

G7

Name G-17177
BALIN FARM TRUST
By dba BALIN RANCHES
13600 HOMEDALE RD
Address KLAMATH FALLS OR 97603

Application No. G17177
Permit No. G-16554
Certificate No. _____

FEES PAID

Date	Amount	Receipt No.
<u>2-11-09</u>	<u>700.00</u>	<u>95603</u>
<u>6-8-09</u>	<u>300.00</u>	<u>96705</u>
<u>5-19-17</u>	<u>175.00</u>	<u>123466</u>
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.

C14
Priority FEB 11 2009
County KLAM WM# 17

Date _____
DENIED _____
MISFILED _____ Volume | Page
WITHDRAWN _____
CANCELLED _____

RELATED FILES

G-17178

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion 8-6-2014
Extended to _____
Final Proof received COBK 5/19/2017
Cert. Mailed _____

REMARKS

MAP LOCATION

JS 2.12.2009



Oregon
Kate Brown, Governor

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

June 1, 2017

Balin Ranches
13600 Homedale Rd
Klamath Falls OR 97603

On May 19, 2017 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application G-17177 Permit G-16554

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file

Completion Checklist for CWRE Claims of Beneficial Use

Application # G-17177



Date Received 5/19/2017

CWRE Name Joseph Strahl

Claim Logged

File Marked

Oversized Map # _____

Reviewer Connie Vance

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- _____ Source illustrated if surface water (OAR 690-014-0170(3))
- _____ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- _____ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- _____ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- _____ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- _____ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- _____ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- _____ Source(s) of water (OAR 690-014-0100)
- _____ Use, period of use, and rate for use (OAR 690-014-0100)
- _____ Place of use location (OAR 690-014-0100)
- _____ Type of use (OAR 690-014-0100)
- _____ Extent of use (OAR 690-014-0100)
- _____ Rate and Duty (OAR 690-014-0100)
- _____ Diversion rate for each use (OAR 690-014-0100)
- _____ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- _____ System capacity (OAR 690-014-0100)
 - _____ Calculated capacity of system (required)
 - _____ Measured amount of use (optional)
- _____ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - _____ Time limits
 - _____ Initial water level measurements
 - _____ Annual static water level measurements
 - _____ Measurement, recording, and reporting
 - _____ Meter/measuring device
 - _____ Water use reporting
 - _____ Fish screening and/or by-pass
 - _____ Pump test (ground water)
 - _____ Other conditions
- CWRE stamp and signature (OAR 690-014-0100)
- _____ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

_____ Map and COBU reviewed
_____ Conflict check Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

_____ Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.**

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

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

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

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

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

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

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SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T) G-17177	PERMIT # (IF APPLICABLE) G-16554	PERMIT AMENDMENT # (IF APPLICABLE)
---	-------------------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Balin Ranches		PHONE NO.	ADDITIONAL CONTACT NO. 541-281-7909
ADDRESS 13600 Homedale Rd.			
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL balinranches@gmail.com

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

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

PERMIT OR TRANSFER HOLDER OF RECORD Balin Ranches			
ADDRESS 13600 Homedale Rd.			
CITY Klamath Falls	STATE OR	ZIP 97603	

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Scott Balin	3-31-17	Manager/Owner

6. County:

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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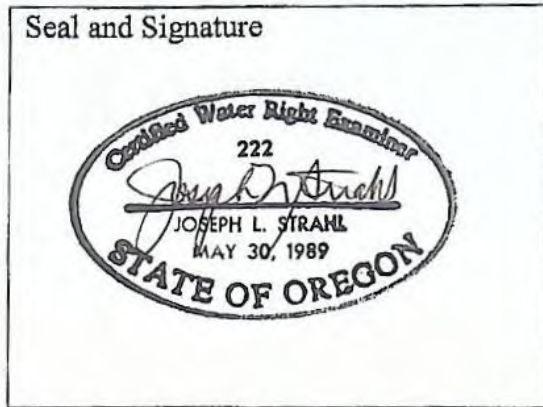
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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



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CWRE NAME Joseph L. Strahl		PHONE NO. 541-301-2946	ADDITIONAL CONTACT NO.	
ADDRESS 9300 John Day Drive				
CITY Gold Hill	STATE OR	ZIP 97525	E-MAIL Joe4548@gmail.com	

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Scott Balin	Owner/Manager	5-16-17

**SECTION 3
CLAIM DESCRIPTION**

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POA#1	KLAM 52824	L 29451

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

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POA#1	A well in Lost River Basin	

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POA#1	Irrigation including livestock watering	Hay, grain, other crops	April 1 – October 31	2.54 cfs
Total Quantity of Water Used				2.54 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

The well is designed as a closed On Demand system, ranging from 1200 to 4200 gpm depending on the demand. The well uses an ABB frequency drive to maintain 17 psi head pressure using a potentiometer. The well is also the source for permit G-15333. The system is designed to irrigate a total of 671.5 acres from this source.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below. **NO**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

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6. Claim Summary:

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POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POA#1	0.95 cfs			Supplemental irrigation	76.1	76.1

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

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

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
40 S	9 E	WM	11	SWNE					37.0
40 S	9 E	WM	11	SENE					39.1
Total Acres Irrigated									76.1

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

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

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3. Motor Information

MANUFