted to us in
your letter of September 25, 1990. The Oregon Department of Fish
and Wildlife (ODFW) approves your Williamson River diversion only
plans with the following exceptions:

OK w/ pump -

Your design drawings do not show sufficient detail
where the drive shaft comes through the face of
the fish screen. Please make certain the space
between the drive shaft and the screen does not
exceed 1/4 inch. Using a rubber collar or seal
at this location is an adequate alternative.

*Done!
and inspected
[Signature]*

We understand parcel number 2 will be irrigated using Irving
Creek water. Irving Creek contains brook trout and therefore also
requires fish a fish screening device. Accordingly, prior
additional and separate ODFW approval for the design,
installation and maintenance of fish screening devices is
required prior to the appropriation of any Irving Creek water.

*Done in
Sept-1993*

You should contact and coordinate with our staff biologist, Dave
Nichols to obtain these screening requirements.

*What are they?
Called John Fortune
to come out -
[Signature]*

Sincerely,

[Signature]

Greg Robart
Staff Biologist
Aquatic Habitats Program
Habitat Conservation Division

c Water Resources Department - Permits Section - Applegate
District 17 - Sparks

RECEIVED

FEB 13 2009

WATER RESOURCES DEPT
SALEM, OREGON

March 4, 1993

ERNEST DENNIS
DENNIS RANCH
5300 SOUTH ETNA
KLAMATH FALLS OR 97603

REFERENCE: File 69256

We have received your application for extension of the time limits to complete construction and make complete application of water under Permit 50262. We also have your check in the amount of \$100. Our receipt number 93441 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction and make complete application of water are extended to October 1, 1993. The order approving the extension was entered February 26, 1993.

You should make every attempt to complete your project on or before that date. It is doubtful that any further extensions could be allowed.

Water is not to be diverted from Irving Creek until your agreement with Oregon Department of Fish and Wildlife is met.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh

Enclosure



Application for Extension of Time

RECEIVED

OCT 28 1992

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ernest Dennis, c/o Dennis Ranch
Name

5300 South Etna
Mailing Address

Klamath Falls Oregon 97603
City State Zip

WATER RESOURCES DEPT
SALEM, OREGON

record owner of water permit No. 50262, do hereby request that the time in which to:

- complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19___, be extended to October 1, 19___; and/or the time in which to
- accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1992, be extended to October 1, 1993.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year SEE ATTACHMENT, ITEM #1

(2) prior to this past year SEE ATTACHMENT, ITEM #2

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) In 1992, due to drought conditions, we were able to adequately irrigate only 80 acres in Parcel #3 and achieved irrigation of 60 acres in parcel # 1. We were not able to achieve adequate irrigation in Parcel # 2 due to lack of sufficient water in Irving Creek. In the prior year, 1991, we irrigated 84 acres in Parcel #1, 328 acres in Parcel #2, and 120 acres in Parcel #3.

(If additional space is required, attach separate sheet)

Ernest Dennis

(If signing for a corporation please identify your title)

Dated October 1, 1992

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

10/29/92
100.00
93441

LAST OK
BC 10-1-93
JBJ

RECEIVED

OCT 28 1992

ATTACHMENT
to Application for Extension of Time

WATER RESOURCES DIVISION
SALEM, OREGON
\$310.99

1. Within the past year we accomplished the following:
 - a. Purchased 500 ft. of 22 inch diameter Poly Pipe for pump irrigation. Cost: \$310.99
 - b. Purchased two rolls of Flex-i-Flume tubing, 328 feet per roll, 16 inch diameter. Cost: \$1,499.17
(Used in pump irrigation)
 - c. Purchased and installed two 20 foot, 18 inch diameter culverts and headgate for one of the culverts. These were installed to improve field irrigation. Cost: \$366.77
Total Cost: \$2,176.93
 - d. Using back-hoe on tractor, cleaned out and re-built ditchbank for over one-half mile of the irrigation ditch from Irving Creek.
 - e. Continued in cooperative contact with the Dept. of Fish and Wildlife regarding the planning of screen installation at the diversion point on Irving Creek. Fish and Wildlife has not yet approved a screen design applicable to this type of gravity flow diversion.

2. Prior to this past year we accomplished the following:
 - a. Constructed a fence on the east side of the Williamson River along the entire length of Parcels 1, 2, and 3, described in the application, to control livestock use in the riparian area. The fence was constructed according to the criteria specified in the application.
 - b. Installed eight culverts with headgates to control flow of irrigation water.
 - c. Repaired irrigation ditches, constructed some new irrigation ditches, repaired dikes to accomplish full coverage through flood irrigation.
 - d. Obtained Crisafulli pump and poly-pipe to pump irrigate from the Williamson River per permit.
 - e. Obtained approval from the Dept. of Fish and Wildlife for a screen design for the Crisafulli pump (designed per their specifications), and paid for the fabrication and installation of this screen at a cost of \$1,450.00.

Note: The extension of time is needed for two reasons:

- a. Drought conditions have prevented irrigation of all the land under the permit. The Klamath Falls Herald and News reports that the 1992 season had 40 percent below normal rainfall in the Klamath Basin and that the reservoir levels were at an all time low due to lack of adequate precipitation. (See attached newspaper article)
- b. The Fish and Wildlife have not yet approved a screen design applicable to installation at the Irving Creek diversion point.

Reservoir level lowest since 1929

■ **Drought:** The Klamath Basin had the lowest rainfall in the state in 12 months.

By The Associated Press

KLAMATH FALLS — Rainfall in the Klamath Basin was 40 percent below normal this year, with reservoir levels at an all-time low and Klamath Lake at its lowest since 1929, state officials said Thursday.

The water year, which runs from Oct. 1 through Sept. 30, ends about the time reservoirs begin refilling.

But precipitation across the basin for the past 12 months was the lowest for the entire state, according to the Oregon Department of Water Resources.

"The effects of this drought are going to be felt for many years," said Jim Bryant, acting manager of the Klamath Reclamation Project.

The U.S. Bureau of Reclamation drafted a drought management plan about four years ago, but this was the first year it was needed, Bryant said.



Associated Press

A boat sits aground several feet from waters of Upper Klamath Lake, which is at its lowest level in 63 years.

The plan divides irrigation districts and individual water users into three categories. Those with lower priority claims to water contend the bureau's drought plan discriminated against them, but Bryant said the plan will remain in place.

"There are some who would like to see the contracts changed, but there are an equal or greater num-

ber who are happy with things the way they are," he said.

Bryant declined to predict what will happen next spring if the drought continues through this winter.

"There are so many interdependent factors it's really hard to make any predictions this early," he said.

The bureau's first priority this water year will be to conserve enough water in Upper Klamath Lake by March to keep it at a minimum elevation of 4,141 feet above sea level to protect endangered fish.

But the agency also will release enough water to sustain the fall run of chinook salmon in the Klamath River.

RECEIVED
WATER RESOURCES DEPARTMENT
M. OREGON

Owners
Erwin R. Ritter, L. S. W. R. E.
Dennis A. Ensor, L. S. W. R. E.

RECEIVED

AUG 29 1995

TRU (SURVEYING) **LINE**

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

TELEPHONE (503) 884-3691

2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

FINAL PROOF REPORT

APPLICATION #69256 PERMIT #50262
SEPTEMBER 1994

OCT 04 1994

WATER RESOURCES DEPT.
SALEM, OREGON

INFORMATION: G - W LAND AND CATTLE CO.
1059 CREWS ROAD
MEDFORD, OR. 97501

SOURCE (S): WILLIAMSON RIVER AND IRVING CREEK, TRIBUTARIES OF
KLAMATH LAKE.

LIFT: APPROXIMATELY 10 FEET

MOTOR (S): 60 HP DIESEL TRACTOR

PUMP (S): CRISAFULLI CENTRIFUGAL PORTABLE PUMP
12" DISCHARGE FOR WILLIAMSON RIVER WATER

FLOW: IRVING CREEK - ESTIMATED FLOW AT TIME OF REPORT LESS
THAN 1 CFS.
WILLIAMSON RIVER - PORTABLE PUMP 60HP TRACTOR WITH
10 FOOT LIFT AND 30 FOOT HEAD LOSS FOR 600 FEET 12"
PIPE. 3400 GPM (7.59 CFS) AS PER MANUFACTURERS PUMP
CURVE.

SYSTEM: THE IRVING CREEK CLAIM CONSISTS OF A CONTOUR DITCH
FROM THE DIVERSION POINT ALONG THE NORTHEASTERLY
LINE OF THE CLAIM. MOST OF THE AREA IN THE IRVING
CREEK CLAIM HAS BEEN IRRIGATED NATURALLY AS IRVING
CREEK HAS NO CHANNEL TO THE WILLIAMSON RIVER.
THE WILLIAMSON RIVER CLAIM CONSISTS OF THE PORTABLE
PUMP, THE BURIED 12" PVC PIPE AND POLLY PIPE OF
VARYING LENGTH AT THE OTHER PUMPING POINTS.

USE: IRRIGATION TO ENHANCE THE GROWTH OF THE NATIVE
GRASSES FOR PASTURE

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AUG 28 1995

OCT 04 1994

WATER RESOURCES
SALEM, OREGON

WATER RESOURCES DEP
SALEM, OREGON

WILLIAMSON RIVER

- SURVEY TIE: DIVERSION POINT # 1 SOUTH 610 FEET AND WEST 1550 FEET FROM THE NE CORNER OF SECTION 23, T30S, R10EWM.
- DIVERSION POINT # 2 NORTH 1925 FEET AND EAST 30 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.
- DIVERSION POINT # 3 NORTH 1820 FEET AND EAST 750 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.
- DIVERSION POINT # 4 NORTH 695 FEET AND EAST 895 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.

IRVING CREEK

- DIVERSION POINT NORTH 10 FEET AND WEST 60 FEET FROM THE SW 1/16 CORNER OF SECTION 19, T30S, R11EWM.

THE SURVEY TIES FOR DIVERSION POINTS 1 THRU 4 WERE MADE USING A WILD TC1010. THE IRVING CREEK DIVERSION POINT WAS PACED IN FROM THE FOUND MONUMENT.

REMARKS:

APPLICATION 69256 WAS SUBMITTED BY ERNEST DENNIS WITH A PRIORITY DATE OF AUGUST 26, 1987. PART OF THIS PERMIT ALSO HAS A PENDING ADJUDICATION CLAIM TO USE OF WATER OF THE KLAMATH RIVER AND ITS TRIBUTARIES.

THE APPLICANT ENTERED INTO AN AGREEMENT TO PERFORM CERTAIN OBLIGATIONS WITH THE DEPARTMENT OF FISH AND WILDLIFE. THESE OBLIGATIONS WERE INCORPORATED INTO THE PERMIT. ITEMS 1 & 2 HAVE BEEN MET, SEE ATTACHED LETTER FROM JOHN FORTUNE DISTRICT GAME BIOLOGIST. ITEM 3, CONCERNING FENCING OF RIPARIAN AREA, I FOUND THE FENCE TO BE MOSTLY IN PLACE, HOWEVER, THE ELECTRIC FENCE WAS NOT ACTIVATED AND THE LIVESTOCK HAD ACCESS TO THE RIVER BANK. JOHN GREB REPRESENTING THE OWNER SAID THE CATTLE WOULD BE TOTALLY REMOVED FROM THE PROPERTY BY OCTOBER 15, 1994. HE ALSO STATED THE FENCE WOULD BE IN PLACE BEFORE THE CATTLE RETURN AS THE NEW OWNERS WERE VERY CONCERNED TO PROTECT THE RIPARIAN AREA AND HOPE TO DEVELOP THE FISHERY POTENTIAL OF THE RIVER.

RECEIVED

AUG 23 1993

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

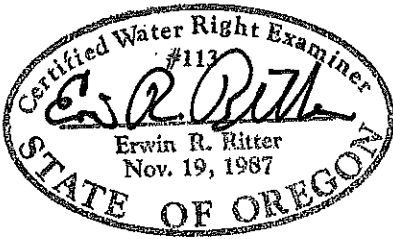
OCT 04 1994

WATER RESOURCES DEPT.
SALEM, OREGON

THE FINAL PROOF SURVEY AND INSPECTION OF THE USE AS FOUND TO BE COMPLETED UNDER THE TERMS AND CONDITIONS OF PERMIT 50262 WAS COMPLETED BY ME ON SEPTEMBER 22, 1994, AND THE FACTS CONTAINED IN THIS REPORT AND ACCOMPANYING FINAL PROOF MAP ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

Erwin R. Ritter

CERTIFIED WATER RIGHTS EXAMINER



I, John H Greb, AGREE TO THE FINDINGS OF THE C.W.R.E. AND DO SUBMIT THIS SITE REPORT AND MAP AS MY CLAIM OF BENEFICIAL USE OF THE WATER AS PROVIDED UNDER THE TERMS AND CONDITIONS OF MY PERMIT 50262.

John H. Greb "President"
OWNER

SEE ATTACHED PHOTOS.

Oregon

RECEIVED

AUG 22 1995

RECEIVED
WATER RESOURCES
SALEM, OREGON

OCT 04 1994

WATER RESOURCES DEP
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

Klamath District Office

September 27, 1994

Oregon Department of Water Resources
Commerce Building
158 12th St., NE
Salem, OR 97310-0210

Attn: A. Reed Marbeit - Tom Shook

Re: Permit 50262

Dear sirs:

I have inspected the screening devices installed by the G-W Land and Cattle Co. on their diversion from Irving Ct. Those devices are functional and adequate to meet ODFW standards. If you have questions, please give me a call at 883-5732.

Sincerely,

A handwritten signature in cursive script that reads "John D. Fortune Jr." with a long horizontal line extending to the right.

John D. Fortune Jr.
District Fish Biologist

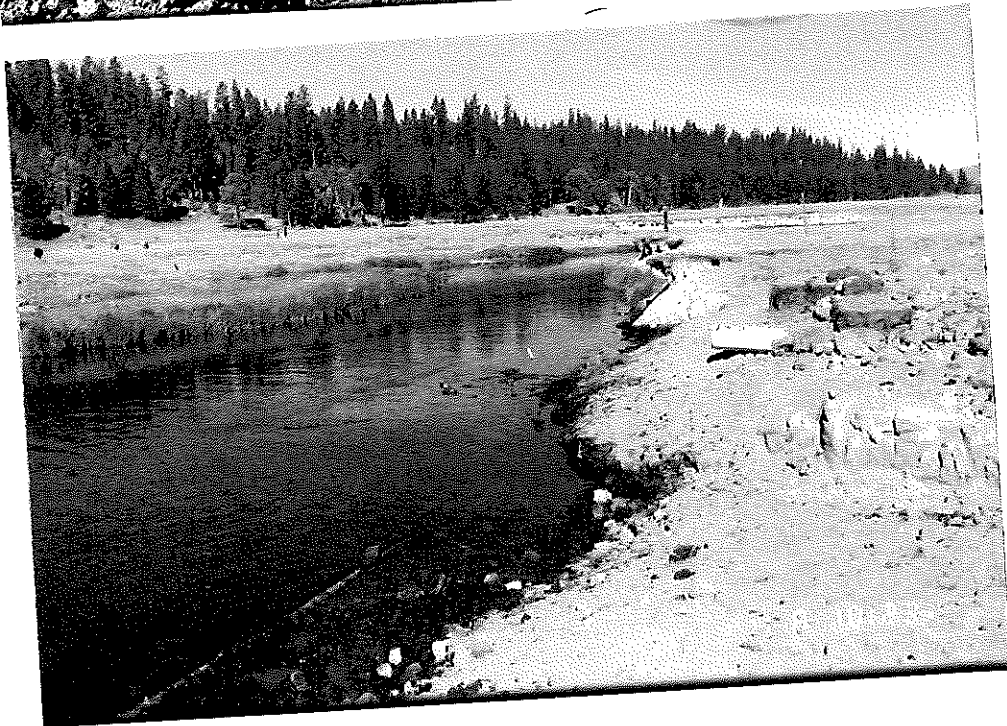


1400 Miller Island Rd West
Klamath Falls, OR 97603
(503) 883-5732



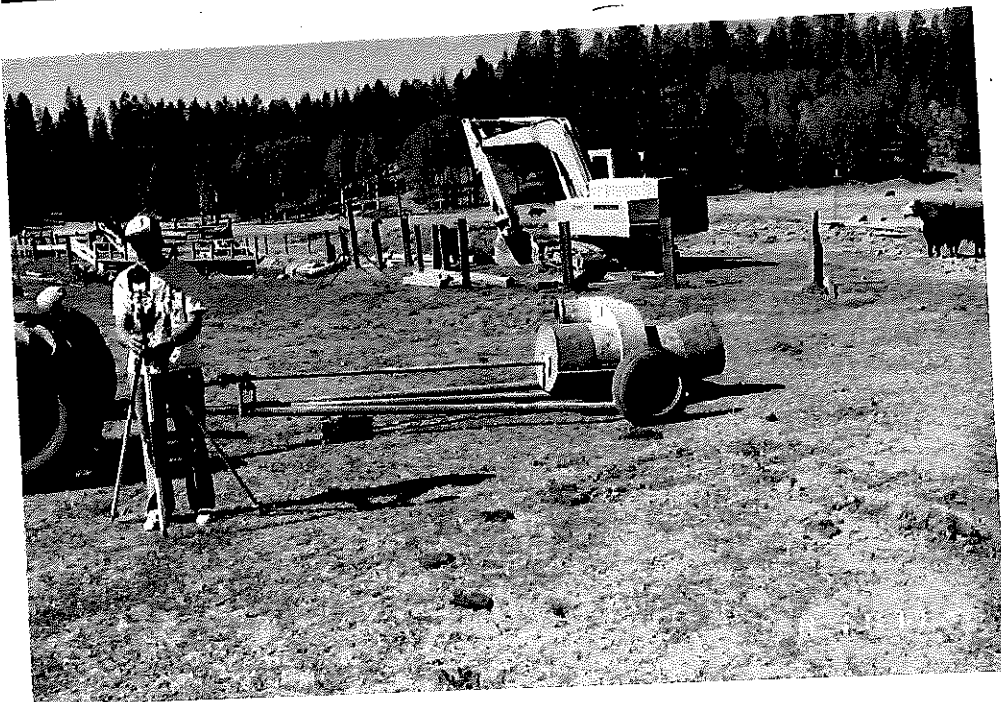
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AUG 23 1995
WATER RESOURCES DEPT.
SALEM, OREGON

NORTHEAST END OF
12" PIPE - DISCHARG



RECEIVED
OCT 04 1994
WATER RESOURCES DEP
SALEM, OREGON

DIVERSION POINT #1
SOUTHWEST END OF
12" PIPE
(WILLIAMSON RIVER)



PORTABLE PUMP



RECEIVED

AUG 28 1993
WATER RESOURCES DIV
SALEM, OREGON

NAME PLATE ON
PORTABLE PUMP

RECEIVED

OCT 04 1994
WATER RESOURCES DIV
SALEM, OREGON



DIVERSION POINT #2
(WILLIAMSON RIVER)



DIVERSION POINT #3
(WILLIAMSON RIVER)



AUG 28 1995
WATER RESOURCES
SALEM, OREGON

DIVERSION POINT #4
(WILLIAMSON RIVER)

RECEIVED

OCT 04 1994

WATER RESOURCES DEPT
SALEM, OREGON



LOOKING WEST FROM
THE CENTER 1/4 COR.
SECTION 24

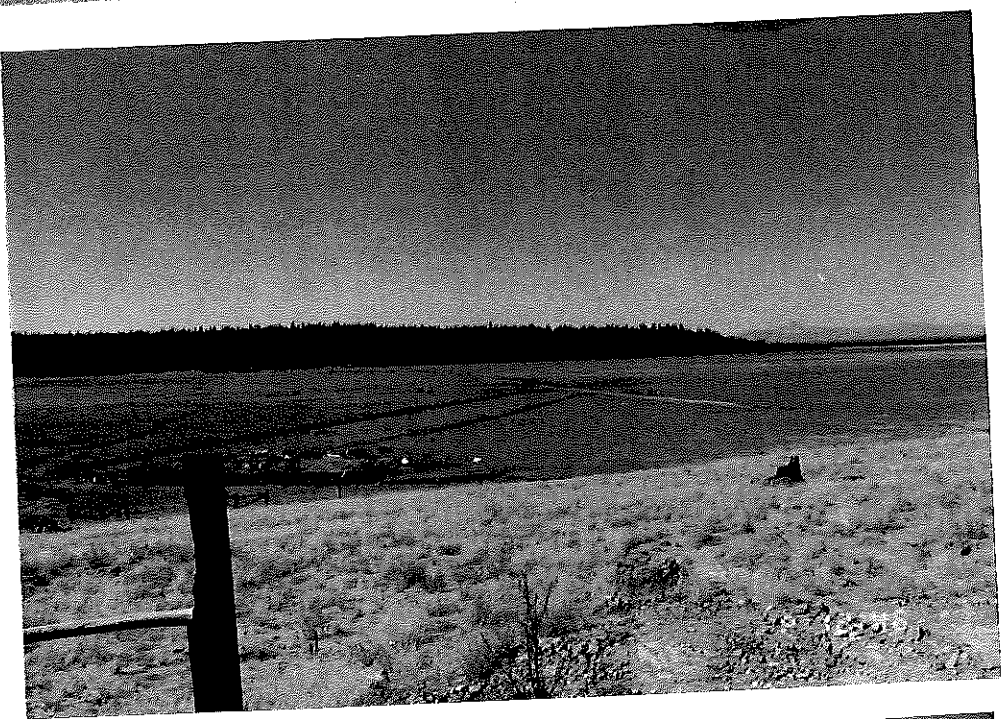


FISH SCREEN IN THE
SW1/4 NW1/4 OF SEC
19

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AUG 28 1995
WATER RESOURCES DEPARTMENT
PANORAMIC VIEW
#1



RECEIVED
OCT 04 1994
WATER RESOURCES DEPT
SALEM, OREGON



PANORAMIC VIEW
#2



PANORAMIC VIEW
#3



PANORAMIC VIEW
#4

RECEIVED

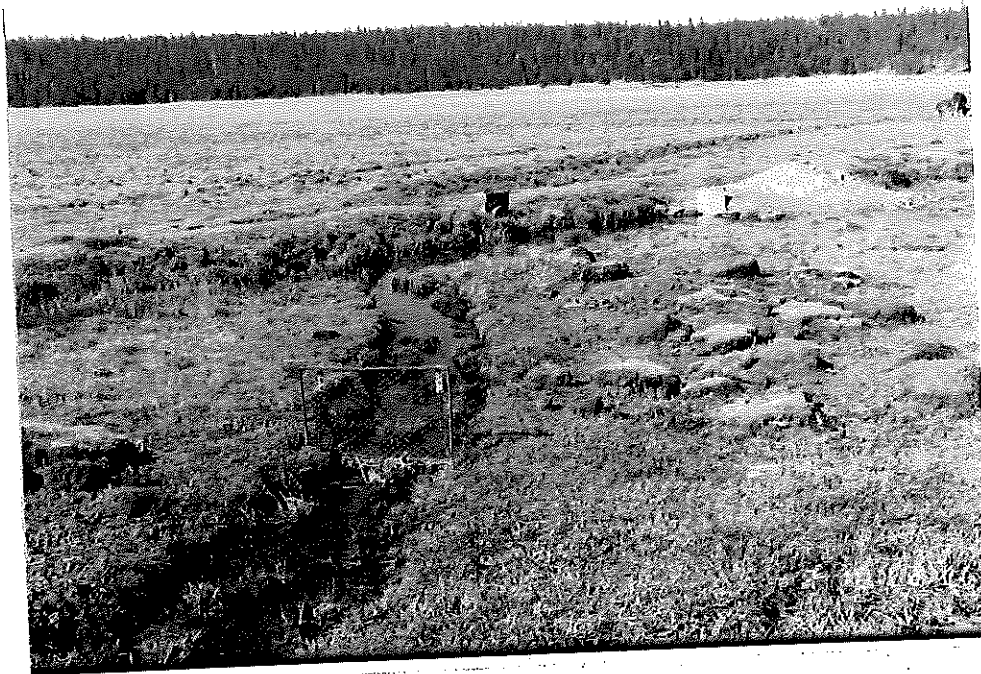
AUG 20 1995

WATER RESOURCES DEPARTMENT
SALEM, OREGON

RECEIVED

OCT 04 1994

WATER RESOURCES DEP
SALEM, OREGON



FISH SCREEN IN THE
NW1/4 SW1/4 OF SEC.
24

2/2/09

775-741-3281

Rick Sanford
69256
50

Sister-in-law

2000 - fence

Wally Watkins - G-W Ranch

Williamson Riv may no longer be
irrigated - check w/ Mr Watkins

2/4/09

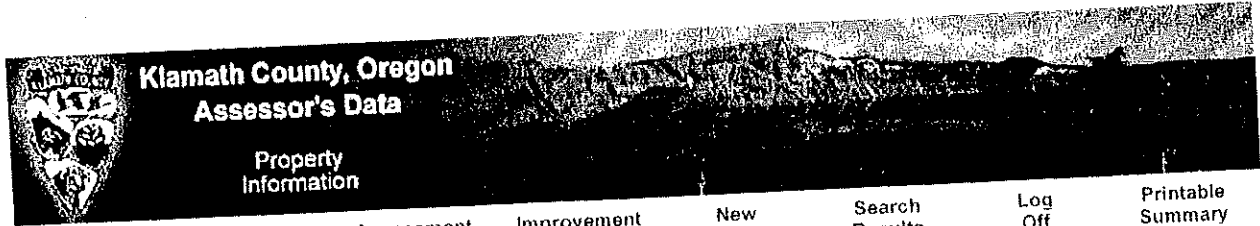
Wally Watkins G-B
to 69'

have letter

need copy of pump letter

541-826-7359

fence done later



- Property Information
- Tax Summary
- Assessment History
- Improvement Information
- New Search
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- Log Off
- Printable Summary

Search Results for R103195

Owner Name
 HUNT JEFFREY G & LYNDA K & SANFORD
 RICHARD & JENNIFER

Property ID Number
 R103195

Owner Address
 760 LAZY HEART LN
 FALLON, NV 89406

Situs Address

Alternate Account Number

Neighborhood
 5J90 - FARM LAND IN THE NORTH END OF
 KLAMATH COUNTY

Map Tax Lot	Previous	Next	Levy Code Area	Tax Rate
R-3010-00000-02300-000			008	7.628

Property Description

Property Class
 550J (FARM USE EFU VACANT)

Property Code

Zoning
 EFU-G

Miscellaneous Code

Linked Accounts

Related Accounts by Map Tax Lot

Mortgage Agent-Lender

Mortgage Account Number
Expiration Date

Exemption

Tax Roll Description
 P.P. 63-07, PARCEL 2, ACRES 217.00, POTENTIAL ADDITIONAL TAX LIABILITY

Year Built

Acreage
 217.00

Split/Sub Account

Split/Sub Account Message

Special Account Information - Last Certified Year (2008)

2008 - (F) FARM USE

Sales Information

	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	HUNT JEFFREY G & LYNDA K & SANFORD RICHARD & JENNIFER 760 LAZY HEART LN FALLON, NV 89406	SANFORD RICHARD & JENNIFER 760 LAZY HEART LN FALLON, NV 89406	\$0	11/07/08 08-015195 05
2	SANFORD RICHARD & JENNIFER 760 LAZY HEART LN FALLON, NV 89406	G BAR-W LAND AND CATTLE CO 890 B CROWFOOT RD EAGLE POINT, OR 97524	03/14/08 \$642,000 17	03/14/08 08-003578 05
3	G BAR-W LAND AND CATTLE CO 890 CROWFOOT RD #B EAGLE POINT, OR 97524	DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD	05/14/93 \$1 6R	05/14/93 M93-35188 05

4	G BAR-W LAND AND CATTLE CO 890 CROWFOOT RD #B EAGLE POINT, OR 97524	KLAMATH FALLS, OR 97603 DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD KLAMATH FALLS, OR 97603	05/14/93 \$1 R15	05/14/93 M93-10944 05
5	DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD KLAMATH FALLS, OR 97603	DENNIS FRANCES 5300 SOUTH ETNA ST KLAMATH FALLS, OR 97603	10/14/91 \$0 UR	10/14/91 M91-25551 01

2009 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
L1	90U550 - 90U550 [FARM USE]	99.42		\$104,990
L2	90U550 - 90U550 [FARM USE]	107.38		\$97,560
L3	90U550 - 90U550 [FARM USE]	10.2		\$6,780
			TOTAL	\$209,330

Permits

#	Permit Number	Type	Issue Date	Appraisor	Check Date	% Complete	Active
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Property Information Tax Summary Assessment History Improvement Information New Search Search Results Log Off Printable Summary

Search Results for R882191

Owner Name G BAR-W LAND AND CATTLE CO	Property ID Number R882191
Owner Address 890 CROWFOOT RD #B EAGLE POINT, OR 97524	Situs Address
Alternate Account Number	Neighborhood 5J90 - FARM LAND IN THE NORTH END OF KLAMATH COUNTY

Map Tax Lot	Previous	Next	Levy Code Area	Tax Rate
R-3010-00000-02301-000			008	7.628

Property Description

Property Class 550J (FARM USE EFU VACANT)	Zoning EFU-G
Property Code	Miscellaneous Code
Related Accounts by Map Tax Lot	Linked Accounts

Mortgage Agent-Lender

Mortgage Account Number

Exemption

Expiration Date

Tax Roll Description

TWP 30 RNGE 10, BLOCK SEC 14,23,24, TRACT PARCEL 2 OF LP#25-96, ACRES 275.00, POTENTIAL ADDITIONAL TAX LIABILITY

Year Built

Acres
275.00

Split/Sub Account

Split/Sub Account Message

Special Account Information - Last Certified Year (2008)

2008 - (F) FARM USE

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
2009 Land Information (Unedited and Uncertified)				
ID	Type		Acres	Sq Ft Market Value
L1	90U550 - 90U550 [FARM USE]		154.23	\$140,130
L2	90U550 - 90U550 [FARM USE]		50.00	\$33,230
L3	90U550 - 90U550 [FARM USE]		70.77	\$8,750
TOTAL				\$182,110

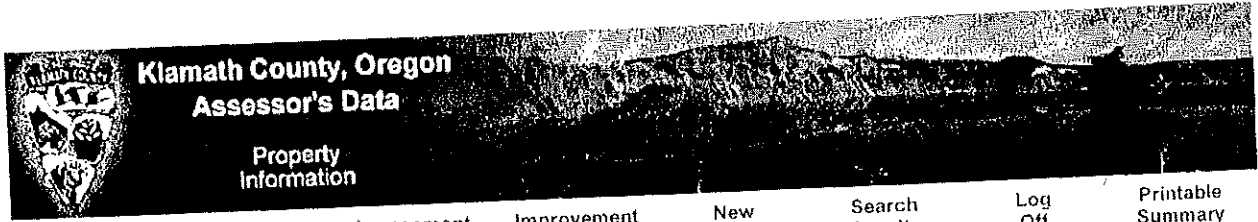
Permits

#	Permit Number	Type	Issue Date	Appraisor	Check Date	% Complete	Active
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Search Results for R883821

Owner Name
 G BAR-W LAND & CATTLE CO & SANFORD
 RICHARD C & JENNIFER L TRUSTEE & RJ
 SANFORD FAMILY TRUST ETAL
 ETAL: HUNT JEFF
 ETAL: HUNT LYNDA

Property ID Number
 R883821

Owner Address
 P O BOX 937
 WADSWORTH, NV 89442

Alternate Account Number

Situs Address

Neighborhood
 5J90 - FARM LAND IN THE NORTH END OF
 KLAMATH COUNTY

Map Tax Lot	<u>Previous</u>	<u>Next</u>	Levy Code Area	Tax Rate
R-3010-00000-02302-000			008	7.628

Property Description

Property Class
 551J (FARM USE EFU IMPROVED)

Property Code

Related Accounts by Map Tax Lot

Zoning
 EFU-G

Miscellaneous Code

Linked Accounts

Mortgage Agent-Lender

Exemption

Mortgage Account Number

Expiration Date

Tax Roll Description
 TWP 30 RNGE 10, BLOCK SEC 13 & 14, TRACT POR PARCEL 1 OF LP# 66-97, ACRES 243.03,
 POTENTIAL ADDITIONAL TAX LIABILITY

Year Built
 1960

Acreage
 243.03

Split/Sub Account

Split/Sub Account Message

Special Account Information - Last Certified Year (2008)

2008 - (F) FARM USE
 2008 - (F) FARM USE

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	G BAR-W LAND & CATTLE CO & SANFORD RICHARD C & JENNIFER L TRUSTEE & RJ SANFORD FAMILY TRUST ETAL P O BOX 937 WADSWORTH, NV 89442	HUNT JEFF & HUNT LYNDA & SANFORD JENNIFER PO BOX 98 SILVER LAKE, OR 97638	\$0	12/19/07 07-021440 03
2	HUNT JEFF &	G BAR-W LAND AND CATTLE	06/30/98	06/30/98

HUNT LYNDA & SANFORD JENNIFER PO BOX 98 SILVER LAKE, OR 97638	CO 890 CROWFOOT RD #B EAGLE POINT, OR 97524.	\$400,000	M98-27738 02
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2009 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
L1	90U551 - 90U551 [FARM USE]	130.00		\$137,290
L2	90U551 - 90U551 [FARM USE]	102.03		\$92,700
L3	90U551 - 90U551 [FARM USE]	10.00		\$6,650
L4	ONS - ONSITE LAND [FARM USE]			\$12,000
L5	HMS - HOMESITE	1.00		\$41,040
			TOTAL	\$289,680

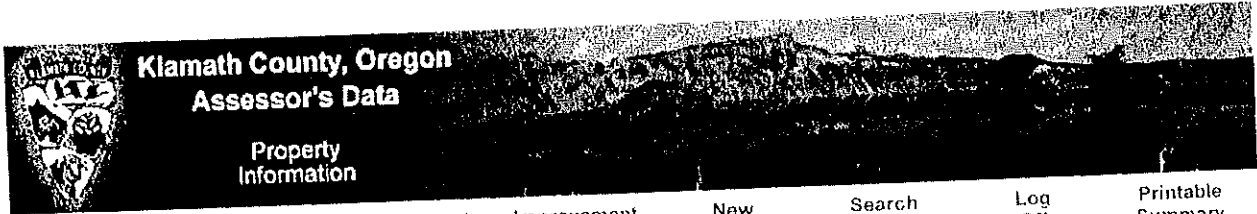
Permits

#	Permit Number	Type	Issue Date	Appraisor	Check Date	% Complete	Active
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- Property Information
- Tax Summary
- Assessment History
- Improvement Information
- New Search
- Search Results
- Log Off
- Printable Summary

Search Results for R894932

Owner Name
G BAR-W LAND AND CATTLE CO
Owner Address
890 B CROWFOOT RD
EAGLE POINT, OR 97524
Alternate Account Number

Property ID Number
R894932
Situs Address

Neighborhood
5J90 - FARM LAND IN THE NORTH END OF
KLAMATH COUNTY

Map Tax Lot	<u>Previous</u>	<u>Next</u>	Levy Code Area	Tax Rate
R-3010-00000-02303-000			008	7.628

Property Description
Property Class
550J (FARM USE EFU VACANT)
Property Code
Related Accounts by Map Tax Lot

Zoning
EFU-G
Miscellaneous Code
Linked Accounts

Mortgage Agent-Lender
Exemption
Mortgage Account Number
Expiration Date

Tax Roll Description
P.P. 63-07, PARCEL 1POR, ACRES 328.12, POTENTIAL ADDITIONAL TAX LIABILITY
Year Built
Acreage
328.12

Split/Sub Account
Split/Sub Account Message

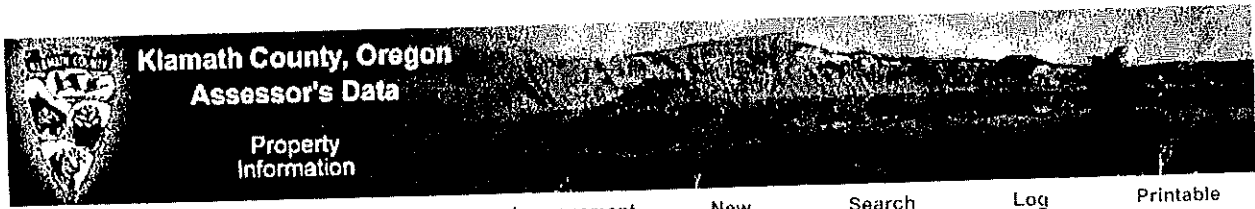
Special Account Information - Last Certified Year (2008)
2008 - (F) FARM USE

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info	
2009 Land Information (Unedited and Uncertified)					
ID	Type		Acres	Sq Ft	Market Value
L1	90U550 - 90U550 [FARM USE]		107.32		\$113,330
L2	90U550 - 90U550 [FARM USE]		120.00		\$109,030
L3	90U550 - 90U550 [FARM USE]		40.80		\$27,110
L4	90U550 - 90U550 [FARM USE]		60.00		\$7,420
				TOTAL	\$256,890

Permits

#	Permit Number	Type	Issue Date	Appraisor	Check Date	% Complete	Active
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 [Tax Summary](#)
 [Assessment History](#)
 [Improvement Information](#)
 [New Search](#)
 [Search Results](#)
 [Log Off](#)
 [Printable Summary](#)

Search Results for R107663

Owner Name	G BAR-W LAND AND CATTLE CO	Property ID Number	R107663
Owner Address	890 B CROWFOOT RD EAGLE POINT, OR 97524	Situs Address	
Alternate Account Number		Neighborhood	5J90 - FARM LAND IN THE NORTH END OF KLAMATH COUNTY
Map Tax Lot	<u>Previous</u> <u>Next</u>	Levy Code Area	008
	R-3011-00000-00600-000	Tax Rate	7.628
Property Description		Zoning	EFU-G
Property Class	551J (FARM USE EFU IMPROVED)	Miscellaneous Code	
Property Code		Linked Accounts	
Related Accounts by Map Tax Lot		Mortgage Account Number	
Mortgage Agent-Lender		Expiration Date	
Exemption			
Tax Roll Description	TWP 30 RNGE 11, BLOCK SEC 19, TRACT POR PAR 3 OF PP# 25-96, ACRES 159.79, POTENTIAL ADDITIONAL TAX LIABILITY		
Year Built		Acreage	159.79
Split/Sub Account		Split/Sub Account Message	
Special Account Information - Last Certified Year (2008)	2008 - (F) FARM USE		

Sales Information

#	Buyer (Name & Address)	Seller (Name & Address)	Sales Info	Deed Info
1	G BAR-W LAND AND CATTLE CO 890 CROWFOOT RD #B EAGLE POINT, OR 97524	DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD KLAMATH FALLS, OR 97603	05/14/93 \$1 6R	05/14/93 M93-35188 05
2	G BAR W LAND & CATTLE CO	CROWN PACIFIC LIMITED PARTNERSHP	04/13/94 \$0	04/13/94 M94-12595 03
3	G BAR-W LAND AND CATTLE CO 890 CROWFOOT RD #B EAGLE POINT, OR 97524	DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD KLAMATH FALLS, OR 97603	05/14/93 \$1 R15	05/14/93 M93-10944 05

4	DENNIS FRANCES M TRUSTEE & DENNIS LOVING TRUST 9777 ARANT RD KLAMATH FALLS, OR 97603	DENNIS FRANCES 5300 SOUTH ETNA ST KLAMATH FALLS, OR 97603	10/14/91 \$0 UR	10/14/91 M91-25551 01
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2009 Land Information (Unedited and Uncertified)

ID	Type	Acres	Sq Ft	Market Value
L1	90U551 - 90U551 [FARM USE]	159.79		\$19,760
			TOTAL	\$19,760

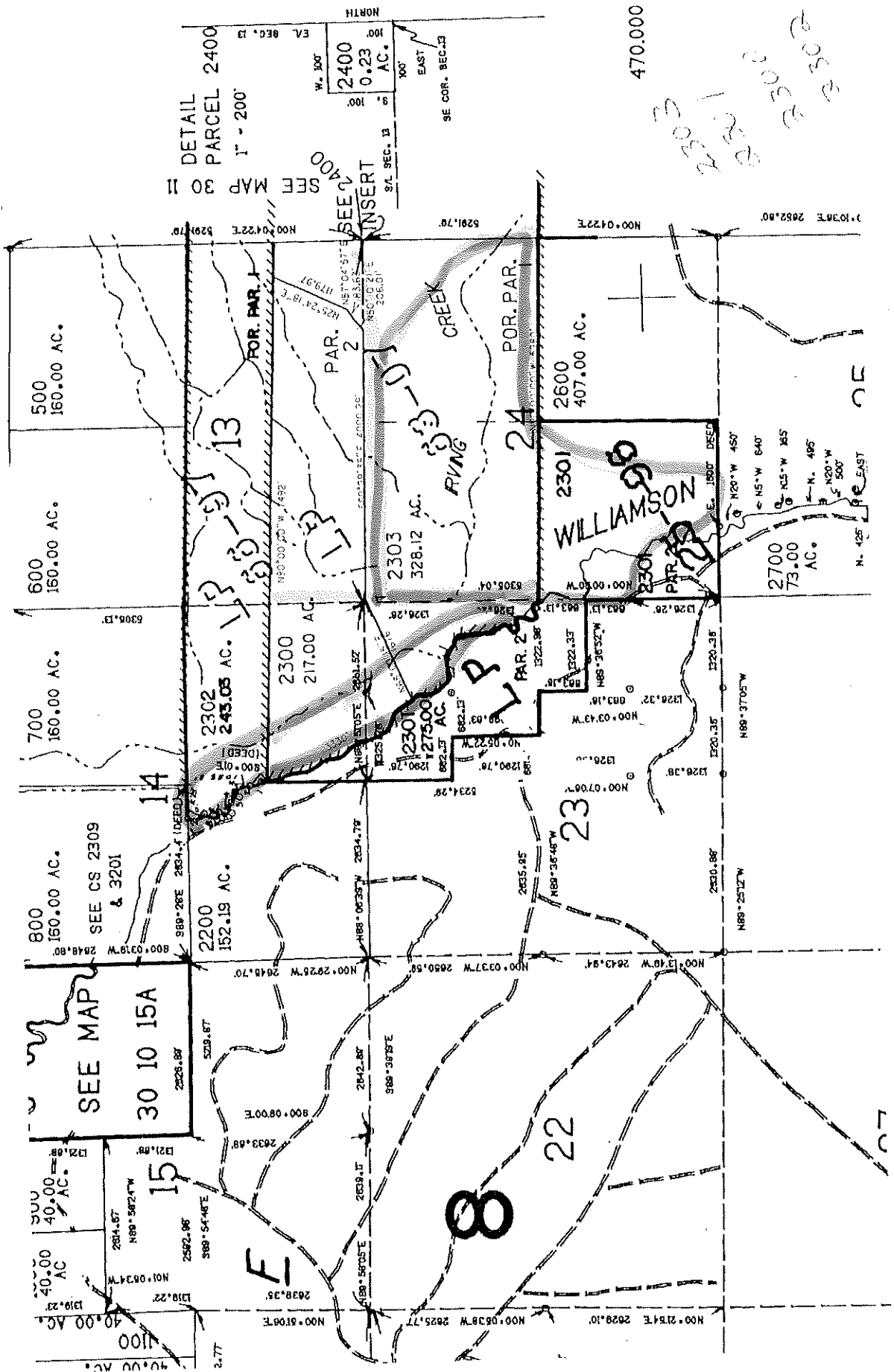
Permits

#	Permit Number	Type	Issue Date	Appraisor	Check Date	% Complete	Active
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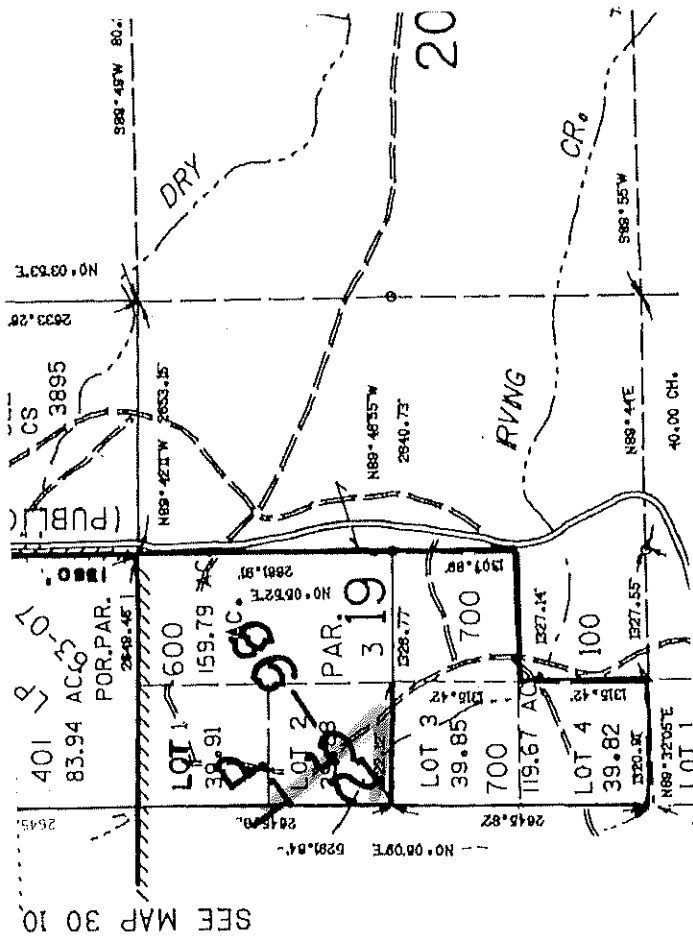
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300 11
 2305-3200
 2305-3200
 2305-3200

T305-R10E



T 305 R11E



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

January 23, 2009

G Bar W Ranch
890 B Crowfoot Rd
Eagle Point, OR 97524

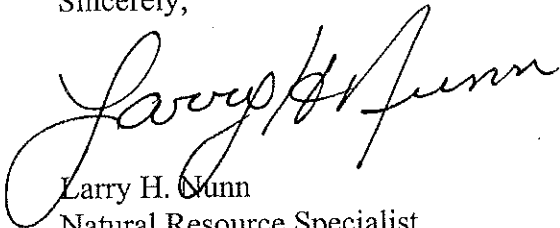
Reference: File 69256, Permit 50262

I sent the enclosed letter to the address of record in the water right permit file. The letter was returned by the post office as undeliverable. I then asked the local Watermaster's office for an address. The local Watermaster's office checked the county assessor records for a current address.

Please provide the requested information or a significant portion of the water permit may not be perfected.

If you have any questions you may call me, between 9:00 am and 2:00 pm, at 503-986-0809.

Sincerely,



Larry H. Nunn
Natural Resource Specialist

MEMORANDUM

TO: Dwight French
FROM: Larry Nunn
SUBJECT: File 69256, Permit 60262

This permit has conditions that resulted from an agreement between the applicant and ODFW. In essence, the applicant agreed to 1) prior to diversion, install fish screens to prevent fish from entering the diversion; 2) prior to diversion, install a fishways to alleviate fish passage problems; and 3) fence the riparian area, exclude livestock for 5 years, and then allow only limited access.

The permit has two sources, Irving Creek and the Williamson River. There is a letter in the file from ODFW approving the Irving Creek facilities, by name.

No mention is made of fish screens the Williamson River facilities by ODFW or in the COBU. The applicant needs to provide approval of the Williamson River facilities by ODFW prior to the C-date. An extension of time may not fix this deficiency.

I would argue that minimum compliance with Condition 3 would require at least the fence be fully constructed and the cattle excluded by the C-date.

There are comments in the Claim of Beneficial Use which indicate the riparian fencing and livestock exclusion have not occurred in accordance with the agreement. The COBU says, "...I found the fence to be mostly in place, however, the electric fence was not activated and the livestock had access to the river bank. John Greb representing the owner said the cattle would be totally removed from the property by October 15, 1994. He also stated the fence would be in place before the cattle return..."

The COBU indicates, at the time of the field inspection in September, 1994, some 3 years after the C-date, the fence is mostly in place and will be completed in the future. The COBU also indicates the cattle had not been excluded from the riparian area.

Completion of the fence and exclusion of cattle from the riparian area could be remedied by an extension of time.

It appears at this point, proof could be made on the Irving Creek portion of the permit, after an extension of time to complete the riparian area fence. However, to include the Williamson River portion of the permit would require a letter from ODFW saying fish screens were approved prior to water being diverted.

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

ASSIGNED

ERNEST DENNIS
C/O DENNIS RANCH
5300 SOUTH ETNA
KLAMATH FALLS, OREGON 97603

G Bar W Land + Cattle Co.
1059 Crews Rd. 503-884-4578
Medford 97504

and NW Farm Credit Svcs ACA
POB 3520
Central Pt. 97502

is hereby issued a permit to use the waters from WILLIAMSON RIVER AND IRVING CREEK, TRIBUTARIES OF KLAMATH LAKE for IRRIGATION OF 560.0 ACRES. The permit to the use of these waters has been issued under Application 69256 with a date of priority of AUGUST 26, 1987. The permit is limited to not more than 14.0 CUBIC FEET PER SECOND, BEING 5.8 CFS FROM WILLIAMSON RIVER AND USE OF 8.2 CFS FROM IRVING CREEK or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

- point 1 SW 1/4 SE 1/4, Section 14, T 30 S, R 10 E, WM;
1120 FEET NORTH & 2530 FEET WEST FROM SE CORNER, SECTION 14.
- point 2 NW 1/4 NE 1/4, Section 23, T 30 S, R 10 E, WM;
690 FEET SOUTH & 1480 FEET WEST FROM NE CORNER, SECTION 23.
- point 3 NE 1/4 NE 1/4, Section 23, T 30 S, R 10 E, WM;
1230 FEET SOUTH & 800 FEET WEST FROM NE CORNER, SECTION 23.
- point 4 SE 1/4 SW 1/4, Section 19, T 30 S, R 11 E, WM;
1090 FEET NORTH & 1520 FEET EAST FROM SW CORNER, SECTION 19.
- point 5 NW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
2300 FEET NORTH & 160 FEET EAST FROM SW CORNER, SECTION 24.
- point 6 NW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1870 FEET NORTH & 630 FEET EAST FROM SW CORNER, SECTION 24.
- point 7 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1130 FEET NORTH & 530 FEET EAST FROM SW CORNER, SECTION 24.
- point 8 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
1020 FEET NORTH & 690 FEET EAST FORM SW CORNER, SECTION 24.
- point 9 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
460 FEET NORTH & 550 FEET EAST FROM SW CORNER, SECTION 24.
- point 10 SW 1/4 SW 1/4, Section 24, T 30 S, R 10 E, WM;
30 FEET NORTH & 580 FEET EAST FROM SW CORNER, SECTION 24.

Application 69256 Water Resources Department Permit 50262

SEE
ADJ FILE
202

1492
LANDS NOT CLAIMED IN #202
ARE NOT TO BE IRRIGATED UNTIL ODFW
TERMS MET

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

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The places of use are as follows:

ACRES 1/41/4 SECTION TOWNSHIP RANGE, WM

Williamson River:

primary	8.00	NE SW	14	30 S	10 E
primary	7.90	NW SE	14	30 S	10 E
primary	27.20	SW SE	14	30 S	10 E
primary	1.30	SE SE	14	30 S	10 E
primary	22.00	NE NE	23	30 S	10 E
primary	7.60	NW NE	23	30 S	10 E
primary	33.00	NE SW	24	30 S	10 E
primary	39.30	NW SW	24	30 S	10 E
primary	35.70	SW SW	24	30 S	10 E
primary	40.00	SE SW	24	30 S	10 E

Irving Creek:

primary	14.80	SW NW	19	30 S	11 E
primary	13.20	SE NE	23	30 S	10 E
primary	13.00	NE NE	24	30 S	10 E
primary	40.00	NW NE	24	30 S	10 E
primary	40.00	SW NE	24	30 S	10 E
primary	40.00	SE NE	24	30 S	10 E
primary	40.00	NE NW	24	30 S	10 E
primary	40.00	NW NW	24	30 S	10 E
primary	40.00	SW NW	24	30 S	10 E
primary	40.00	SE NW	24	30 S	10 E
primary	7.00	NE SW	24	30 S	10 E

Total: 560.00 acres.

Actual construction work shall begin on or before August 29, 1989, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

The permit was reviewed and considered by the Water Resources Commission on April 1, 1988.

The permit is further conditioned to reflect the agreement between the Department of Fish and Wildlife (Department) and Ernest Dennis (Applicant) entered into on May 26, 1988. The Agreement in its entirety is incorporated into this permit by reference. It is quoted in part below.

Obligations of the Applicant:

1. Prior to any diversion of water, the applicant shall furnish, install, and maintain a screen (s) to prevent fish from entering the diversion intake (s). The screen (s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required screen(s) the Applicant shall prepare for approval of the Department, design drawings of the screen (s) and a written plan for installing and maintaining the screen (s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the screen (s) will be attached hereto as Exhibit B and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.
2. Prior to any diversion of water, the applicant shall furnish, install, and maintain a fishway (s) at any diversion structure (s) that may interfere with the upstream passage of fish. The fishway (s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required fishway(s) the Applicant shall prepare for approval of the Department, design drawings of the fishway (s) and a written plan for installing and maintaining the fishway (s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the fishway (s) will be attached hereto as Exhibit C and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.
3. The applicant shall fence the east side of the Williamson River along the entire length of Parcels 1, 2, and 3, described in the application, to control livestock use in the riparian area. Said fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five (5) years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Obligations of Oregon Department of Fish and Wildlife:

The Department agrees to accept the Applicant's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against possible adverse effects of the diversion; and therefore further agrees not to protest approval of the Application 69256 by the Oregon Water Resources Department.

General Provisions:

1. This agreement shall remain in effect as long as the said diversion exists on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Department Application 69256 for permit to appropriate surface water and it shall be binding upon and insure to the benefit of the parties and their respective heirs, administrators, executors, successor, and assigns.

End of summary

Failure of the Applicant to comply with the agreement herein referenced may result in regulation of the diversion by the watermaster. Judgements regarding compliance shall be the responsibility of the Oregon Department of Fish and Wildlife.

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued this date, August 29, 1988.

Water Resources Department
William H. Young
Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

November 12, 2003

Northwest Farm Credit Services, FLCA
P.O. Box 3520
Central Point, Oregon 97502

Reference: Application S-69256, Permit S-50262

The assignment from G Bar W Land and Cattle Co. to G Bar W Land and Cattle Co. and Northwest Farm Credit Services, FLCA., has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 64175 covering the recording fee of \$25.00 is also enclosed.

Sincerely

Jerry Sauter
Water Rights Program Analyst

Enclosure: receipt 64175

cc: Watermaster 17
G Bar W Land and Cattle Co.
Data Center, OWRD
Mary Rohling
File

RECEIVED

NOV 06 2003

REQUEST FOR ASSIGNMENT

WATER RESOURCES DEPT
SALEM OREGON

I, (permit holder, applicant) G Bar W Land and Cattle Co.
1059 Crews Road Medford, OR 97501 (541) 773-5309
(mailing address) (City, State, Zip) (Phone)

CHECK ONE

- hereby assign all my interest in and to application/permit;
- hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);
- hereby assign a portion of my interest in and to the entire application/permit;

Application #69256, Permit #50262;

OR GR Statement # _____, GR Certificate of Registration # _____ as
filed in the office of the Water Resources Director. TO:

G Bar W Land and Cattle Co. and Northwest Farm Credit Services, FLCA (541) 665-6100
(name of new owner) (phone #)

P.O. Box 3520 Central Point, OR 97502
(address) (city, state, zip)

(Note: If there are other owners of the property described in this Application, Permit of Certificate or Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 29th day of October, 2003.

G BAR W LAND AND CATTLE CO.
 applicant/permit holder Wallace W. Watkins
 Wallace W. Watkins, President
 applicant/permit holder Brenda C. Watkins
 Brenda C. Watkins, Secretary

PLEASE DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
 - Fee receipt # 64175
 - For Director by Jerry Sawyer, Program Analyst in Water Rights Division [Signature]

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

[Signature] 11/6/03
[Signature] 11/2/03

AUG 23 1995

WATER RESOURCES DEPT.
SALEM, OREGON

WATER
RESOURCES
DEPARTMENT

June 15, 1995

G-W LAND AND CATTLE CO
1058 CREWS ROAD
MEDFORD, OREGON 97501

REFERENCE: File 69256

During our review of the claim and map for Permit 50262, the following problems were noted:

You need to include in the site report the system capacity or actual measurement of the amount of water diverted from Irving Creek for irrigation. You state in your report that the flow is less than 1 cfs. We need to know the measured maximum rate of use or system capacity so we can determine the amount to allow from that source on the final certificate.

We are returning the claim. You are responsible for correcting the above discrepancies. Please submit the corrected claim within ninety (90) days.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,

Dallas S. Miller

DALLAS S. MILLER
Water Rights Specialist

DSM:

CC: ERWIN RITTER

Tru-Line went up there twice to check flo - Cost \$550⁰⁰

As per your request

D. Matthews
J. Bar-w.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Owners
Erwin R. Ritter, L. S. W. R. E.
Dennis A. Ensor, L. S. W. R. E.

TRU (SURVEYING) LINE

TELEPHONE (503) 884-3691
2333 SUMMERS LANE • KLAMATH FALLS, OREGON 97603

AUGUST 10, 1995

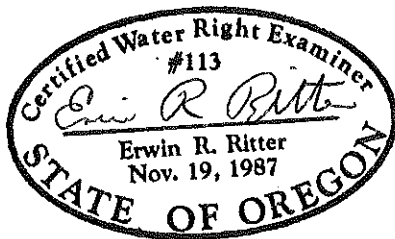
AUG 15 1995
WATER RESOURCES DEPT.
SALEM, OREGON

DALLAS S. MILLER WRS
WATER RESOURCES DEPT.
158 12th STREET NE
SALEM, OR 97310-0210

REFERENCE: FILE 69256 LETTER DATED 6/15/95

ON AUGUST 9, 1995 I CONDUCTED FLOW TESTS ON THE WATER BEING DIVERTED FROM IRVING CREEK AS REQUIRED BY THE ABOVE REFERENCED LETTER.

THE MAXIMUM FLOW WAS DETERMINED TO BE 1.91 CFS IN THE DITCH IMMEDIATELY DOWN STREAM FROM THE FISH SCREEN IN THE SW1/4 OF THE NW1/4 OF SECTION 19, T30S, R11EWM, AS SHOWN ON THE FINAL PROOF MAP



Erwin R. Ritter
ERWIN R. RITTER CWRE 113

8-17-95 #69256

G-W work & LATTUE
LEFT phone message - I need
ORIGINAL C.A.B.W. REPORT -
RECEIVED RITTER, CWRE,
FLOW MEASUREMENTS.
WJR

ENCLOSURES: FLOW COMPUTA

cc: G BAR W

1
 1G BAR W RANCH 2
 8/9/95

RECEIVED
 AUG 15 1995
 WATER RESOURCES DIVISION
 SALEM, OREGON

METER NUMBER 610639 PGMY
 V= .978 *R+ .017 V= 10 *R+ 10
 MEAN

STA.	DIST.	WIDTH	DEPTH	REV.	TIME	VELOCITY	VELOCITY	ANGLE	CORR. VELOCITY	AREA	DISCH.
1	.2	0.40	0.00	0	0	0.000	0.000		0.000	0.00	0.00
2	1	0.90	0.30	35	20	1.728	1.730		1.730	0.27	0.47
3	2	0.90	0.50	40	20	1.973	1.970		1.970	0.45	0.89
4	2.8	0.90	0.35	35	20	1.728	1.730		1.730	0.32	0.55
5	3.8	0.50	0.00	0	0	0.000	0.000		0.000	0.00	0.00

DISCHARGE 1.91
 AREA 1.04
 WIDTH 3.60
 MEAN VEL. 1.84
 NUMBER OF SECTIONS 5

Application No. 69256
Permit No. 50262

T 30 S., R. 10 & 11 E., W.M.

PARCEL #



1.

PROPOSED PERMIT IRRIGATION FROM WATERS OF WILLIAMSON RIVER. PUMPING LOCATIONS AS SHOWN ON MAP. WATER PUMPED INTO 12" MINIMUM DIAMETER PIPE OF 50 FT. TO 600 FT. IN LENGTH AND DISCHARGES INTO DITCH FOR FLOOD IRRIGATION. TOTAL: 84 ACRES.



2.

PROPOSED PERMIT IRRIGATION FROM WATERS OF IRVING CREEK. EXISTING DITCH SHOWN ON MAP. TOTAL: 328 ACRES.



3.

PROPOSED PERMIT IRRIGATION FROM WATERS OF WILLIAMSON RIVER. PUMPING LOCATIONS AS SHOWN ON MAP. WATER PUMPED INTO 12" MINIMUM DIAMETER PIPE OF 50 FT. TO 600 FT. IN LENGTH AND DISCHARGES INTO DITCH FOR FLOOD IRRIGATION. TOTAL: 148 ACRES.

TOTAL ACREAGE IN PERMIT APPLICATION: 560 ACRES.

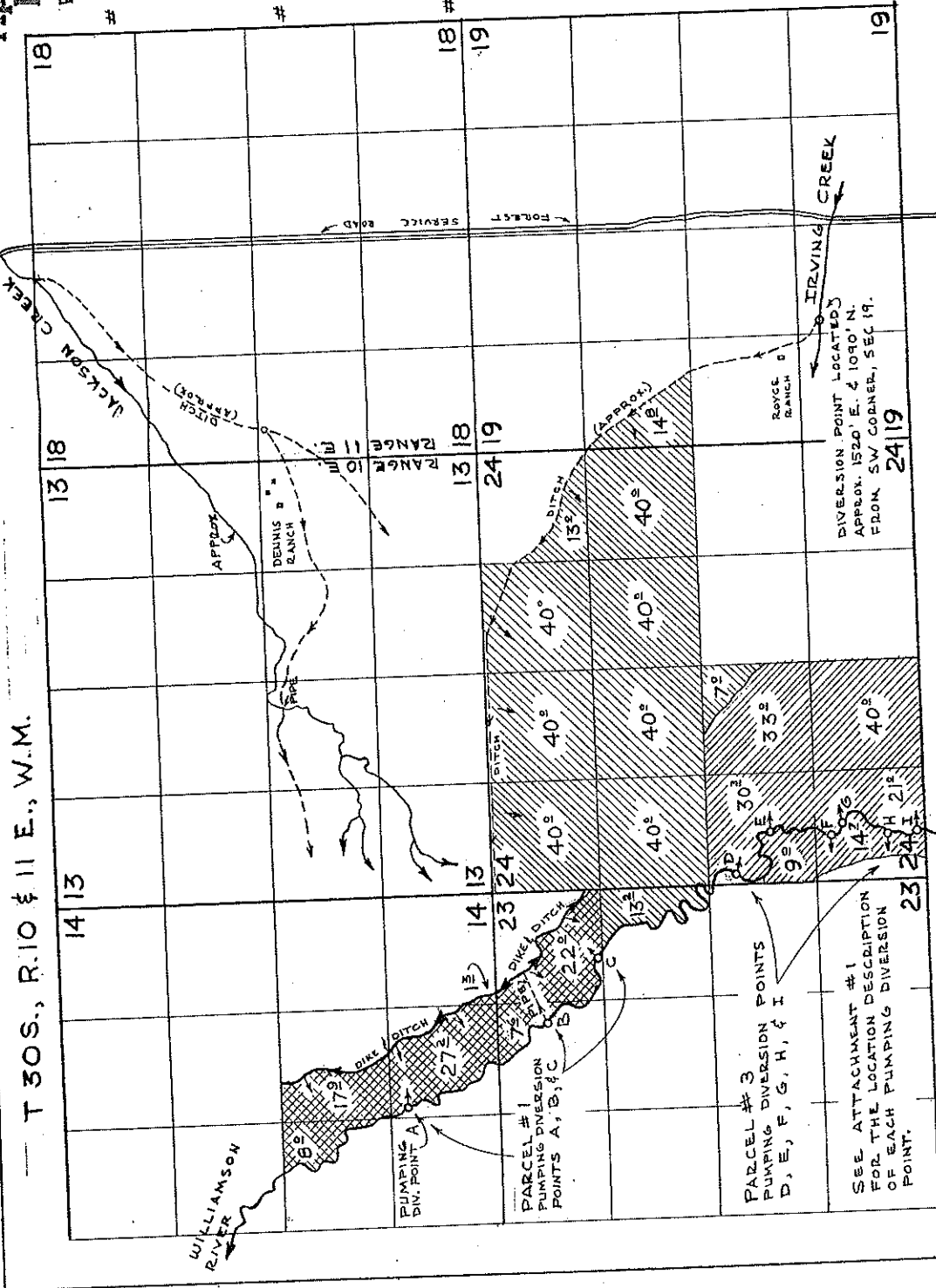
PERMIT APPLICATION
IN THE NAME OF

ERNEST DENNIS & DENNIS RANCH

5300 SOUTH ETNA

KLAMATH FALLS, OR 97603

NOTE:
LOCATIONS OF EACH PUMPING DIVERSION POINT ARE DESCRIBED ON ATTACHMENT # 1



MAP OF PROPOSED APPROPRIATION OF SURFACE WATER
FOR IRRIGATION PURPOSES

SCALE: 1" = 1320 FT. 4" = 1 MILE

RECEIVED
JAN 01 1988
WATER RESOURCES DEPT.
SOUTH OREGON

DIVERSION POINT LOCATED APPROX. 1520' E. & 1090' N. FROM SW CORNER, SEC 19.

SEE ATTACHMENT #1 FOR THE LOCATION DESCRIPTION OF EACH PUMPING DIVERSION POINT.

June 15, 1995

G-W LAND AND CATTLE CO
1058 CREWS ROAD
MEDFORD, OREGON 97501

REFERENCE: File 69256

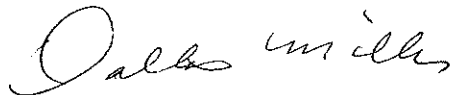
During our review of the claim and map for Permit 50262, the following problems were noted:

You need to include in the site report the system capacity or actual measurement of the amount of water diverted from Irving Creek for irrigation. You state in your report that the flow is less than 1 cfs. We need to know the measured maximum rate of use or system capacity so we can determine the amount to allow from that source on the final certificate.

We are returning the claim. You are responsible for correcting the above discrepancies. Please submit the corrected claim within ninety (90) days.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,



DALLAS S. MILLER
Water Rights Specialist

DSM:

CC: ERWIN RITTER



Commerce Building
158 12th Street NE
Salem, OR 97310-0
(503) 378-3739
FAX (503) 378-8130

December 2, 1994

ERWIN RITTER, CWRE
2333 SUMMERS LANE
KLAMATH FALLS OR 97603

REFERENCE: File 69256

On OCTOBER 4, 1994, we received the Claim of Beneficial Use and map you submitted for Permit 50262 in the name of G BAR W LAND AND CATTLE CO. AND NW FARM CREDIT SERVICES ACA. On SEPTEMBER 29, 1994, we received your FAX letting us know that this claim was forthcoming.

If you have any questions, please call the Water Rights Section at 378-3739.

Sincerely,



DALLAS S. MILLER
Water Rights Specialist



DSM:tcb

cc: G BAR W LAND AND CATTLE CO.
1059 CREWS ROAD
MEDFORD, OR 97701

NW FARM CREDIT SERVICES ACA
PO BOX 3520
CENTRAL POINT, OR 97502



Commerce Building
158 12th Street NE
Salem, OR 97310-0
(503) 378-3739
FAX (503) 378-8130

69256

P01

PHONE NO. :

FROM :

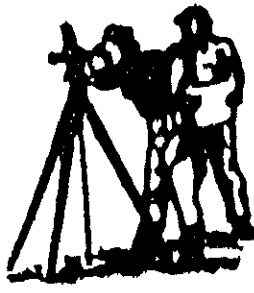
OWNERS
ERWIN R. RITTER L.S., WRE
DENNIS A. ENSOR L.S., WRE

RECEIVED

SEP 29 1994

WATER RESOURCES DEPT
SALEM, OREGON

TRU SURVEYING LINE



2333 Summers Lane
Klamath Falls, Ore. 97603
Phone (503) 884-3691

FACSIMILE TRANSMITTAL FORM

DATE 9-29-94 TIME 4:00 P.M.

TO TOM SNOOK *Water Rights* FAX 378-8130

FROM ERWIN RITTER PHONE 884-3691

FAX 884-3691

NUMBER OF PAGES (INCLUDING THIS SHEET) 11

APPLICATION #60256 PERMIT #60262
SEPTEMBER 1994

INFORMATION: G - W LAND AND CATTLE CO.
1059 CREWS ROAD
MEDFORD, OR. 97501

SOURCE (S): WILLIAMSON RIVER AND IRVING CREEK, TRIBUTARIES OF
KLAMATH LAKE.

LIFT: APPROXIMATELY 10 FEET

MOTOR (S): 60 HP DIESEL TRACTOR

RECEIVED
SEP 29 1994

SOURCES DEPT.
MCM, OBRISON

PUMP (S): CRISAFULLI CENTRIFUGAL PORTABLE PUMP
12" DISCHARGE FOR WILLIAMSON RIVER WATER

FLOW: IRVING CREEK - ESTIMATED FLOW AT TIME OF REPORT LESS
THAN 1 CFS.
WILLIAMSON RIVER - PORTABLE PUMP 60HP TRACTOR WITH
10 FOOT LIFT AND 30 FOOT HEAD LOSS FOR 600 FEET 12"
PIPE. 3400 GPM (7.59 CFS) AS PER MANUFACTURERS PUMP
CURVE.

SYSTEM: THE IRVING CREEK CLAIM CONSISTS OF A CONTOUR DITCH
FROM THE DIVERSION POINT ALONG THE NORTHEASTERLY
LINE OF THE CLAIM. MOST OF THE AREA IN THE IRVING
CREEK CLAIM HAS BEEN IRRIGATED NATURALLY AS IRVING
CREEK HAS NO CHANNEL TO THE WILLIAMSON RIVER.
THE WILLIAMSON RIVER CLAIM CONSISTS OF THE PORTABLE

FROM :

PHONE NO. :

SEP 29 1994
WAGNER JURCHEN
CIVIL ENGINEER

WILLIAMSON RIVER

- SURVEY TIE: DIVERSION POINT # 1 SOUTH 610 FEET AND WEST 1550 FEET FROM THE NE CORNER OF SECTION 23, T30S, R10EWM.
- DIVERSION POINT # 2 NORTH 1925 FEET AND EAST 30 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.
- DIVERSION POINT # 3 NORTH 1820 FEET AND EAST 750 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.
- DIVERSION POINT # 4 NORTH 695 FEET AND EAST 895 FEET FROM THE SW CORNER OF SECTION 24, T30S, R10EWM.

IRVING CREEK

- DIVERSION POINT NORTH 10 FEET AND WEST 60 FEET FROM THE SW 1/16 CORNER OF SECTION 19, T30S, R11EWM.

THE SURVEY TIES FOR DIVERSION POINTS 1 THRU 4 WERE MADE USING A WILD TC1010. THE IRVING CREEK DIVERSION POINT WAS PACED IN FROM THE FOUND MONUMENT.

REMARKS:

APPLICATION 69256 WAS SUBMITTED BY ERNEST DENNIS WITH A PRIORITY DATE OF AUGUST 26, 1987. PART OF THIS PERMIT ALSO HAS A PENDING ADJUDICATION CLAIM TO USE OF WATER OF THE KLAMATH RIVER AND ITS TRIBUTARIES.

THE APPLICANT ENTERED INTO AN AGREEMENT TO PERFORM CERTAIN OBLIGATIONS WITH THE DEPARTMENT OF FISH AND WILDLIFE. THESE OBLIGATIONS WERE INCORPORATED INTO THE PERMIT. ITEMS 1 & 2 HAVE BEEN MET, SEE ATTACHED LETTER FROM JOHN FORTUNE DISTRICT GAME BIOLOGIST. ITEM 3, CONCERNING FENCING OF RIPARIAN AREA, I FOUND THE FENCE TO BE MOSTLY IN PLACE, HOWEVER, THE ELECTRIC FENCE WAS NOT ACTIVATED AND THE LIVESTOCK HAD ACCESS TO THE RIVER BANK. JOHN GREB REPRESENTING THE OWNER SAID THE CATTLE WOULD BE TOTALLY REMOVED FROM THE PROPERTY BY OCTOBER 15, 1994. HE ALSO STATED THE FENCE WOULD BE IN PLACE BEFORE THE CATTLE RETURN AS THE NEW OWNERS WERE VERY CONCERNED TO PROTECT THE RIPARIAN AREA AND HOPE TO DEVELOP THE FISHERY POTENTIAL OF THE RIVER.

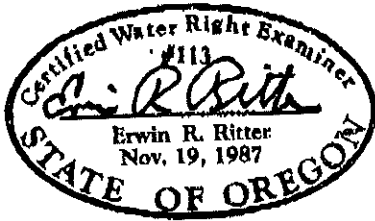
FROM :

PHONE NO. :

RECEIVED
SEP 29 1994
WATER RESOURCES DIV.
STATE OF OREGON

THE FINAL PROOF SURVEY AND INSPECTION OF THE USE AS FOUND TO BE COMPLETED UNDER THE TERMS AND CONDITIONS OF PERMIT 50262 WAS COMPLETED BY ME ON SEPTEMBER 22, 1994, AND THE FACTS CONTAINED IN THIS REPORT AND ACCOMPANYING FINAL PROOF MAP ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

Erwin R. Ritter
CERTIFIED WATER RIGHTS EXAMINER



I, John H. Greb, AGREE TO THE FINDINGS OF THE C.W.R.E. AND DO SUBMIT THIS SITE REPORT AND MAP AS MY CLAIM OF BENEFICIAL USE OF THE WATER AS PROVIDED UNDER THE TERMS AND CONDITIONS OF MY PERMIT 50262.

John H. Greb, President
OWNER

SEE ATTACHED PHOTOS.

FROM :

PHONE NO. :

P04

FINAL PROOF SURVEY

UNDER

PERMIT #69256 PERMIT #50262

SITUATED IN THE NE1/4 SW1/4 AND SE1/4 OF SECTION 14, THE NE1/4 OF SECTION 23, THE N1/2 AND SW1/4 OF SECTION 24, T30S, R10EWM, AND THE SW1/4 NW1/4 OF SECTION 19, T30S, R10EWM, KLAMATH COUNTY, OREGON

SEPTEMBER 1994

SCALE 1" = 1320'

MAP PREPARED FOR
-- G-W LAND & CATTLE Co. --

MAP PREPARED FROM
-- R.O.S. - 3083 --
-- AERIAL PHOTO --
-- FIELD SURVEY --

LOCATION OF DIVERSION POINTS BY FIELD SURVEY

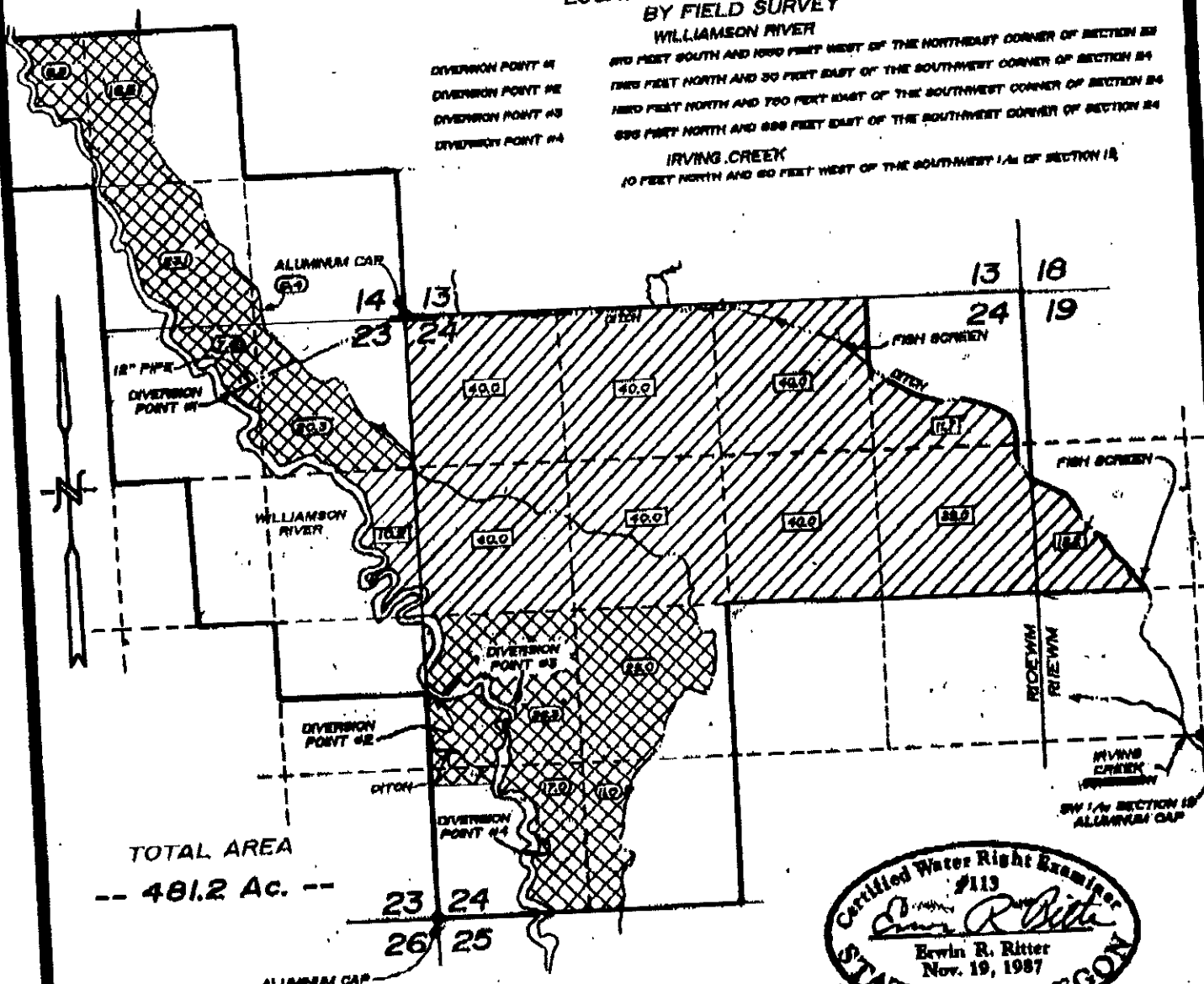
WILLIAMSON RIVER

- DIVERSION POINT #1
- DIVERSION POINT #2
- DIVERSION POINT #3
- DIVERSION POINT #4

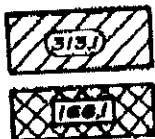
- 870 FEET SOUTH AND 1000 FEET WEST OF THE NORTHEAST CORNER OF SECTION 23
- 1780 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
- 1890 FEET NORTH AND 700 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24
- 890 FEET NORTH AND 880 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 24

IRVING CREEK

- 10 FEET NORTH AND 80 FEET WEST OF THE SOUTHWEST 1/4 OF SECTION 19



TOTAL AREA
-- 481.2 Ac. --



LANDS IRRIGATED BY IRVING CREEK WATERS

LANDS IRRIGATED BY WILLIAMSON RIVER WATERS



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

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

FROM :

PHONE NO. :

P05

Oregon



DEPARTMENT OF
FISH AND
WILDLIFE

Klamath District Office

September 27, 1994

RECEIVED
SEP 29 1994
WATER RESOURCES DEPT.
EST. 1966

Oregon Department of Water Resources
Commerce Building
158 12th St., NE
Salem, OR 97310-0210

Attn: A. Reed Marbeit - Tom Shook

Re: Permit 50262

Dear sirs:

I have inspected the screening devices installed by the G-W Land and Cattle Co. on their diversion from Irving Cr. Those devices are functional and adequate to meet ODFW standards. If you have questions, please give me a call at 883-5732.

Sincerely,

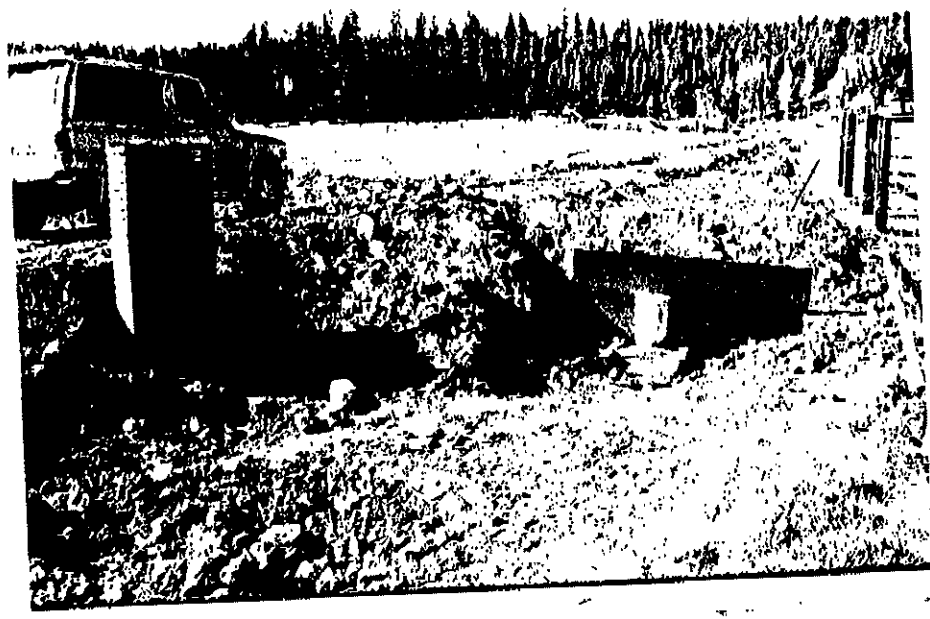
John D. Fortune Jr.
District Fish Biologist



1400 Miller Island Rd
Klamath Falls, OR 97603
(503) 883-5732

FROM :

PHONE NO. :



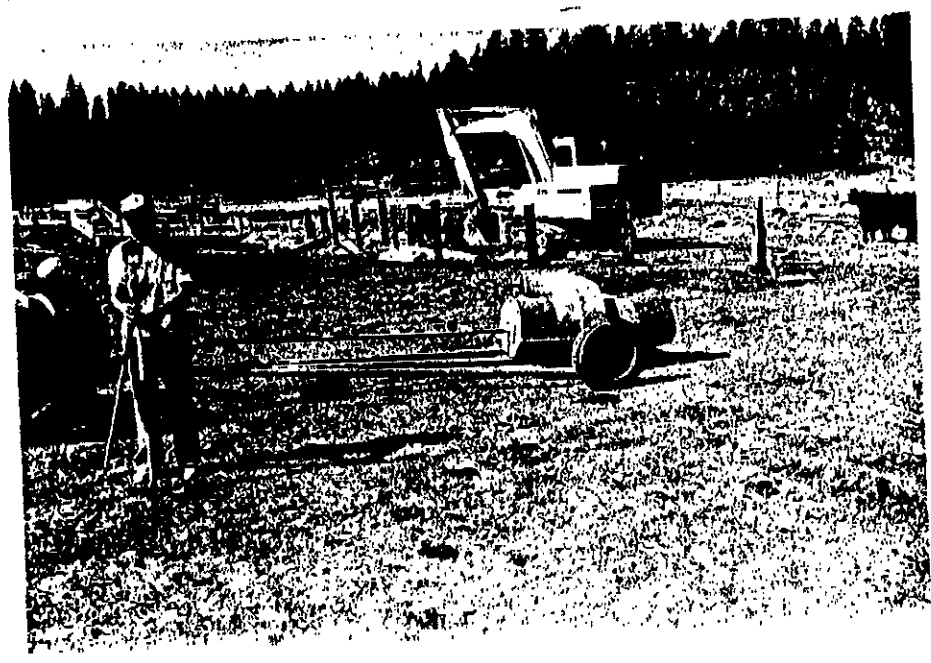
SEP 29 1994

WATER RESOURCES
DIVISION

NORTHEAST END OF
12" PIPE - DISCHARGE



DIVERSION POINT #1
SOUTHWEST END OF
12" PIPE
(WILLIAMSON RIVER)



PORTABLE PUMP

FROM :

PHONE NO. :

P07



RECORDED

SEP 29 1994

WATER RESOURCES DIVISION
SOUTH DAKOTA

NAME PLATE ON
PORTABLE PUMP



DIVERSION POINT #2
(WILLIAMSON RIVER)



DIVERSION POINT #3
(WILLIAMSON RIVER)

FROM :

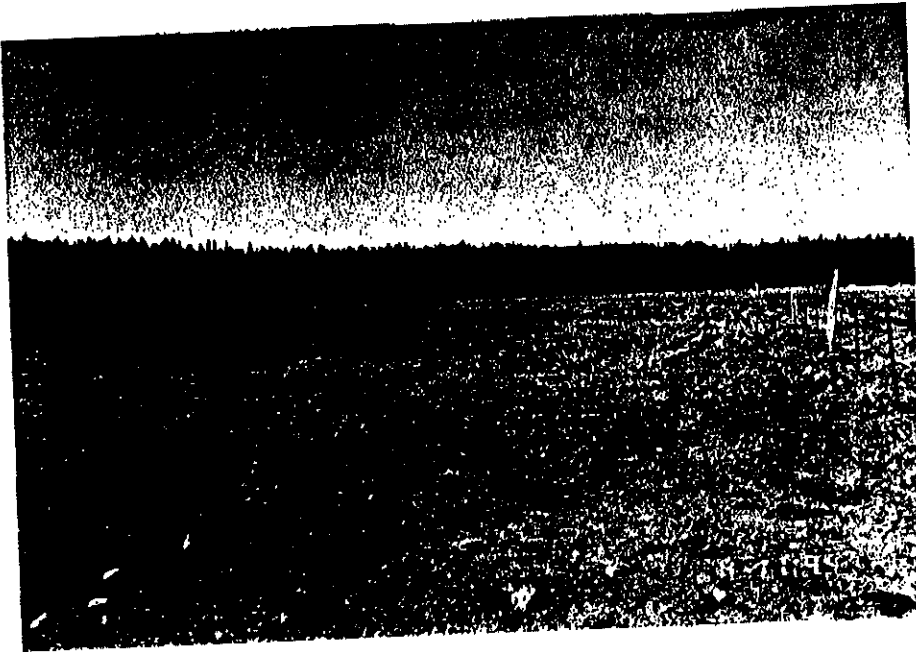
PHONE NO. :

11/20/94

SEP 29 1994

WATER RESOURCES CENTER
STATE, OREGON

DIVERSION POINT #4
(WILLIAMSON RIVER)



LOOKING WEST FROM
THE CENTER 1/4 COR
SECTION 24



FISH SCREEN IN THE
SW1/4 NW1/4 OF SE
19

FROM :

PHONE NO. :

P09



SEP 29 1994

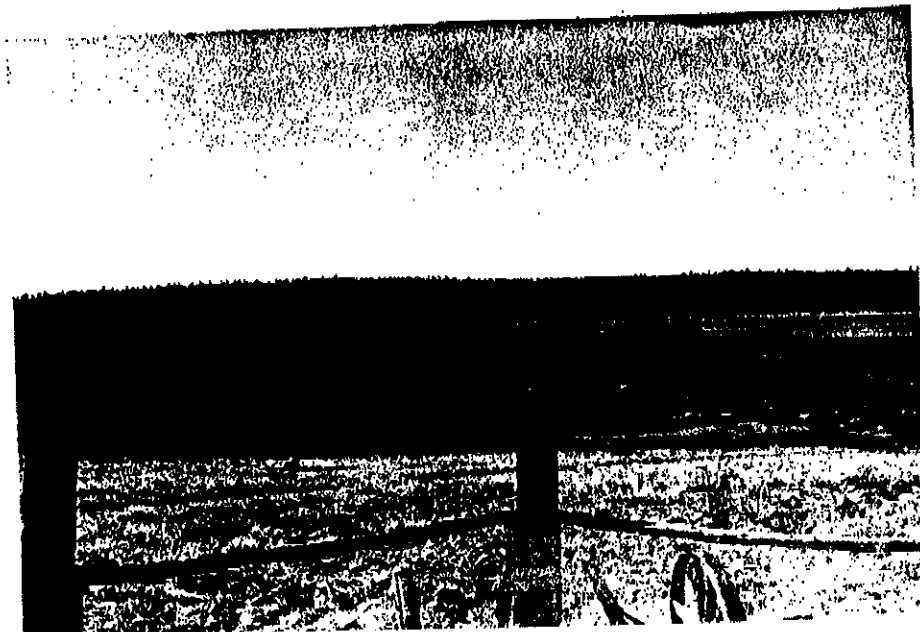
SEP 29 1994

WATER RES. DIV. (LARGE)
CITY OF DENVER

PANORAMIC VIEW
#1



PANORAMIC VIEW
#2

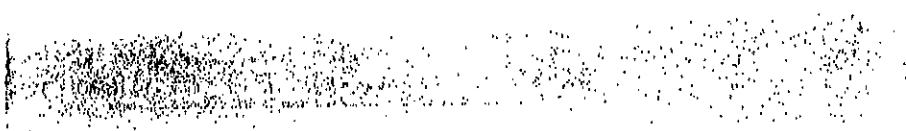


PANORAMIC VIEW
#3

FROM :

PHONE NO. :

P10



PANORAMIC VIEW
#4



Waterbury
SEP 29 1994
WATER RESOURCES DEPT.
SALT LAKE CITY, UTAH



FISH SCREEN IN THE
NW1/4 SW1/4 OF SEC.
24

69256

Oregon

RECEIVED

SEP 28 1994

WATER RESOURCES DEPT
SALEM, OREGON

DEPARTMENT OF
FISH AND
WILDLIFE



Klamath District Office

September 27, 1994

Oregon Department of Water Resources
Commerce Building
158 12th St., NE
Salem, OR 97310-0210

Attn: A. Reed Marbeit - Tom Shook

Re: Permit 50262

Dear sirs:

I have inspected the screening devices installed by the G-W Land and Cattle Co. on their diversion from Irving Cr. Those devices are functional and adequate to meet ODFW standards. If you have questions, please give me a call at 883-5732.

Sincerely,

John D. Fortune Jr.
District Fish Biologist



1400 Miller Island Rd
Klamath Falls, OR 97603
(503) 883-5732

G-W LAND & CATTLE CO.

RANCH
(503)783-3113
CELLULAR
(503)821-1234

ROAD #49 OFF
SILVER LAKE HWY
BUS. OFFICE - 1059 CREWS ROAD
MEDFORD, OR. 97501

OFFICE
(503)773-5309
FAX
(503)770-9426

September 19, 1994

RECEIVED

SEP 21 1994

Oregon Water Resources
Commerce Building
158 12th St. N.E.
Salem, Or. 97310-0210

WATER RESOURCES DEPT.
SALEM, OREGON

Attn: A. Reed Marbeit - Tom Shook

Re: Permit 50262 - Letter of August 3, 1994

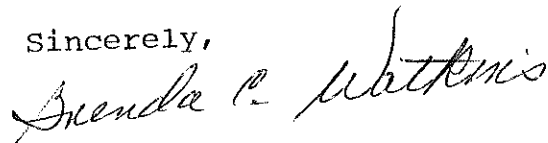
Gentlemen:

We are having Tru-Line Surveying do the "Site Report and Map" of the Developed Use. They are on your list of Certified Water Examiners. They have already inspected the site and will do further work on Friday, September 23rd and will see to it the final papers will be in your office by October 1, 1994.

Additionally, we have made arrangements with the Oregon Fish and Wildlife to inspect and approve our three fish screens on Irving Creek to finalize that portion of the permit as soon as they have a copy of Tru-Line's Inspection Maps on September 26th.

Please send whatever request for Issuance of a Water Permit form that is required to us as soon as possible.

Sincerely,



Brenda C. Watkins
Secretary/Treasurer

CC: Tru-Line Surveying
John Fortune, Oregon Fish & Wildlife
David Gilstrap - Davis, Gilstrap, Harris, Hearn & Welty

August 3, 1994

NORTHWEST FARM CREDIT SERVICES ACA
PO BOX 3520
CENTRAL POINT OR 97502

REFERENCE: File 69256

This letter is in regard to your water use Permit 50262. As we pointed out G Bar W Land & Cattle Company in our letter of October 21, 1993, your claim of beneficial use must be received in this office by October 1, 1994.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Right Examiner. A request from the permittee for issuance of a certificate of water right must accompany the claim.

You are hereby notified that unless your claim is received on or before October 1, 1994, your permit will be cancelled without further notice.

If you have questions, please contact Tom Shook, Water Resources Department, at 1-800-624-3199 or 1-503-378-3739.

Sincerely,

A. REED MARBUT
Water Rights/Adjudication Division

ARM/dpc

cc: Watermaster
CWRE
G Bar W Land and Cattle Company

CERTIFIED - RETURN RECEIPT REQUESTED



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

May 25, 1994

NORTHWEST FARM CREDIT SERVICES ACA
PO BOX 3520,
CENTRAL POINT OR 97502

REFERENCE: File 69256

The assignment of Permit 50262 from G Bar W Land and Cattle Company to you and G Bar W Land and Cattle Company has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 112312 covering the recording fee of \$10 you submitted.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

cc: G Bar W Land and Cattle Company



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

G-W LAND & CATTLE CO.

OFFICE - 1059 CREWS ROAD
MEDFORD, OR. 97501
PHONE (503) 773-5309
FAX (503) 770-9426

RECEIVED

NOV 18 1993

WATER RESOURCES DEPT.
SALEM, OREGON

CELLULAR NOS. (503) 821-1234 & 821-0686

November 15, 1993

Oregon Water Resources Department
3850 Portland Rd., N.E.
Salem, Or. 97310

REFERENCE: File 69256


In reply to your letter of October 21, 1993.

Paragraph One. We have done everything we can do to complete this water use permit #50262. And it was done prior to October 1, 1993. See our recent letter.

Paragraph Two - We have completed and hereby give you notice of complete application of water. If there is a form for this Notice of Complete Application of Water, please forward.

Paragraph Three - We will have Gary Kaiser, Kaiser Surveying, Eagle Point, a certified water right examiner, do the final proof. It will be done prior to October 1, 1994 and the map and claim for beneficial use will be done also by October 1, 1994.

Sincerely,


Brenda C. Watkins
Secretary/Treasurer

G-W LAND & CATTLE CO.

OFFICE - 1059 CREWS ROAD
MEDFORD, OR. 97501
PHONE (503) 773-5309
FAX (503)770-9426

RECEIVED

AUG 30 1993

WATER RESOURCES DEPT
SALEM, OREGON

CELLULAR NOS. (503) 821-1234 & 821-0686

August 26, 1993

Mr. John Fortune
Oregon Fish and Wildlife
Klamath District Office
1400 Miller Island Rd. W.
Klamath Falls, Or. 97601

Dear John:


Re: G Bar W Ranch Williamson
River (former Dennis)

Pursuant to our phone conversation this date we have completed all the requirements we can do.

We have never been advised by Fish and Wildlife of the screen design necessary for Item No. 2 Irving Creek, however, it would not make any difference as the adjoining property owner, Ray Royse, will not give the consent necessary for us to construct anything on his property. He and his father, according to him, planted what trout are in the creek when he was ten years old, some sixty years ago. He feels that anything necessary can be done on our property or at the line and need be only a culvert with a simple rotary screen.

We are not going to ask for any extension for Water Permit No. 50262 expiring 10/1/93 as we have done everything physically possible to complete the requirements. We do plan however to work with John Fortune to further enhance the upper Williamson fishery including working with the Soil and Water Conservation District to continue the GWEB project on our Ranch and have discussed this with Jennifer Hughes, Klamath SWCD Manager. We are, by copy of the letter to Tom Shook, Oregon Water Resources Dept requesting complete application of water as per Water Permit No. 50262 Ref. 69256.

Sincerely,


Wallace W. Watkins

cc: Tom Shook, Oregon Water Resources, 3850 Portland Rd., NE
Salem, Or. 97310
Jennifer Hughes, SWCD Manager, 2544 Patterson Suite 2,
Klamath Falls, Or. 97603
Ray Royse, 539 Girard Circle, Medford, Or. 97501

June 3, 1993

G BAR W LAND AND CATTLE COMPANY
1059 CREWS ROAD
MEDFORD OR 97701

REFERENCE: File 69256

The assignment of Permit 50262 from Ernest Dennis to you has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original is enclosed along with our receipt number 100572 covering the recording fee of \$10 you submitted.

Sincerely,

THOMAS E. SHOOK
Water Rights Specialist

TES:jh

Enclosure

cc: Ernest Dennis



May 24, 1993

ERNEST DENNIS
5300 SOUTH ETNA
KLAMATH FALLS, OR 97603

REFERENCE FILE: 69256

Thank you for your letter dated May 19, 1993.

A \$10 assignment recording fee is required. Upon receipt of the fee, our records will be changed accordingly.

We will record your letter as the basis for changing records.

Sincerely,

Thomas E. Shook
Water Right Specialist



December 3, 1991

Ernest Dennis
Dennis Ranch
5300 South Etna
Klamath Falls OR 97603

REFERENCE: File 69256

We received your application for extension of the time limits to complete construction and make complete application of water under Permit 50262. We also have your check for \$100 for which our receipt number 81470 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. Therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1992.

If you have any questions, please contact the Water Rights Section at 378-3739.

TES:jh

Enclosure



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Ernest Dennis, c/o Dennis Ranch
Name

5300 South Etna
Mailing Address

Klamath Falls, Oregon 97603
City State Zip

record owner of water permit No. 50262, do hereby request that the time in which to:
 complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19 , be extended to October 1, 19 ; and/or the time in which to
 accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1991, be extended to October 1, 1992.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year SEE ATTACHMENT # 1

(2) prior to this past year SEE ATTACHMENT # 2

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) We have completed full irrigation coverage of Parcel # 1, 84 acres; we have completed full irrigation coverage of Parcel # 2, 328 acres.

We have completed partial irrigation coverage of parcel # 3, 120 acres due to (contin on Attach. :
(If additional space is required, attach separate sheet)

Ernest Dennis c/o Dennis Ranch
(If signing for a corporation please identify your title)

Dated Nov. 29, 1991

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

12-2-91
\$10000
81470

OK
66-10-1-92
9/6

File No. 69256
Dennis Ranch

Attachment # 1
to Application for Extension of Time

(1) Within the past year:

Following receipt of final approval from Department of Fish and Wildlife (dated Nov. 29, 1990), arranged for fabrication of the screens for the Crisafulli pump per approved specifications from Dept. of Fish and Wildlife. The fabrication of the screens was completed and installed at a cost of \$1,450.00.

Used the Crisafulli pump with the approved screens to pump irrigation water from the Williamson River per permit no. 50262, and accomplished flood irrigation.

Continued in cooperative contact with the Dept. of Fish and Wildlife regarding the issue of screen installation at the diversion point on Irving Creek. This diversion point is on adjoining private property and this adjoining property owner also uses Irving Creek water from this diversion point for irrigation purposes. It has been clarified with the Dept. of Fish and Wildlife that the construction of this screen must be with prior consent and approval of this adjoining property owner. The screen design must also accommodate to the irrigation needs of this adjoining property owner.

Fish and Wildlife reports that a screen design is in the process of being granted final approval which would be suitable for this proposed installation.

Fish and Wildlife has arranged a site visit in early 1992 and it is planned that the approval for a screen design for this diversion point will take place following that site visit, providing that the adjoining property owner is also agreeable to this installation at the diversion point on his property.

Dave Nichols, Staff Biologist and Fish Passage Specialist with the Dept. of Fish and Wildlife can provide verification of our on-going cooperation and compliance with the Fish and Wildlife stipulations in the Permit and that discussions are continuing on the remaining portion of this project. If this verification is needed, Mr. Nichols can be contacted at the following location:

Dave Nichols
Department of Fish and Wildlife
Habitat Conservation Division
Telephone: 229-5410, extension 443

5300 South Etna
Klamath Falls, OR 97603
October 1, 1991

Water Resources Department
Application Permit Section
Attn: Ralph H. Jackson
3850 Portland Road N.E.
Salem, OR 97310

REFERENCE: File 69256

Dear Mr. Jackson:

Due to the unusual frequency of summer rains on the property during the 1991 irrigation season, we did not complete the irrigation and, therefore, did not complete the application of water on the land under this permit. The permit called for complete application of the water on or before October 1, 1991.

I request a one year extension, to October 1, 1992, for filing the NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE. I anticipate that we will be able to completely apply the water, in flood irrigation of the land under this permit, during the 1992 irrigation season.

Thank you for your attention to this request.

Very truly yours,



Ernest Dennis
c/o Dennis Ranch



Department of Fish and Wildlife

2501 SW FIRST AVENUE, PO BOX 59, PORTLAND, OREGON 97207 PHONE (503) 229-5400

November 29, 1990

RECEIVED

DEC 3 1990

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Ernie Dennis
Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

Dear Mr. Dennis:

Re: Water Right Permit 50262, Application Number 69256,
Dennis Ranch, Williamson River (5.8cfs), and Irving
Creek (8.2 cfs).

This letter approves your fish screening plans submitted to us in your letter of September 25, 1990. The Oregon Department of Fish and Wildlife (ODFW) approves your Williamson River diversion only plans with the following exceptions:

Your design drawings do not show sufficient detail where the drive shaft comes through the face of the fish screen. Please make certain the space between the drive shaft and the screen does not exceed 1/4 inch. Using a rubber collar or seal at this location is an adequate alternative.

We understand parcel number 2 will be irrigated using Irving Creek water. Irving Creek contains brook trout and therefore also requires fish a fish screening device. Accordingly, prior additional and separate ODFW approval for the design, installation and maintenance of fish screening devices is required prior to the appropriation of any Irving Creek water.

You should contact and coordinate with our staff biologist, Dave Nichols to obtain these screening requirements.

Sincerely,

Greg Robart
Staff Biologist
Aquatic Habitats Program
Habitat Conservation Division

c Water Resources Department - Permits Section - Applegate
District 17 - Sparks *Ernie*

Application No. 69256

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for Permit to Appropriate Surface Water

AUG 26 1987

ASSIGNED
 I, Ernest Dennis c/o Dennis Ranch 6 Bar W Land + Cattle Co
1059 1/2 Crews Rd, Medford, OR 97501 ph. 773-5309 WATER RESOURCES DEPARTMENT
 SALEM, OREGON

of 5300 South Etna Klamath Falls
 (Mailing Address) (City)
 State of Oregon 97603 Phone No. 884-4578 do hereby
 (Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is (Parcel #1) Williamson River, (Parcel #2) Irving Creek, (Parcel #3) Williamson River, a tributary of Klamath Lake

Parcel #1) Williamson River points of diversion for pumping, see Attachment #1 for locations.

2. The point of diversion is to be located ft. (N. or S.) and ft. (E. or W.)

Parcel #1 points of diversion are located within: SW 1/4 SE 1/4, Section 14, NW 1/4 NE 1/4 Sec. 23 and NE 1/4 NE 1/4 Sec. 23, all within T. 30 S., R. 10 E., W.M., in the county of Klamath.
 (If there is more than one point of diversion, each must be described)

Parcel #2) Irving Creek point of diversion is located 1090 ft. N. and 1520 ft. E. from the S.W. corner of Section 19, T. 30 S., R. 11 E., W.M. being within the SE 1/4 of the SW 1/4 of Sec. 19, T. 30 S., R. 11 E., W.M., in the county of Klamath.

Parcel #3) Williamson River points of diversion for pumping on both sides of the Williamson River, see Attachment #1 for locations, being within the SW 1/4 & NW 1/4 of the S.W. 1/4 of Sec. 24 T. 30 S., R. 10 E., W.M., in the county of Klamath.
 (N. or S.) (E. or W.)

3. Location of area to be irrigated; or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
Parcel #1) From Williamson River:				
30 S.	10 E.	23	NE 1/4 of NE 1/4	22.0 acres
30 S.	10 E.	23	NW 1/4 of NE 1/4	7.6 acres
30 S.	10 E.	14	SE 1/4 of SE 1/4	1.3 acres
30 S.	10 E.	14	SW 1/4 of SE 1/4	27.2 acres (Parcel #1
30 S.	10 E.	14	NW 1/4 of SE 1/4	17.9 acres Williamson River
30 S.	10 E.	14	NE 1/4 of SW 1/4	8.0 acres Total 84 acres)
Parcel #2) From Irving Creek:				
30 S.	10 E.	24	NW 1/4 of NW 1/4	40.0 acres
30 S.	10 E.	24	SW 1/4 of NW 1/4	40.0 acres
30 S.	10 E.	24	NE 1/4 of NW 1/4	40.0 acres
30 S.	10 E.	24	SE 1/4 of NW 1/4	40.0 acres
30 S.	10 E.	24	NW 1/4 of NE 1/4	40.0 acres
30 S.	10 E.	24	SW 1/4 of NE 1/4	40.0 acres
30 S.	10 E.	24	NE 1/4 of NE 1/4	13.0 acres
30 S.	10 E.	24	SE 1/4 of NE 1/4	40.0 acres
30 S.	10 E.	24	NE 1/4 of SW 1/4	7.0 acres (Parcel # 2
30 S.	10 E.	23	SE 1/4 of NE 1/4	13.2 acres Irving Creek
30 S.	11 E.	19	SW 1/4 of NW 1/4	14.8 acres Total 328 acres)
Parcel #3) From Williamson River:				
30 S.	10 E.	24	SW 1/4 of SW 1/4	35.7 acres
30 S.	10 E.	24	NW 1/4 of SW 1/4	39.3 acres (Parcel #3
30 S.	10 E.	24	NE 1/4 of SW 1/4	33.0 acres Williamson River
30 S.	10 E.	24	SE 1/4 of SW 1/4	40.0 acres Total 148 acres)

Form 690

5760

4. The amount of water which the applicant intends to apply to beneficial use is (Parcel #1) 2.1 cubic feet per second from Williamson River, (Parcel #2) 8.2 cubic feet per second from Irving Creek and (Parcel #3) 3.7 cubic feet per second from the Williamson River. (If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is irrigation.

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Parcel #1) Irrigation from the Williamson River: Water pumped from river through 12" diameter intake pipe into 12" min. dia. pipe of 50 ft. to 600 feet in length and discharges into ditch for flood irrigation. Size, type and capacity of pump to be determined. See Attachment #1 for locations of pumping diversion points.

Parcel #2) Irrigation from Irving Creek: Water diverted from Irving Creek by existing earthen dam and flows through existing ditch into system of smaller ditches for flood irrigation. The need for additional ditches, size and length, to be determined.

Parcel #3) Irrigation from Williamson River: Water pumped from river through existing portable, custom-built propeller pump with 12" diameter intake pipe. Pump powered by power take-off on tractor. Water pumped into 12" min. dia. discharge pipe of 50 feet to 600 feet in length into ditch for flood irrigation. Size, length and location of ditch to be determined. See Attachment #1 for locations of pumping diversion points. Tractor rated at 50 H.P.

If for domestic use state number of families to be supplied

7. Construction work will begin on or before August 20, 1988

8. Construction work will be completed on or before August 20, 1989

9. The water will be completely applied to the proposed use on or before August 20, 1990

Application No. 69256

Permit No.

RECEIVED

Remarks: Parcel #1 and parcel #2 (as shown on the attached map) are presently being irrigated and have a claim under the Adjudication. This is a precautionary filing and is not a waiver of any water rights for which application may have been made.

See Attachment #2 for the names and mailing addresses of the legal owners of the properties involved in this application.

Dennis Ranch
Ernest Dennis, part owner

Ernest Dennis
Signature of Applicant

August 24, 1987

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before January 27, 1988

WITNESS my hand this 27 day of November, 1987

William H. Young Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash
Water Rights Specialist

RECEIVED

JAN 21 1988

WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

26th day of August, 1987, at 8 o'clock

A.M.

Application No. 69256

Permit No.

Application No. 69256

Permit No.

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same **SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD** and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 14.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Irving Creek and Williamson River tributaries of Klamath Lake

The use to which this water is to be applied is irrigation, being use of 8.2 cfs from Irving Creek for irrigation of 238.0 acres and use of 5.8 cfs from Williamson River for irrigation of 232.0 acres

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated 3

and is subject to the terms and conditions of the agreement entered into 26th day of May, 1988, between the State of Oregon - Department of Fish and Wildlife and Ernest Dennis, a copy of which is on file in the records of the Water Resources Director.

Application 69256 was reviewed and considered by the W-R-C on April 1, 1988

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is August 26, 1987

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

Water Resources Director

RECEIVED

JAN 21 1988

ATTACHMENT # 1

Application for Permit to Appropriate Surface Water

WATER CONTROL DIVISION
File Number 69256
Dennis Ranch

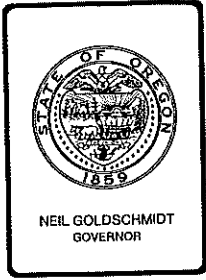
LOCATION DESCRIPTION OF EACH PUMPING DIVERSION POINT NOTED ON MAP

Parcel #1

- Point A: Located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T. 30 S., R. 10 E., W.M. 1120 feet North and 2530 feet West from the S.E. corner of Section 14.
- Point B: Located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T. 30 S., R. 10 E., W.M. 690 feet South and 1480 feet West from the N.E. corner of Section 23.
- Point C: Located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T. 30 S., R. 10 E., W.M. 1230 feet South and 800 feet West from the N.E. corner of Section 23.

Parcel #3

- Point D: Located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 2300 feet North and 160 feet East from the S.W. corner of Section 24.
- Point E: Located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 1870 feet North and 630 feet East from the S.W. corner of Section 24.
- Point F: Located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 1130 feet North and 530 feet East from the S.W. corner of Section 24.
- Point G: Located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 1020 feet North and 690 feet East from the S.W. corner of Section 24.
- Point H: Located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 460 feet North and 550 feet East from the S.W. corner of Section 24.
- Point I: Located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T. 30 S., R. 10 E., W.M. 30 feet North and 580 feet East from the S.W. corner of Section 24.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310
September 13, 1988

PHONE 378-3066

Ernest Dennis
c/o Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

REFERENCE: File 69256

ENCLOSED: Permit 50262

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Your permit has been recorded in this office, but you should hold the original permit as evidence of your water right. If the land is sold, an assignment to the new owner must be recorded in this office. Assignment blanks will be furnished upon request.

The permit fixes time limits for beginning of construction, completion of construction and complete application of water to beneficial use. The law requires that you begin actual construction within one year from the date of issuance of the permit or your right will be lost. The Water Resources Director is authorized to extend the time for completion of construction and for complete application of water upon proper showing, but has no authority to extend the time limit for beginning of construction.

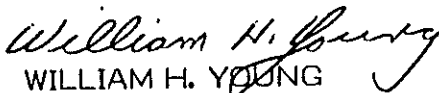
Forms A, B and C may be attached for submitting (A) Notice of Beginning of Construction, (B) Notice of Completion of Construction and (C) Notice of Complete Application of Water. If your application has stated that construction has already been started, or that construction work is completed, or that complete application of water has been made, only the required forms will be attached.

If your project will require only a portable pumping plant and pipelines, the acquisition of such equipment will be considered construction.

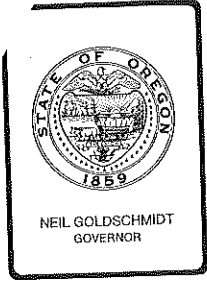
When complete application of water has been made, Form C should be submitted as the first step in proof of appropriation. When proof satisfactory to the Water Resources Director has been made, the right will be confirmed by issuance of a certificate. The certificate will limit the right to the extent that water has been applied to beneficial use in accordance with the terms of the permit.

The late summer flow in nearly all streams is required to satisfy existing rights. Your permit grants a right to use water only when there is a surplus in the source involved over and above that required to satisfy prior rights.

Sincerely,


WILLIAM H. YOUNG
Director

WHY:wpc
enclosures
0032B/2



RECEIVED

Department of Fish and Wildlife

AUG -4 1988

506 SW MILL STREET, P.O. BOX 59, PORTLAND, OREGON 97207 WATER RESOURCES DEPT,
SALEM, OREGON

August 3, 1988

Jake Szramek
Water Resources Department
3850 Portland Rd. N.E.
Salem, OR 97310

RE: Water Right Application 69256, Dennis Ranch, Williamson
River

Dear Jake:

Enclosed is a condition to subject water right application agreed upon by ODFW and Ernest Dennis for your records.

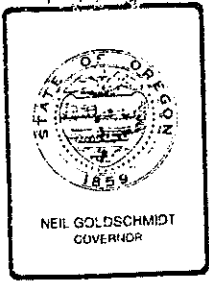
Please forward me a copy of the Dennis Ranch water right permit which refers to this agreement.

Thanks for your help in negotiating this agreement.

Sincerely,

G. P. Robart
Staff Biologist
Aquatic Habitats Program
Habitat Conservation Division

grb
enclosure



Department of Fish and Wildlife

506 SW MILL STREET, P.O. BOX 59, PORTLAND, OREGON 97207

RECEIVED

AUG -4 1988

WATER RESOURCES DEPT.
SALEM, OREGON

AGREEMENT

Application No. ⁶⁹²⁵⁶ Water Resources Application No. 69256
Permit No. 50262 Ernest Dennis, Applicant

This agreement is entered into this 26th day of May, 1988, between the State of Oregon, by and through its DEPARTMENT OF FISH AND WILDLIFE, hereinafter called the "Department," and ERNEST DENNIS, c/o Dennis Ranch, 5300 South Etna, Klamath Falls, Oregon, 97603, hereinafter called the "Applicant."

RECITALS

WHEREAS the Department has the responsibility and authority as prescribed by ORS 496.138 and ORS 506.119 to protect and enhance fish and wildlife, in the waters of the State of Oregon; and

WHEREAS the Applicant has proposed to divert the waters of the Williamson River, a tributary to Klamath Lake, Klamath County, Oregon, for purposes of agricultural irrigation, said diversion more particularly described in the Developer's Application No. 69256 to appropriate the public waters of the State of Oregon, submitted to the Water Resources Department of the State of Oregon, dated August 24, 1987, which application is attached hereto as Exhibit A and by this reference incorporated herein, and which application is hereinafter called "Application No. 69256"; and

WHEREAS the Department and Applicant recognize the need to protect the fish and wildlife of Williamson River, including populations of rainbow trout, brook trout and Klamath largescale sucker, against adverse effects of the diversion; and

WHEREAS, in accordance with ORS 183.415(5), the parties agree that it is in their mutual best interest to informally dispose of the issues which are the subject of this agreement rather than to suffer the time and expense involved in contesting the matter in an administrative proceeding;

NOW, THEREFORE, in light of the above and in consideration of the covenants contained herein, the parties hereto mutually agree as follows:

A. Obligations of the Developer.

1. Prior to any diversion of water, the Applicant shall furnish, install, and maintain a screen(s) to prevent fish from entering the diversion

Application No. 69256
 Permit No. 50262

intake(s). The screen(s) shall be constructed, installed, maintained, and repaired according to Department specifications. Prior to construction and installation of the required screen(s) the Applicant shall prepare for approval of the Department, design drawings of the screen(s) and a written plan for installing and maintaining the screen(s) to meet design, construction and operating criteria specified by the Department. The approved design drawings and written plans for the screen(s) will be attached hereto as Exhibit B and by this reference incorporated in this agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.

2. Prior to any diversion of water, the Applicant shall furnish, install, and maintain a fishway(s) at any diversion structure(s) that may interfere with the upstream passage of fish. The fishway(s) shall be constructed, installed, maintained and repaired according to Department specifications. Prior to construction and installation of the required fishway(s) the Applicant shall prepare, for approval of the Department, design drawings of the fishway(s) and a written plan for installing and maintaining the fishway(s) to meet design, construction, and operating criteria specified by the Department. The approved design drawings and written plans for the fishway(s) will be attached hereto as Exhibit C and by this reference incorporated in this Agreement. Plans will be approved or denied within sixty (60) days after submission to the Department.

3. The Applicant agrees to maintain a continuous flow of water in the channel of (not applicable), as specified below, in order to maintain upstream and downstream fish passage, reproduction, growth, and maintenance of fish populations in the section of (not applicable) affected by the diversion.

The Applicant shall provide a means of regulating and gaging the flow of (not applicable) approved by the Department to ensure that the instream flow requirements specified herein are met at all times. The Applicant shall provide to the Department such stream gage records as may be specified by the Department.

Flow to be Left in Channel

<u>Description of Stream Section or Measuring Point</u>	<u>Time Period</u>	<u>Cubic Feet Per Second</u>
---	--------------------	------------------------------

not applicable

4. Other obligations of the Applicant, if applicable, are attached hereto as Exhibit D and by this reference incorporated in this agreement.

5. The Department stipulates that general condition(s) 2 and 3 are not applicable in this agreement.

B. Obligations of the Department.

1. The Department agrees to accept the Applicant's performance of this agreement as providing adequate protection of the public's interest in the use of the waters of Williamson River for fish and wildlife purposes against

Application No. 69256
Permit No. 50262

possible adverse effects of the diversion; and therefore further agrees not to protest approval of the Application No. 69256 by the Oregon Water Resources Department.

C. General Provisions.

1. This agreement shall remain in effect as long as the said diversion exists on the Williamson River on land parcels 1, 2, and 3 described in the State of Oregon Water Resources Department application 69256 for permit to appropriate surface water and it shall be binding upon and inure to the benefit of the parties and their respective heirs, administrators, executors, successors, and assigns.

2. Time is of the essence of this agreement. A default shall occur if the Applicant fails to perform any obligation imposed by this agreement and does not correct or commence correction of such failure within 15 days of the date of written notice from the Department specifying the manner in which the Applicant is in default.

3. In the event of a default, the Department may take either or both of the following steps:

- (a) Specifically enforce the terms of this agreement by civil action.
- (b) Obtain an injunction against operation of the project until the Applicant has corrected or commenced correction of the default.

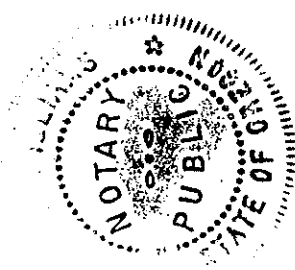
IN WITNESS WHEREOF, the parties hereto have executed this instrument in duplicate through their duly authorized officials as of the first date written.

APPLICANT

By Ernest Dennis
Title Part owner (representing Frances Dennis, Diane Taylor and Carolyn Johnson, the other owners)
Date July 15, 1988

STATE OF OREGON
County of Lane

The foregoing instrument was acknowledged before me this 15th day of July, 1988, by Ernest Dennis.



Diana Williams
Notary Public for Oregon
My Commission Expires 10-28-90

Application No. 69256
Permit No. 50262

State of Oregon
DEPARTMENT OF FISH AND WILDLIFE

By John D. Fortune
Date 7-22-88

STATE OF OREGON
County of Multnomah

The foregoing instrument was acknowledged before me this 22ND day
of July, 1988, by JOHN D. Fortune,
the Klamath District Fish Biologist of the Oregon Department of
Fish and Wildlife.

C. Wayne Rawlins
Notary Public for Oregon
My Commission Expires 05-16-92

copies to:

- Applicant
- Water Resources Department - Salem
- DFW - Contract Office
- DFW - Region Office
- DFW - District Biologist
- DFW Habitat Conservation Division - WRD Applications File

#D4-2

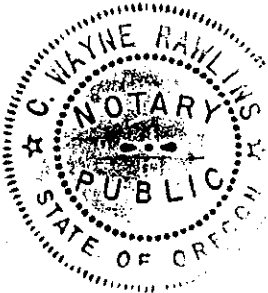


Exhibit D

The Applicant shall fence the east side of the Williamson River along the entire length of Parcels 1, 2 and 3, described in the application, to control livestock use in the riparian area. Said fence shall not be closer than 25 feet to the edge of the stream. There shall be complete exclusion of grazing within the riparian area, or the area between the fence and the Williamson River described above, for a period of five (5) years. Thereafter, grazing will be permitted within the riparian area from March 1 through June 15, and grazing will be excluded from the riparian area from June 16 through February 28 every year.

Application No.

69256

Permit No.

50262

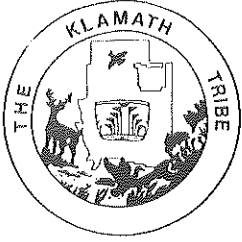
July 25, 1988

To: Dennis Ranch Application 69256
From: Jake Szramek
Subject: Comments from Craig Benz representing Klamath Tribe

On Friday, July 22, 1988, Craig Benz called and discussed the Dennis Ranch Application 69256.

The Klamath Tribe supports the agreement between the ODFW and the applicant, Mr. Dennis. Mr. Benz also said that they would encourage the WRD to establish some type of instream flow in this area to maintain fish life. A letter will follow from the Tribe.

I told him that any instream flow for the maintenance of fish life would result from basin planning.



The Klamath Tribe

P.O. Box 436
Chiloquin, Oregon 97624
Telephone (503) 783-2219

July 22 1988

RECEIVED

JUL 25 1988

WATER RESOURCES DEPT
SALEM, OREGON

Mr. Jake Szramek
Water Resources Department
3850 Portland N.E.
Salem, Oregon 97310

Dear Jake:

Thank you for this opportunity to comment on proposed application number 69256. I support the efforts and intent by the Oregon Department of Fish and Wildlife Resources in the area of the Williamson River, including populations of rainbow and brook trout and Klamath largescale suckers.

Migration of fish through this area are essential to provide stability to populations both upstream and downstream from the project area. I would suggest that a continuous flow of water be provided in the channel of the Williamson river. That the flow provide for fish passage, reproduction, growth, and maintenance of fish populations.

Fish passage is of paramount concern. Pursuant to this concern are physical diversions that would at any time permit upstream passage of fish. Information that you have regarding this concern is appreciated.

The Klamath Tribe would appreciate notification of a permit, such as this, to provide input. Involvement with the conditions of the application would insure that Tribal concerns are properly addressed, as regarding physical diversions in this case.

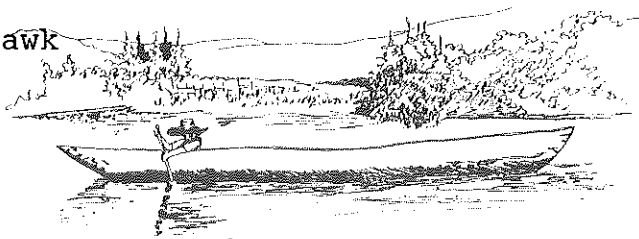
In the future would you please notify the Klamath Tribe of any application for instream diversions in the Klamath Basin. This information should be sent to Mr. Charles Kimbol Sr., Chairman The Klamath Tribe at the above address.

Sincerely,

A handwritten signature in cursive script that reads "Craig S. Bienz".

Craig S. Bienz

cc: Larry Jabowsik
John Fortune
Sande Schmidt
Walton Echo-Hawk



GOVERNOR'S WATERSHED ENHANCEMENT BOARD
TECHNICAL ADVISORY COMMITTEE

Application Evaluation

APPLICATION NO: 87-014A

APPLICANT: Klamath Soil and Water Conservation District

PROJECT NAME: Upper Williamson R. Streambank Rehabilitation

LOCATION: RM 67.0 to 68.7 and RM 73.4 to 74.4

COUNTY: Klamath

REQUESTED FUNDING: \$23,170

PROJECT DESCRIPTION:

The project consists of fencing to control livestock access to the riparian area and construction of excavations for offstream livestock watering. Instream work consists of 2.7 miles of habitat rehabilitation: lodgepole pine trees anchored to boulders and placed instream to reduce stream width and increase stream depth.

The project is intended to increase trout populations by decreasing water temperature, increase aquifer storage, prolong late season stream flow, and provide sediment traps.

EVALUATION:

The project has match funds and involves intergovernmental cooperation. It should provide visible effects of watershed enhancement efforts to the public.

The project probably has no immediate need to go forward because of the physical conditions of the watershed but may have need due to cost-sharing conditions.

The proposed project makes good use of volunteers. It is part of the CRMP for the area and is intended to promote streambank enhancement to local landowners, public agencies and schools. It is a joint program including federal, Indian, state and county governments and private landowners. Several agencies are involved in monitoring the project.

With the large amount of volunteers involvement, the committee questioned the large amount of GWEB funding requested for installation. A district representative said some fence work may be done by volunteers. Most of the installation money is for contracted work such as digging offstream livestock water sources. The Klamath Tribe has applied for federal improvement funds of \$20,000. According to the applicant, the money, if secured, will not offset the amount requested from GWEB. It will be used for

87-014A

Pg. 2

rehabilitating an area of the stream on Indian land.

RECOMMENDED FUNDING PRIORITY:

High. The project meets the goals of ORS 541.355 (2a) (A-D). In addition, the project generates match funds and intergovernmental coordination. It is relatively non-structural, and demonstrates sound watershed enhancement methods appropriate to the locale. It appears to be cost-effective in that it uses volunteers and involves individuals, and governmental agencies in the program.

whole project good



Department of Fish and Wildlife

1400 Miller Island Road, Klamath Falls, OR 97603

011 RECEIVED

JAN - 6 1988

WATER RESOURCES DEPT.
SALEM, OREGON

Lorraine Stahr
Resource Management Division
3850 Portland Road N.E.
Salem OR 97310

January 5, 1988

Dear Ms. Stahr,

As you requested, we have separated our installation and material costs for each aspect of the proposed Upper Williamson River Stream Bank Rehabilitation project:

	Materials	Installation*	Total
1.1 mile barbed wire fence	1,980	1,650	3,630
0.3 mile buckpole fence	100	1,900	2,000
Waterhole excavations (2)	0	3,600	3,600
Instream habitat	<u>1,790</u>	<u>12,150</u>	<u>13,940</u>
Totals	\$3,870	\$19,300	\$23,170

* Installation cost includes transportation.

During our phone conversation, we talked about prioritizing the various aspects of our project to facilitate potential cost saving measures. Our highest priorities are the 1.1 miles of barbed wire fence and water hole excavations, which cannot be effectively separated. The instream habitat is as important as the fence and excavations, however, some portion could be accomplished with volunteers over several years. The buckpole fence is the lowest priority.

If you need additional information, please let us know.

Sincerely,

Jeff Ziller and Judy Simon
ODFW and KSWCD

87-014A

Klamath SWCD

W. Williamson R.

12/29 Judy Simons 883-6932

1) Has Klamath Tribe received answer to \$20,000 funding request from federal gov? don't know.

2) Will \$20,000 be part of the \$23,170 requested from GWEB or in addition to CRMP RM60? Tribe has compared 69-73 \$ would be used for camp area.

3) Installation costs seem high for a project having so many volunteers. If only part funding, what could get done?
e.g. \$10,000 total

Will submit Break down of installation costs

applied for VCC crew on federal lands. used one last year.

GOVERNOR'S WATERSHED ENHANCEMENT BOARD
APPLICATION FOR GRANT FUNDS
3850 Portland Road NE
Salem, Oregon 97310
(503) 378-3739

Attach additional sheets, if needed. Identify the application item number you are explaining.

PLEASE TYPE OR PRINT LEGIBLY

1. APPLICANT (SWCD, Organization, Irrigation District, Individual, etc.)

KLAMATH SOIL AND WATER CONSERVATION DISTRICT

Address: 2455 Patterson Suite 2, Klamath Falls, OR 97603

Contact Person: Judy Simons - KSWCD Phone: 883-6932
Jeff Zeller - ODF & W 883-5732

2. PROJECT NAME

UPPER WILLIAMSON RIVER STREAM BANK REHABILITATION

3. PROJECT LOCATION (legal description, stream mile and map (attach) showing location in state and county).

T. 31 S, R. 10 E, Section 1 and T. 31 S, R. 11 E, Sections 30 and 31.

Williamson River (RM 67.0 to 68.7 and RM 73.4 to 74.4) tributary to Upper Klamath Lake

4. AFFECTED LANDOWNERS (include name and address)

Donal Dean, Drawer F, Merrill OR 97633

Nicol Land and Cattle Co., P.O. Box 324, Bend OR 97708

James and Steven Lawrence, 220 Glorietta Road, Orinda CA 94563

5. PROJECT DESCRIPTION (include nature and purpose of proposed project)

As part of the Upper Williamson River Coordinated Resource Management Plan, we would construct:

- 1.1 miles of 4-strand barbwire fence and 0.3 mile of buckpole fence to control livestock use of the riparian zone on the river.
- 2 excavations, 100ft long x 30ft wide x 10ft deep, for offstream livestock watering.
- 2.7 miles of instream habitat consisting of lodgepole pine trees anchored to boulders and placed instream to effectively reduce the stream width and increase stream depth.

6. DESCRIPTION OF THE PROBLEM

After three years of study, the Oregon Department of Fish and Wildlife, the Klamath Tribe and the Winema National Forest determined that high water temperatures and the lack of instream cover were the major factors limiting trout populations in the upper Williamson River between Upper Klamath Forest Marsh (RM 58) and Big Bow Ranch (RM 76.5). The river is wide and shallow allowing excessive solar heating and is lacking overhanging vegetation and woody debris for fish cover. This condition is continued by season long grazing of livestock on portions of the river.

7. EXPLAIN HOW THE PROPOSED PROJECT WILL SOLVE THE PROBLEM OUTLINED ABOVE, AND IMPROVE WATER QUALITY AND/OR QUANTITY.

- Fencing to control livestock use will allow recovery of riparian areas including narrowing and deepening of the stream channel and providing overhanging vegetation for trout cover. The narrower stream channel will decrease the potential for excessive solar heating.

- Adding lodgepole pine, as woody debris, to the stream will hasten development of a deeper stream channel and immediately provide cover for trout.

8. IDENTIFY ANY ADDITIONAL PROJECT BENEFITS.

- Recovery of the riparian zone will eventually raise the water level in the stream channel therefor increasing the amount of sub-irrigated pasture and the aquifer storage capacity of the upper Williamson basin. This will provide higher water flows in the Williamson River during the summer and early fall months.

- Landowner property values will increase due to the aesthetic and recreational value of a recovered riparian zone.

9. EXPLAIN HOW PROJECT RELATES TO THE OVERALL WATERSHED IMPROVEMENT OBJECTIVES.

- It will decrease water temperatures.
- It will provide sediment traps to decrease water carried sediment loads.
- Summer and early fall stream flows will increase.
- It will result in higher populations of trout in the immediate project area and in areas downstream from the project.

10. PROJECT PARTICIPANTS (list organizations, agencies and individuals that will support the project through technical assistance, financial contributions and/or volunteer labor).

a. List Sources of Technical Assistance.

Oregon Department of Fish and Wildlife
The Klamath Tribe
USDA Winema National Forest
Soil Conservation Service
Klamath Soil and Water Conservation District

b. List Sources of Volunteer Participation.

Klamath Country Flycasters	The Klamath Tribe
Boy Scouts of America	Klamath Soil and Water Conservation Dist.
Oregon Hunters Association	
Audubon Society	

- These groups have participated in the CRMP and have volunteered their labor on previous Williamson River projects. The Klamath Country Flycasters were instrumental in the original projects of the 1970's.

c. List Sources of Project Funding (include a statement as to whether these funds are secured and any conditions or limitations placed on them).

1. Oregon Department of Fish and Wildlife for R.M. 74.4 to 76.5 \$3,000.
2. The Klamath Tribe for R.M. 69.0 to 71.3 and 71.8 - 73.4 \$2,000.
3. KSWCD and SCS for planning and design assistance \$1,550.

Continued on separate page

11. PROJECT COST ESTIMATES

	<u>GWEB Funds</u>	<u>Other Funds</u>	<u>Totals</u>
Planning and Permits	0	1,200	1,200
Design	0	350	350
Materials	3,870	5,000	8,870
Installation	19,300	2,000*	21,300
Construction Inspection	0		0
Total GWEB Funds Requested	<u>23,170</u>		
Total Other Funds Identified		8,550	
Total Estimated Project Cost	<u>23,170</u>	<u>8,550</u>	<u>31,700</u>

*volunteer time

12. ESTIMATED PROJECT SCHEDULE AND IMPLEMENTATION PLAN (include start up and completion dates).

	Start	Finish
Fence building		
Nicol and Lawrence lands	June 1988	July 1988
Dean land	July 1988	August 1988
Water hole excavation	July 1988	July 1988
Instream habitat construction	July 1988	September 1989

13. PROJECTED PROJECT LIFE (include rationale for the projection).

Fences are expected to need only minor maintenance in the first 20 years. Habitat structures should be effective for up to 25 years. Fences and habitat structures constructed 12 to 14 years ago on the Williamson River, are still functioning today. The long term benefits of temperature reduction and increased aquifer storage will continue indefinitely with proper livestock management.

14. PLAN FOR IDENTIFICATION AND MONITORING OF PROJECT RESULTS (include identification of responsible parties).

Pre-project water temperatures, trout population size and summer water flow data have been collected. In addition, pre-project stream morphology will be determined by ODFW. ODFW, The Klamath Tribe and the Winema National Forest will monitor changes in water temperature, trout population size, stream morphology and summer water flows at 3 year intervals for 12 years.

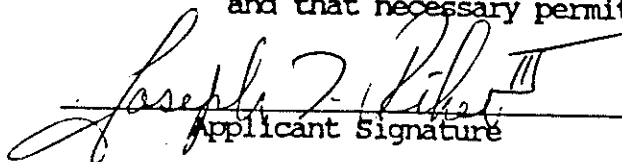
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15. PLAN FOR PROJECT OPERATION AND MAINTENANCE THROUGHOUT PROJECTED PROJECT LIFE (include identification of responsible parties).

The upper Williamson River is governed by a Coordinated Resource Management Plan involving the KSWCD, SCS, ODF & W, Klamath Tribe, and Winema National Forest. Improvements on private lands are the responsibility of the land owners as designated through the coordinated resource management plans and agreements. The private landowners for this project (Donal Dean, Nichol Land and Cattle Co., and James and Steven Lawrence) have been involved in the planning process that developed the CRMP. Also, the Klamath Tribe has an overall management plan for the Williamson River that it administers through its own game management division.

16. ATTACHMENTS (include the following):

- a. An 8-1/2 x 11 map showing project location.
- b. Evidence of appropriate authorizations for access to the location to perform project work, maintenance, monitoring and inspection.
- c. Agreement with state, federal, or local agencies to monitor and inspect the project.
- d. Statement from the appropriate jurisdiction that the proposed project is in compliance with local comprehensive land use plans and that necessary permits have or can be obtained.


Applicant Signature

November 25, 1987

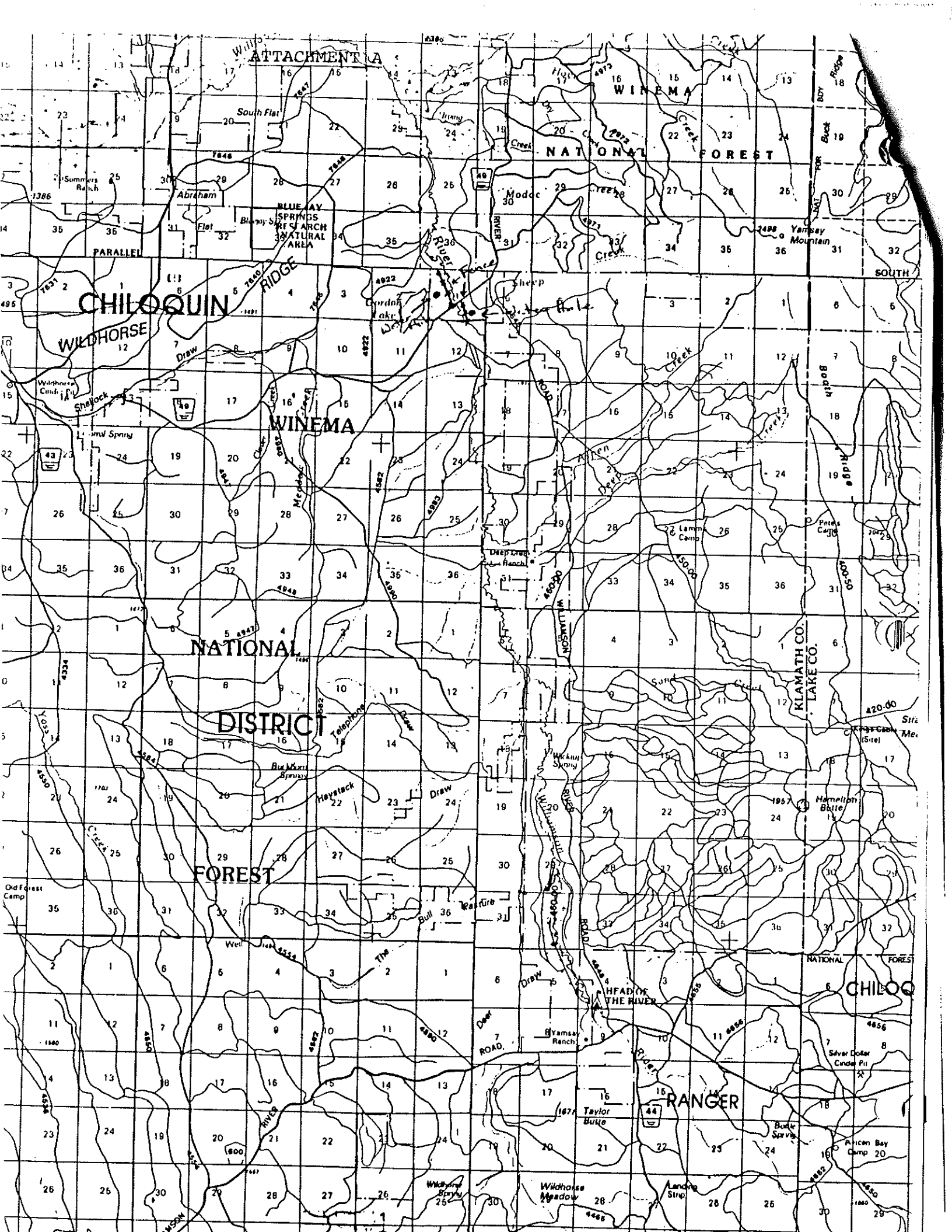
Date

Klamath Soil & Water Conservation District

Title/Organization

0759j

- 10C. In addition, the Klamath Tribe has applied for Federal funds for improvement to the Williamson River habitat of \$20,000 for 1988 - 89 pending final budget determination.
14. In addition, the project will be used as a educational and promotional project to show the advantages of streambank enhancement to local private landowners, public agencies and schools.



WILLIAMSON RIVER STREAM ENHANCEMENT PROJECT

Project area: RM 65 to RM 75.5 (N end of the Royce Tract to Sand Cr. Ranch)

- Project objectives:
1. Reduce water temperature during summer months to below 70°F.
 2. Reduce or eliminate streambank erosion between RM 65 and 72.
 3. Increase the water table 3-4 feet in the area of RM 65 to 72 to decrease cattle use in the riparian corridor (between the cut banks). In addition, the sub-irrigation would increase forage for wildlife and cattle.
 4. Increase instream habitat for trout.

- Project scope:
1. Six to twelve rock check dams would be placed in the stream channel between RM 65 and 72. The number will depend on the drop of the river. One check dam will be needed for every one foot of drop through the area. The check dam at RM 65 would require a fish passage structure; all others would be passable for trout.
 2. Rock "pavement" would be added to the slower velocity areas of the river between RM 72 and 75.5 to encourage aquatic plant growth by stabilizing the substrate.
 3. Boulders and trees would be added to the stream channel for resting and hiding cover through the project area.

Project cost: Unknown at this time. Volunteer labor from the Klamath Country Flycasters, Oregon Trout, and Oregon Hunters Association is anticipated. Contributions for materials and transportation will be solicited.

Project cooperators: Private landowners, Winema N. F., Klamath Tribe, OR Dept. Fish and Wildlife, SCS, Klamath Country Flycasters and other sportsman groups.

Anticipated project date: July and August 1987 and 1988.

KLAMATH SOIL AND WATER CONSERVATION DISTRICT
2455 PATTERSON SUITE 2
KLAMATH FALLS, OR 97603
883-6932

PAGE 1

CURRENT LAND USES

PRIVATE OWNERSHIP

1. Grazing
2. Timber
3. Recreation

PUBLIC OWNERSHIP

1. Grazing
2. Recreation
3. Timber
4. Firewood
5. Indian summer camps
6. Water for downstream uses

OBJECTIVES

I. Maintain or increase livestock production on private land.

Concerns

- A. Overgrazing versus riparian function.
- B. Watering areas for livestock.
- C. Quality and availability of seasonal forage.
- D. Fencing
 1. Cost and maintenance versus benefits.
 2. Type of fence, location and duration.
 3. Location of gates and cattle guards for ease of livestock movement.
 4. Maintain wildlife migration corridors.
 5. Maintain aesthetic quality of the area.

Actions

- A. Inventory existing livestock grazing plans.
- B. Investigate alternative fence types and designs.
- C. Maintain landowners rights and control of land.

II. Protect and improve riparian habitat.

Concerns

- A. Water temperatures are too high for trout during summer.
- B. Not enough cover for fish (Lack of instream cover).
- C. Erosion and sedimentation in river is high.
- D. Lack of riparian dependant species.
- E. Not enough food for current beaver population.
- F. Fish population too low below Big Bow Ranch.
- G. Too much elodea for angling in places.
- H. Lack of instream vegetation.
- I. Too much lodgepole riprap for easy angling.
- J. Loss of riparian function equals loss of wetlands and associated values



KLAMATH SOIL AND WATER CONSERVATION DISTRICT
2455 PATTERSON SUITE 2
KLAMATH FALLS, OR 97603
883-6932

PAGE 2

- K. Not enough spawning areas for trout.
- L. Limited fish access to tributaries.
- M. No fish at head of the river (water quality problem?)
- N. Cost of improvements versus benefits.

Actions

- A. Identify problem sites in the riparian zone.
- B. involve Weyco for tributary concerns.
- C. Inventory vegetative communities.
- D. Inventory fish and wildlife populations.
- E. Trap and transport beaver out of the area.

III. Coordinate management of road systems.

Concerns

- A. Too many existing roads
- B. Sedimentation due to road building
- C. Economics of road building and maintenance
- D. Responsibility for road maintenance
- E. Increased access equals increased trespass problems for private landowners.
- F. Increase in roads equals less habitat for wildlife
- G. Too many gates, not enough cattle guards.

Actions

- A. Inventory existing road management plans
- B. Ask for involvement of Weyco, Klamath County and the State of Oregon

IV. Maintain or improve recreation opportunities

Concerns

- A. Fish populations too low
- B. Not enough law enforcement (Poachers a problem)
- C. Increased visibility equals increased trespass on private lands.
- D. Treaty right conflicts
- E. Off road vehicle use conflicts.
- F. Harrassment of wildlife by people
- G. Camping too close to river
- H. Campers are killing trees
- I. Littering
- J. Not enough good camping sites
- K. Indian camps should be taken down for the winter.

Actions

- A. Inventory available recreation sites
- B. Investigate treaty rights.

KLAMATH SOIL AND WATER CONSERVATION DISTRICT
2455 PATTERSON SUITE 2
KLAMATH FALLS, OR 97603
883-6932

PAGE 3

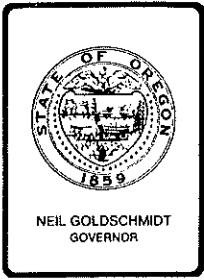
- V. Maintain or improve timber production on public and private lands.

Concerns

- A. Sedimentation from timber harvest
- B. Public cutting firewood on private lands.
- C. Maintenance of aesthetic and wildlife values in forest corridors

Actions

- A. Involve Weyco and Oregon Dept. of Forestry
- B. Obtain timber management plans from all parties.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-2982

May 10, 1988

MEMORANDUM

TO: Water Resources Commission

FROM: Director

SUBJECT: Agenda Item F, Director's Report

At the April 1 Water Resources Commission (WRC) meeting in Pendleton, the WRC modified staff report Item Q-13 (Dennis Ranch) and referred the application to a public interest hearing. The Oregon Department of Fish and Wildlife (ODFW) was concerned about the effects of the proposed water use for irrigation on stream temperature.

After we informed the applicant of that decision, Mr. Dennis believed an arrangement could be worked out with ODFW.

According to both John Fortune (district biologist) and the applicant (Mr. E. Dennis), an agreement has been tentatively worked out. Both parties seem satisfied with the proposed arrangement.

According to the fish biologist and confirmed by the applicant, the agreement is as follows:

1. Applicant will fence the entire length of river reach covered under the application. All three parcels as identified in the application will be fenced to control livestock.
2. The area from the river to the fence will be under complete rest until 1992.
3. After 1992, the area will be used only from the spring until June 15. On June 16, the area will be excluded from use through the winter.

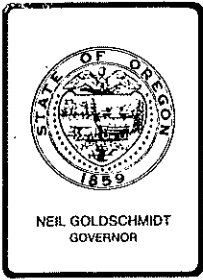
This agreement will be subject to final review by the ODFW and the applicant. The Water Resources Department staff will review and approve any signed agreement. The permit will be conditioned to reflect the agreed-upon conditions.

WRC Agenda Item F
May 12-13, 1988
Page 2

Director's Recommendation:

The staff recommends that the public hearing be cancelled. If the agreement process breaks down, the Commission could still hold the public interest hearing at a later date.

JSzramek:jas
May 10, 1988
378-3066



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-2982

Syranch
MSPU w/caveat that (file as Borden
if negotiations break down, we
schedule a public interest hearing.

May 10, 1988

MEMORANDUM

TO: Water Resources Commission

FROM: Director

SUBJECT: Agenda Item F, Director's Report

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WRC Agenda Item F
May 12-13, 1988
Page 2

Director's Recommendation:

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JSzramek:jas
May 10, 1988
378-3066

*No need to
request hearing
authorization if
hearing needed.
(WHL 5/14/88)*



MEMORANDUM

OREGON DEPARTMENT OF FISH AND WILDLIFE WATER RESOURCES DEPT.
INTRA-DEPARTMENT SALEM, OREGON

RECEIVED

APR 23 1988

DATE: April 21, 1988
To: John Fortune
FROM: Greg Robart
SUBJ: Water Right Application 69256,
Williamson River and Irving Creek, 14 cfs
Irrigation, Dennis Ranch, Ernest Dennis

Mr. Dennis phoned me today. He seemed cordial and openly offered conditioning suggestions versus a contested case hearing.

I referred him to you to derive mutually acceptable conditions which might include: time of use (i.e. weekday or season), sprinkler versus flooding, metering and using adjacent farm tail water. Soon we'll task force guidelines. For now, negotiate creatively.

I expressed gratitude for his cooperative GWEB endeavors and acknowledged his preference to sit down with you to draft conditions.

As conveyed in my phone conversation with you yesterday, we look forward to seeing your ideas. Can we anticipate your recommendations by May 10?

Thanks.



grg
cc: Golden
Lewis
Szramek - WRD


A handwritten signature in cursive script, appearing to read "Greg".

John Fortune - Dennis ~~was~~ RANCH.

Q13 

App. Riparian Fence \leftrightarrow stretch - all 3 parcels ^{to control livestock}
Complete ~~past~~ on this area for 5 years - to 1992
after grazing only to June 15
excluded June 16 - through winter.

Trout farm sketchy  


Pat
Morrissey
17,000 off
since 1935



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

MEMORANDUM

TO: Water Resources Commission

FROM: Director *WJ*

SUBJECT: Agenda Item Q-13, April 1, 1988, Water Resources
Commission Meeting

Consideration for Approval of Application 69256 to
Appropriate Water from the Williamson River and Irving Creek
for Irrigation, Dennis Ranch, Klamath County (Group 4).

Background:

On August 26, 1987, an application was submitted in the name of Ernest Dennis, c/o Dennis Ranch. Application 69256 proposes to divert 14 cfs of water from three surface sources for flood irrigation. The application requests that water be pumped from the river into ditches and transported to the fields.

The question before the Commission is whether the public interest is served by granting a permit for 14 cfs. Administrative Rule 690-11-080 (2)(a)(A) specifies that appropriations for greater than five cubic feet per second, except from the Columbia River will be submitted to the Commission regarding the need to make a public interest determination under ORS 537.170.

Discussion:

The applicant proposes to divert 2.1 cfs of water to irrigate 84 acres on parcel one from the Williamson River, divert 8.2 cfs of water to irrigate 328 acres on parcel two from Irving Creek and divert 3.7 cfs of water to irrigate 148 acres on parcel three from the Williamson River. The first two parcels are presently being irrigated and have a pending claim under the Irving Creek Adjudication. The applicant states this application is only a precautionary filing because of the uncertainty of the adjudication process. As a result, such application is not a waiver of any water rights for which claims may have been made.

According to the watermaster, 412 acres are currently flood irrigated in the adjudication area. The remaining 148 acres of proposed irrigated land is a new development. Water should be available for this use.

The irrigation season has not been set by the court. In a normal year, the water users begin to irrigate in late April or early May. In a dry year, irrigation begins in early April, weather permitting.

ODFW says the Williamson River in the area of the application suffers from excessively high water temperatures for rearing of trout. The ODFW has been working with other agencies and private landowners in the area, including the applicant, to restore and improve water temperature and fish habitat conditions. The primary objective is to lower summer water temperatures. The district biologist believes the depletion of flow in the river will only aggravate the water heating problem. ODFW recommends that if the application is approved, the applicant be permitted the absolute minimum volume of water allowed under law in order to protect trout habitat.

Staff believes that the applicant should be encouraged to develop more efficient irrigation practices as money becomes available. The applicant could improve the efficiency of his flood irrigation system with the following proposals if not done already:

1. Measure and control the flow to each field;
2. Collect and reuse tailwater;
3. Prepare land surfaces to provide better water distribution;
4. Use irrigation scheduling;
5. Install gated pipe to supply measured water to the furrows.

In addition, the applicant could develop a more efficient irrigation system such as the use of sprinklers.

Three ranches above the Dennis Ranch were just granted \$23,000 for Governor's Watershed Enhancement Board riparian project improvements. The fish biologist states that ranch personnel have attended meetings to discuss how to improve riparian areas on the Upper Williamson River. Staff suggests that this water right application be subject to certain riparian enhancement conditions, if needed, to protect or at least not degrade current efforts to enhance riparian areas. For example, the applicant should keep animals away from the streambank and/or protect the bank from excessive diversion flows which could erode the banks. Based upon discussions with the fish biologist, the applicant is cooperating with the intent of the fish enhancement programs currently underway in the area.

Notice was provided to agencies on the Department's mailing list in the public notice of all new applications of August 24, 1987. As noted above, the Oregon Department of Fish and Wildlife provided comments that this application could increase water temperatures for trout.

The Klamath River does not have a basin program, but it is managed under the Klamath River Compact in which irrigation is an important use. There are no minimum flows in this area.

Alternatives:

1. Find that the public interest may be adversely affected by granting a permit to flood-irrigate with 14 cfs of water and schedule a public interest hearing by the Commission to assist in making this determination.

2. Determine that the public interest is not adversely affected by the proposed use of water; authorize the Director to issue a permit with appropriate conditions to protect the efforts of the ODFW to enhance trout through riparian projects and develop conditions for water conservation measures to increase the efficiency of water use as money allows. Limit the rate and duty to efficient flood irrigation practices.

Director's Recommendation:

The staff recommends Alternative 2; determine that the public interest is not adversely affected by the proposed use of water; authorize the Director to issue a permit with appropriate conditions to protect the efforts of the ODFW to enhance trout through riparian projects and develop conditions for water conservation measures to increase the efficiency of water use as money allows. Limit the rate and duty to efficient flood irrigation practices.

Attachments:

A) Copy of Application 69256

B) Copy of location map

Jake Szramek
378-3066
March 1, 1988

cc: Ernest Dennis, Applicant
Watermaster
Oregon Department of Fish and Wildlife

*go to public
interest
hearing*

Application No. 69256

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for Permit to Appropriate Surface Water

AUG 26 1987

I, Ernest Dennis c/o Dennis Ranch
(Name of Applicant)

WATER RESOURCES DEP
SALEM, OREGON

of 5300 South Etna, Klamath Falls
(Mailing Address) (City)

State of Oregon, 97603 Phone No. 884-4578 do hereby
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is (Parcel #1) Williamson River, (Parcel #2) Irving Creek, (Parcel #3) Williamson River, a tributary of Klamath Lake

Parcel #1) Williamson River points of diversion for pumping, see Attachment #1 for locations.

2. The point of diversion is to be located ft. (N. or S.) and ft. (E. or W.)

Parcel #1 points of diversion are located within: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, all within T. 30 S., R. 10 E., W.M., in the county of Klamath.
(If there is more than one point of diversion, each must be described)

Parcel #2) Irving Creek point of diversion is located 1090 ft. N. and 1520 ft. E. from the S.W. corner of Section 19, T. 30 S., R. 11 E., W.M. being within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 19, T. 30 S., R. 11 E., W.M., in the county of Klamath.

Parcel #3) Williamson River points of diversion for pumping on both sides of the Williamson River, see Attachment #1 for locations, being within the SW $\frac{1}{4}$ & NW $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 24 Tp. 30 S. R. 10 E., W.M., in the county of Klamath.
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
Parcel #1) From Williamson River:				
30 S.	10 E.	23	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	22.0 acres
30 S.	10 E.	23	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	7.6 acres
30 S.	10 E.	14	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	1.3 acres
30 S.	10 E.	14	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	27.2 acres (Parcel #1
30 S.	10 E.	14	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	17.9 acres Williamson River
30 S.	10 E.	14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	8.0 acres Total 84 acres)
Parcel #2) From Irving Creek:				
30 S.	10 E.	24	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	13.0 acres
30 S.	10 E.	24	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	7.0 acres (Parcel # 2
30 S.	10 E.	23	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	13.2 acres Irving Creek
30 S.	11 E.	19	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	14.8 acres Total 328 acres)
Parcel #3) From Williamson River:				
30 S.	10 E.	24	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	35.7 acres
30 S.	10 E.	24	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	39.3 acres (Parcel #3
30 S.	10 E.	24	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	33.0 acres Williamson River
30 S.	10 E.	24	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	40.0 acres Total 148 acres)

Form 690

4. The amount of water which the applicant intends to apply to beneficial use is (Parcel #1) 2.1 cubic feet per second from Williamson River, (Parcel #2) 8.2 cubic feet per second from Irving Creek and (Parcel #3) 3.7 cubic feet per second from the Williamson River.
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is irrigation.

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

(Parcel #1) Irrigation from the Williamson River: Water pumped from river through 12" diameter intake pipe into 12" min. dia. pipe of 50 ft. to 600 feet in length and discharges into ditch for flood irrigation. Size, type and capacity of pump to be determined. See Attachment #1 for locations of pumping diversion points.

(Parcel #2) Irrigation from Irving Creek: Water diverted from Irving Creek by existing earthen dam and flows through existing ditch into system of smaller ditches for flood irrigation. The need for additional ditches, size and length, to be determined.

(Parcel #3) Irrigation from Williamson River: Water pumped from river through existing portable, custom-built propeller pump with 12" diameter intake pipe. Pump powered by power take-off on tractor. Water pumped into 12" min. dia. discharge pipe of 50 feet to 600 feet in length into ditch for flood irrigation. Size, length and location of ditch to be determined. See Attachment #1 for locations of pumping diversion points. Tractor rated at 50 H.P.

If for domestic use state number of families to be supplied

7. Construction work will begin on or before August 20, 1988

8. Construction work will be completed on or before August 20, 1989

9. The water will be completely applied to the proposed use on or before August 20, 1990

Application No. 69256

Permit No.

RECEIVED

Remarks: Parcel #1 and parcel #2 (as shown on the attached map) are presently being irrigated and have a claim under the Adjudication. This is a precautionary filing and is not a waiver of any water rights for which application may have been made.

See Attachment #2 for the names and mailing addresses of the legal owners of the properties involved in this application.

Dennis Ranch
Ernest Dennis, part owner

Ernest Dennis
Signature of Applicant

August 24, 1987

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before January 27, 1988

WITNESS my hand this 27 day of November, 1987

William H. Young Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash
Water Rights Specialist

RECEIVED
WATER RESOURCES DIVISION
OCT 1 1987

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 26th day of August, 1987, at 8 o'clock A.M.

Application No. 69256

Permit No.

Application No. 69256

Permit No.

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 14.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Irving Creek and Williamson River tributaries of Klamath Lake

The use to which this water is to be applied is irrigation, being use of 8.2 cfs from Irving Creek for irrigation of 328.0 acres and use of 5.8 cfs from Williamson River for irrigation of 232.0 acres

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated 3

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

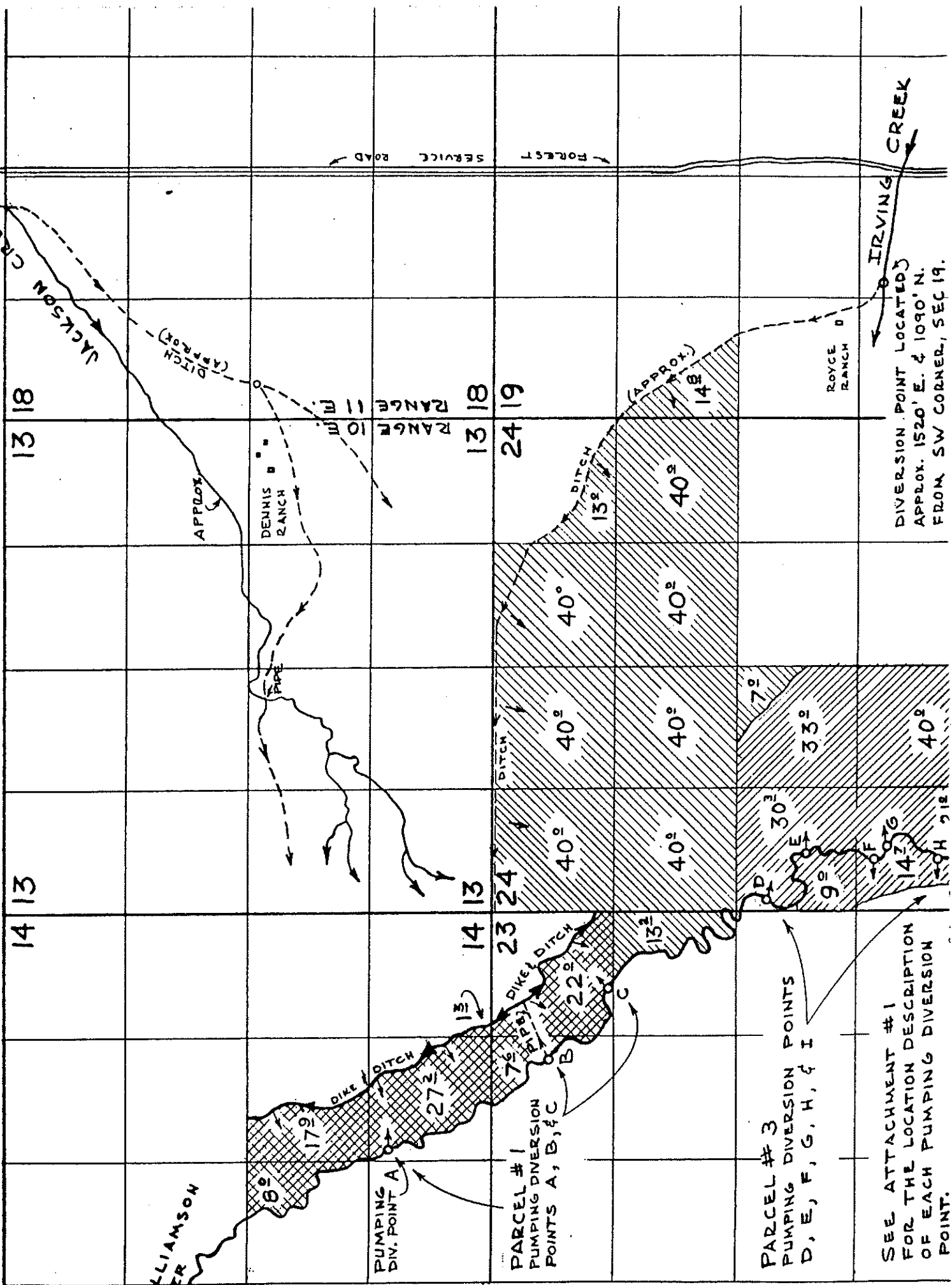
The priority date of this permit is August 26, 1987

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

T 30 S., R. 10 & 11 E., W. M.



WILLIAMSON RIVER

PUMPING DIV. POINT A

PARCEL #1
PUMPING DIVERSION POINTS A, B, & C

PARCEL #3
PUMPING DIVERSION POINTS D, E, F, G, H, & I

SEE ATTACHMENT #1 FOR THE LOCATION DESCRIPTION OF EACH PUMPING DIVERSION POINT.

13 18

13 18

24 19

14 13

14 13

23 24

7°

30°

33°

40°

DENNIS RANCH

ROYCE RANCH

DIVERSION POINT LOCATED
APPROX. 1520' E. & 1090' N.
FROM SW CORNER, SEC 19.

FOREST SERVICE ROAD

IRVING CREEK

JACKSON CREEK

DITCH (APPROX)

DITCH (APPROX)

APPROX

RAPE

DITCH

DITCH

DITCH

DITCH

10 MI

10 MI

RANGE

RANGE

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40°

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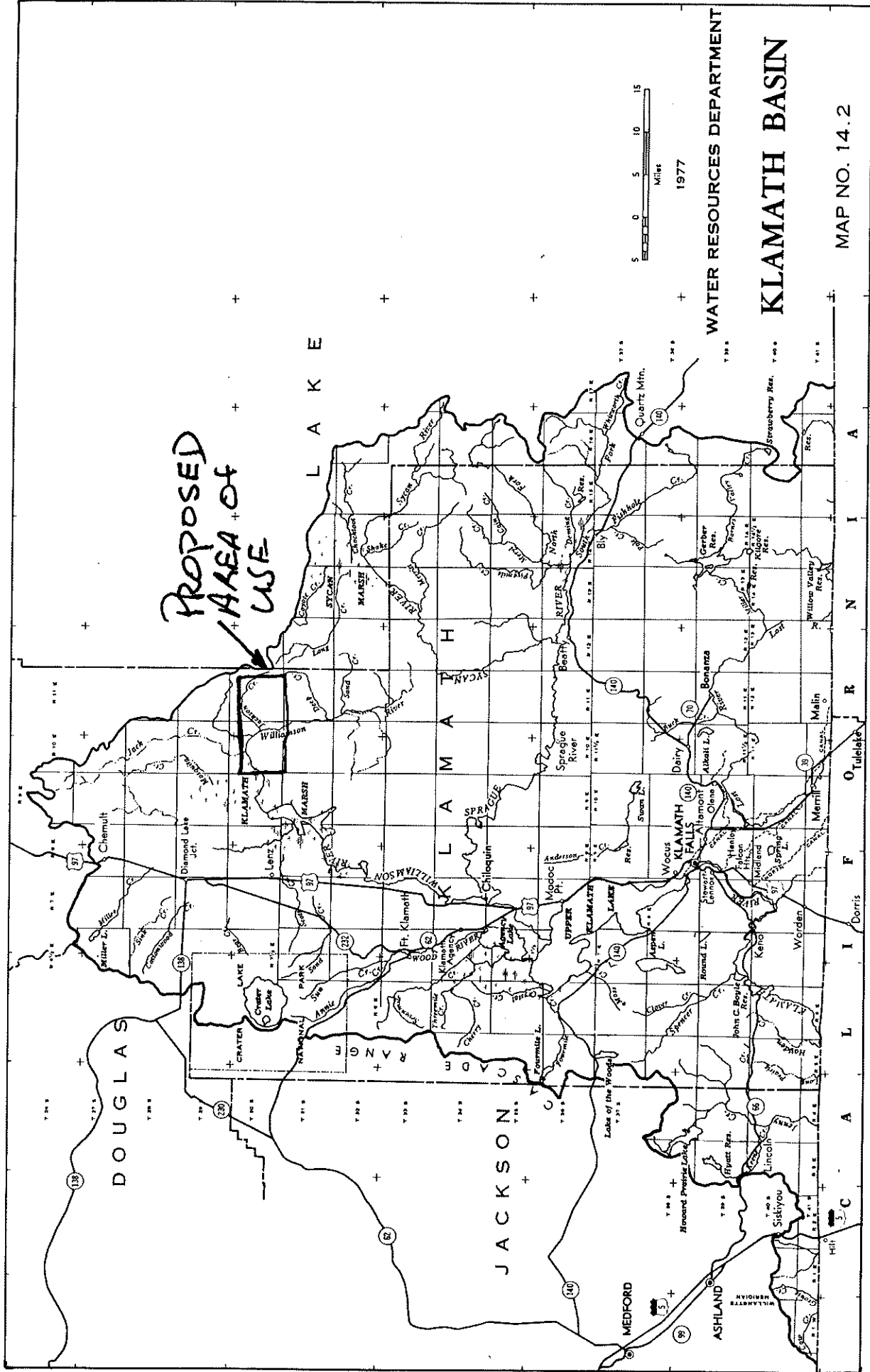
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1. Measure and control the flow to each field;
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Alternatives:

1. Find that the public interest may be adversely affected by granting a permit to flood-irrigate with 14 cfs of water and schedule a public interest hearing by the Commission to assist in making this determination.
2. Determine that the public interest is not adversely affected by the proposed use of water; authorize the Director to issue a permit with appropriate conditions to protect the efforts of the ODFW to enhance trout through riparian projects and develop conditions for water conservation measures to increase the efficiency of water use as money allows. Limit the rate and duty to efficient flood irrigation practices.

Director's Recommendation:

The staff recommends Alternative 2; determine that the public interest is not adversely affected by the proposed use of water; authorize the Director to issue a permit with appropriate conditions to protect the efforts of the ODFW to enhance trout through riparian projects and develop conditions for water conservation measures to increase the efficiency of water use as money allows. Limit the rate and duty to efficient flood irrigation practices.

Attachments:

- A) Copy of Application 69256
- B) Copy of location map

Jake Szramek
378-3066
March 1, 1988

cc: Ernest Dennis, Applicant
Watermaster
Oregon Department of Fish and Wildlife

Application No. 69256

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water

AUG 26 1987

4775
Hermann
Angelo 77404

689 5310 - Home
485-3077 Bus

I, Ernest Dennis c/o Dennis Ranch
(Name of Applicant)

WATER RESOURCES DEP
SALEM, OREGON

of 5300 South Etna, Klamath Falls
(Mailing Address) (City)

State of Oregon, 97603 Phone No. 884-4578 do hereby
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is (Parcel #1) Williamson River, (Parcel #2) Irving Creek, (Parcel #3) Williamson River, a tributary of Klamath Lake

(Parcel #1) Williamson River points of diversion for pumping, see Attachment #1 for locations.

2. The point of diversion is to be located ft. (N. or S.) and ft. (E. or W.)

Parcel #1 points of diversion are located within: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, all within T. 30 S., R. 10 E., W.M., in the county of Klamath.
(If there is more than one point of diversion, each must be described)

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(Parcel #3) Williamson River points of diversion for pumping on both sides of the Williamson River, see Attachment #1 for locations, being within the SW $\frac{1}{4}$ & NW $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 24 Tp. 30 S., R. 10 E., W.M., in the county of Klamath.
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
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30 S.	10 E.	14	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	8.0 acres Total 84 acres)
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30 S.	10 E.	24	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	40.0 acres
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30 S.	10 E.	24	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	13.0 acres
30 S.	10 E.	24	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	40.0 acres
30 S.	10 E.	24	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	7.0 acres (Parcel # 2
30 S.	10 E.	23	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	13.2 acres Irving Creek
30 S.	11 E.	19	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	14.8 acres Total 328 acres)
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30 S.	10 E.	24	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	35.7 acres
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460

4. The amount of water which the applicant intends to apply to beneficial use is (Parcel #1) 2.1 cubic feet per second from Williamson River, (Parcel #2) 8.2 cubic feet per second from Irving Creek and (Parcel #3) 3.7 cubic feet per second from the Williamson River. (If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is irrigation.

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

(Parcel #1) Irrigation from the Williamson River: Water pumped from river through 12" diameter intake pipe into 12" min. dia. pipe of 50 ft. to 600 feet in length and discharges into ditch for flood irrigation. Size, type and capacity of pump to be determined. See Attachment #1 for locations of pumping diversion points.

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If for domestic use state number of families to be supplied

7. Construction work will begin on or before August 20, 1988

8. Construction work will be completed on or before August 20, 1989

9. The water will be completely applied to the proposed use on or before August 20, 1990

Application No. 69256

Permit No. RECEIVED

Remarks: Parcel #1 and parcel #2 (as shown on the attached map) are presently being irrigated and have a claim under the Adjudication. This is a precautionary filing and is not a waiver of any water rights for which application may have been made.

See Attachment #2 for the names and mailing addresses of the legal owners of the properties involved in this application.

Dennis Ranch

Ernest Dennis, part owner

Ernest Dennis

Signature of Applicant

August 24, 1987

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before January 27, 1988

WITNESS my hand this 27 day of November, 1987

William H. Young Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash
Water Rights Specialist

RECORDED
INDEXED
AUG 27 1987
CLERK OF COUNTY

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

26th day of August, 1987, at 8 o'clock

A.M.

Application No. 69256

Permit No.

Application No. 69256

Permit No.

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 14.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Irriny Creek and Williamson River tributaries of Klamath Lake

The use to which this water is to be applied is irrigation, being use of 8.2 cfs from Irriny Creek for irrigation of 328.0 acres and use of 5.8 cfs from Williamson River for irrigation of 232.0 acres

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated 3

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

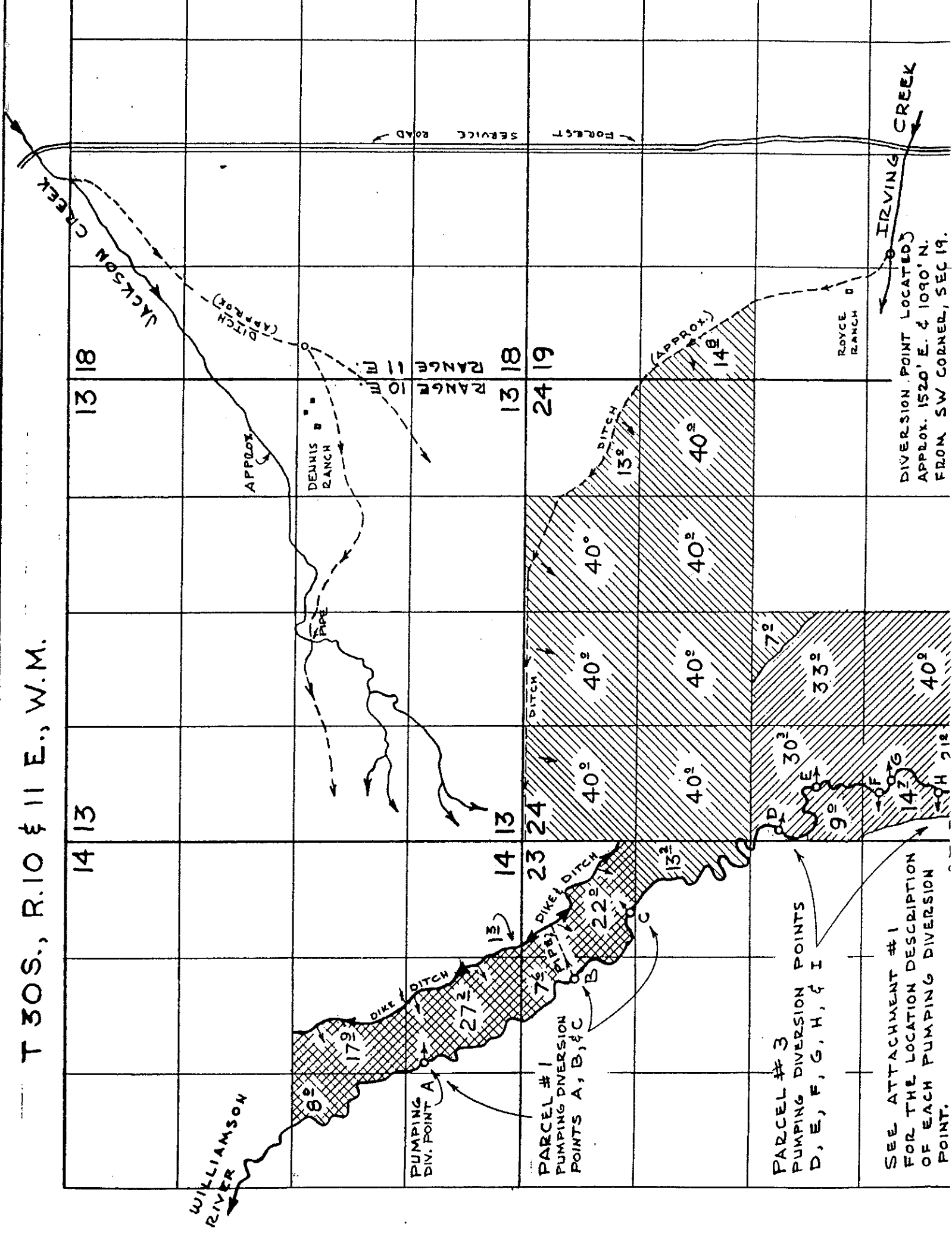
The priority date of this permit is August 26, 1987

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

T 30 S., R. 10 & 11 E., W.M.



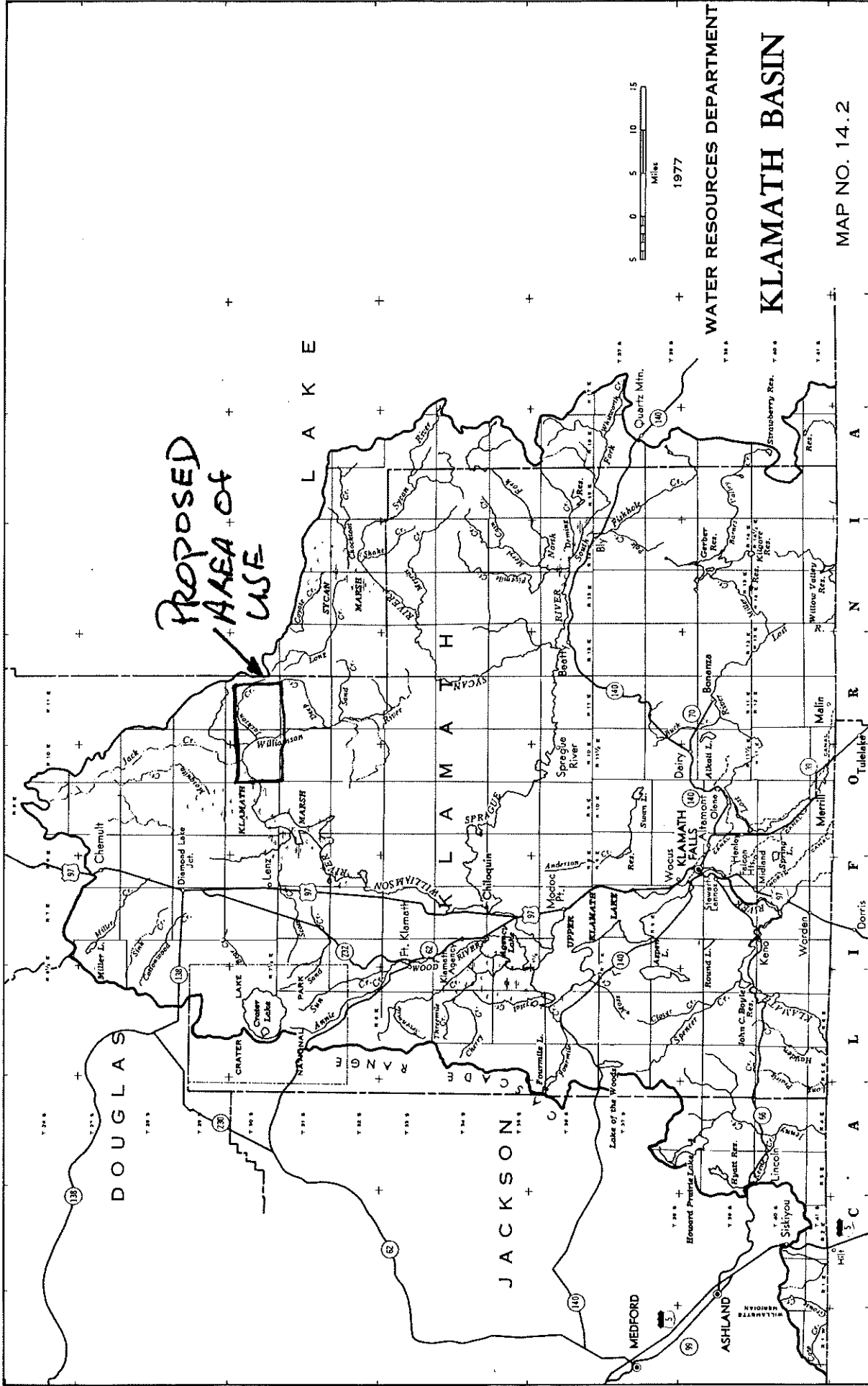
DIVERSION POINT LOCATED
 APPROX. 1520' E. & 1090' N.
 FROM SW CORNER, SEC 19.

SEE ATTACHMENT #1
 FOR THE LOCATION DESCRIPTION
 OF EACH PUMPING DIVERSION
 POINT.

PARCEL # 3
 PUMPING DIVERSION POINTS
 D, E, F, G, H, & I

PARCEL # 1
 PUMPING DIVERSION
 POINTS A, B, & C

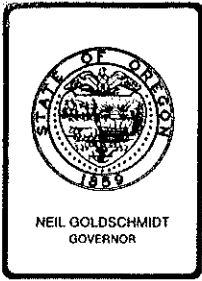
PUMPING
 DIV. POINT A



WATER RESOURCES DEPARTMENT

KLAMATH BASIN

MAP NO. 14.2



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

February 1, 1988

Ernest Dennis
DENNIS RANCH
5300 South Etna
Klamath Falls, OR 97603

Dear Mr. Dennis:

REFERENCE: File 69256

This is to acknowledge return of your Application 69256 along with the four prints of the map, and the two attachments containing information on the points of diversion and ownership of the property involved.

The application is now in satisfactory form and will be placed on the agenda to be reviewed by the Water Resources Commission.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

WJO:tcb

NOTICES SENT TO: California Department of Water Resources
 Klamath River Compact Commission
 Bureau of Reclamation-Sacramento
 Water Resources Control Board-Sacramento



NEIL GOLDSCHMIDT
GOVERNOR

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

NOTICE OF FILING APPLICATION FOR A PERMIT TO APPROPRIATE WATER

File No. 69256

Name Ernest Dennis c/o Dennis Ranch
 Address 5300 South Etna, Klamath Falls, Oregon 97603
 Water source Williamson River and Irving Creek, trib. Klamath Lake
 Use Irrigation of 560.0 acres
 Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T. 30S, R. 11E; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 23 and W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 24, all in T. 30S, R. 10E, W.M., Klamath Co.
 Amount of water 5.8 cfs from Williamson River and 8.2 cfs from Irving Creek

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$					
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$		
FROM WILLIAMSON RIVER:																				
30S	10E	14										8.0					17.9	27.2	1.3	
30S	10E	23	22.0	7.6																
30S	10E	24										33.0	39.3	35.7	40.0					
FROM IRVING CREEK:																				
30S	10E	23				13.2														
30S	10E	24	13.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	7.0								
30S	11E	19								14.8										

RECEIVED

JAN 21 1988

4715 Herman Street
Eugene, Oregon 97404
January 19, 1988

WATER RESOURCES DEPT.
SALEM, OREGON

Wayne Overcash
Water Rights Specialist
Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

REFERENCE: File Number 69256

Dear Mr. Overcash:

In follow-up to your letter of November 27, 1987, I have obtained the requested information and have included that information in our application.

1. The map has been revised showing the locations of pumping diversion points for proposed pumping out of the Williamson River. Attachment #1 provides a location description for each of the pumping diversion points noted on the map. Some changes were made on the application to include this additional information.
2. Attachment #2 provides the names and mailing addresses of the legal owners of the properties involved in this application. It is noted that Frances M. Dennis is owner of all the property except for 160 acres (described on the attachment) which is jointly owned by three persons.

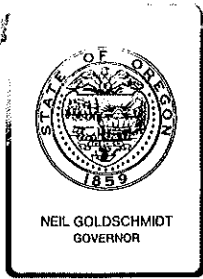
Enclosed is the revised application, attachments, and four prints of the supporting map.

Please let me know if you need any additional information in connection with this application.

Sincerely,



Ernest Dennis



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

November 27, 1987

Ernest Dennis
c/o Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

REFERENCE: File Number 69256

Dear Mr. Dennis:

Your Application 69256 describing the proposed use of 5.8 cubic feet of water per second from the Williamson River for the irrigation of 232.0 acres and the use of 8.2 cubic feet per second from Irving Creek for the irrigation of 328.0 acres, together with the four prints of the supporting map and the legal descriptions of the property, have been reviewed.

We will need a little more information in regards to the portable pumping along the Williamson River and we will also need a statement relative to the ownership of the properties involved in the development.

If any portion of the proposed development, including points of diversions and means of conveyance of the waters will occur on property not wholly under your ownership, you will need to supply the names and mailing addresses of the legal owners of the properties. This information may be supplied in the "Remarks Section" of the application or on a separate sheet.

Our definition of portable pumping along a stream would be points about sixty feet apart for each change of the lateral lines. If it is merely intended to pump from various points along the river, each of these pump sites will need to be located by distances and directions from a public land survey corner, along with locating them within the proper quarter-quarter sections.

I am returning the application along with the four prints of the supporting map for completion. The application is endorsed and in order for it to retain its date of priority, it must be received in this office on or before January 27, 1988.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

WJO/jw
Enclosures
2286E

DEPARTMENT FISH AND
WILDLIFE

MEMORANDUM

INTRA-DEPARTMENT

RECEIVED

DATE: 9/9/87
TO: Fortune - Klamath Falls
FROM: Louis Fredd
SUBJECT: Water Right Application Number 69256

OCT - 8 1987

WATER RESOURCES DEPT.
SALEM, OREGON

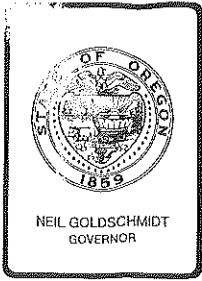
Please review the enclosed notice of applications for water appropriation permits. Advise me of any potential conflicts between the proposed use and fish and wildlife.

No Comments:

Comments:

The Williamson R in the area of this application suffers from excessively high temperatures for rearing of trout. ODFW has been working with other agencies and private landowners in the area, including the applicant, to restore and improve stream habitat conditions with the primary objective being to lower summer water temperature. Further depletion of the flow in the river will only aggravate the water heating problem, we recommend that the applicant be permitted the absolute minimum volume allowed under law in order to minimize the effect on trout habitat.

John Fortune
Dist. Fish Bio.
Klamath Dist.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

September 4, 1987

Ernest Dennis
c/o Dennis Ranch
5300 South Etna
Klamath Falls, OR 97603

REFERENCE: File 69256

We received your application on August 26, 1987, for use of water for irrigation of 560.0 acres along with the supporting data and fees. Our Receipt 53141 is enclosed. Your application has been filed and assigned number 69256.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will receive a permit shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

Effective July 1, 1987, the law requires the permittee to hire a certified Water Right Examiner to survey the extent of use of water perfected under the terms of a permit. Within one year of application of water to beneficial use or the date to make complete application of water allowed in the permit, the permittee shall submit a map of the survey. This law (ORS 537.230 and 537.630, amended 1987) applies to all permits and transfers for which applications were filed after June 30, 1987. Only registered professional surveyors and engineers are eligible to become Water Right Examiners.

If your application is approved, the project described in the application will be subject to the Water Resources Commission's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON
Application/Permit Section

RHJ:wpc

Enclosure
0003/X
1366E

5300 South Etna
Klamath Falls, OR 97603
August 24, 1987

Wayne Overcash, Water Rights Division
Water Resources Dept.
3850 Portland Road N.E.
Salem, Oregon 97310

Dear Mr. Overcash:

Enclosed is the Application for Permit to Appropriate Surface Water which is submitted for the Dennis Ranch in Klamath County, Oregon.

Also enclosed are the following:

1. Copies of the map of proposed appropriation of surface water.
2. Legal description of the property of the Dennis Ranch.
3. A check for \$1,400.00 per fee schedule of the Water Resources Department.

Please let me know if there is any additional information needed in connection with this application.

Sincerely,



Ernest Dennis
Dennis Ranch

RECEIVED

AUG 26 1987

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 69256
Permit No.



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MODERN ...*

[Handwritten signature or stamp]



KLAMATH COUNTY TITLE COMPANY

HOME OWNED SINCE 1905

TITLE INSURANCE • ESCROWS

R. E. Veatch, President
Darle Runnels, Executive Vice-President
Sheri Wegner, Senior Escrow Officer

Date January 13, 1982
Order No. K-35089
REAL PROPERTY SEARCH

RECEIVED
AUG 26 1987
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 69256
Permit No.

Ernie Dennis
Estate of Everett Dennis
5300 S. Etna
Klamath Falls, Oregon 97601

Gentlemen:

We have searched the deed indices and Assessor's Records of Klamath County for property in the name of EVERETT R. DENNIS and FRANCES M. DENNIS

and as of January 6, 1982 at 8:00 a.m., we find the following:

VESTED IN: EVERETT R. DENNIS and FRANCES DENNIS, an estate in fee simple as tenants by the entirety. (in red on the map)

~~1. Lot 8 in Block 5 Second Addition to Hot Springs, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.~~

NOT APPLICABLE

~~2. Lot 7 in Block 5 Second Addition to Hot Springs, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.~~

3. The N $\frac{1}{2}$ S $\frac{1}{2}$ of Section 13; the SE $\frac{1}{4}$ of Section 14; The N $\frac{1}{2}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, the E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, All in Township 30 South, Range 10 East of the Willamette Meridian. And, also, a parcel of land lying North and East of the Williamson River in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 30 South, Range 10 E.W.M., more particularly described as follows: Beginning at the center 1/4 corner of said Section 14, said point lying in the fence corner and being S. 89°28' E. 2634.4 feet from the stone marking the West 1/4 corner of said Section 14; thence, S. 0°01' E. along the North-South fence line and the extension thereof 1088.3 feet to the Northeast bank of the Williamson River; thence following said bank: N. 17°25' W. 151.3 feet; N. 1°37' W. 190.4 feet; N. 61°19' W. 91.4 feet; S. 62°25' W. 80.2 feet; N. 31°32' W. 157.3 feet; N. 89°59' W. 168.3 feet; N. 6°25' E. 181.5 feet; N. 64°51' W. 125.9 feet; N. 31°01' E. 186.8 feet; N. 27°02' W. 226.1 feet; N. 52°52' E. 36.9 feet to the North line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14 it being on the East-West fence line; thence S. 89°28' E. along the North line of the SW $\frac{1}{4}$ of said Section 14, along said fence line 523.0 feet, more or less, to the point of beginning, said parcel containing 7.81 acres, more or less, and being the same parcel of land which was conveyed to said Ed Hoyt by the Modoc Lumber Co. by deed recorded August 29, 1957, in Volume 294 page 148, Deed records of Klamath County, Oregon.

Application No. 69256
Permit No.

Order No. K-35089

-2-

Property Search

4. E $\frac{1}{2}$ SW $\frac{1}{4}$ and Lots 3 and 4, Section 18, Township 30 South, Range 11 East of the Willamette Meridian.
5. The NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 24 in Township 30 South, Range 10 East of the Willamette Meridian, and the NW $\frac{1}{4}$ of Section 19, Township 30 South, Range 11 East of the Willamette Meridian, also the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 30 South, Range 11 East of the Willamette Meridian.
6. That portion of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, SAVING AND EXCEPTING THEREFROM the following: Beginning at a point marking the Southwest corner of Block 6 of Tract 1035 Gatewood, a duly recorded subdivision, said point being N. 00°14'05" W. 30.00 feet from the center 1/16 corner of said Section 14; thence N. 89°58'56" W. parallel to and 30 feet Northerly of the Southerly line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14, 484.88 feet; thence S. 00°01'04" E. 358.74 feet; thence S. 30°55'12" E. 324.33 feet; thence S. 01°44'41" E. 428.54 feet; thence N. 88°15'19" E. 20.00 feet; thence S. 01°44'41" E. 170.00 feet to the Northerly right of way line of the 1-C-7 U.S.B.R. Drain; thence along said right of way line, N. 88°15'19" E. 120.00 feet to the centerline of Glenwood Drive extended Northerly, continuing along said right of way line, N. 88°15'19" E. 540.01 feet, N. 10°46'25" E. 1175.49 feet, N. 01°17'15" W. 29.44 feet to the Northerly line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14; thence leaving said right of way line, N. 89°58'56" W. 598.53 feet to the center 1/16 corner of said Section 14; thence N. 00°14'05" W. 30.00 feet to the point of beginning, with bearings based on the said Tract 1035 Gatewood.
- NOT APPLICABLE
7. The following in Section 13, Township 30 South, Range 10 East of the Willamette Meridian: Beginning at the Southeast corner of Section 13, T. 30 S., R. 10 E.W.M., which corner is established by a brass hub installed by survey in the year 1979; thence North 100 feet, thence West 100 feet, thence South 100 feet, thence East 100 feet to point of beginning. This parcel of land is forever dedicated to be used for a cemetery.
8. E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of A-3 Lateral and Easterly A-3-D Lateral of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, SAVING AND EXCEPTING THEREFROM A parcel of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T. 39 S., R. 9 E.W.M., more particularly described as follows: Beginning at a 3/4 inch iron pipe located S. 0°05' W. 165 feet from Northeast corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14, this pipe is also located on Northerly right of way of U.S.R.S. Lateral A-3 and along East line of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14, Thence S. 0°05' W. a distance of 610.80 feet along East line of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14 to a 5/8 inch iron pin thence, West 348.02 feet to a 5/8 inch iron pipe which is along East line of a lot on the Westerly right of way of existing U.S.R.S. Lateral A-3-D; thence N. 26°07' E. along Easterly lot line and Westerly right of way line of said lateral a distance of 44.3 feet to an existing 1/2 inch iron pipe which is the Northeast corner of lot (original Zumwalt Lot), thence N. 28°16' W. along existing Westerly right of way of said lateral A-3-D, 286.60 feet to a 5/8 inch iron pin which is on the existing Northerly right of way of U.S.R.S. A-3 Lateral, thence N. 66°39' E. 134.60 feet (long chord on curve) to a point which is end of curve on Northerly right of way of existing said lateral A-3, thence N. 55°14' E. 273.10 feet along existing Northerly right of way of said Lateral A-3 to an existing 3/4 inch iron pipe which is also the Southwest corner of Lot 51, Elmwood Park; thence continuing on N. 55°14' E.

Application No. 69256
Permit No.

Order No. K-35089

-6-

Property Search

VESTED IN: EVERETT R. DENNIS (in Blue on the map)

1. NW $\frac{1}{4}$ of Section 24, Township 30 South, Range 10 E.W.M., containing 160 acres, more or less.
2. The SE $\frac{1}{4}$ of Section 18, Township 30 South, Range 11 East of the Willamette Meridian.

Liability hereunder is limited to the amount paid for this report.

KLAMATH COUNTY TITLE COMPANY

BY:

Cecel Roberts

CR:cr 12/37-40, 44-45
cc: H.F. Smith

RECEIVED

AUG 26 1987

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

ATTACHMENT # 2

JAN 21 1988

Application for Permit to Appropriate Surface Water File Number 69256
Dennis Ranch
WATER RESOURCES DEPT
SALEM, OREGON

STATEMENT OF OWNERSHIP

All of the property involved in this application, except 160 acres (described below) is under the ownership of:

Frances M. Dennis
5300 South Etna
Klamath Falls, Oregon 97603

A quarter section, comprising 160 acres of property involved in this application is under separate ownership:

Legal Description:
NW $\frac{1}{4}$ of Section 24, Township 30 South, Range 10 E., W.M.,
containing 160 acres more or less.

Legal owners (as tenants in common) are as follows:

Ernest E. Dennis
4715 Herman Street
Eugene, Oregon 97404

Diane F. Taylor
6727 Amber
Klamath Falls, Oregon 97603

Carolyn J. Johnson
8 Finger Circle
Bella Vista, Arkansas 72714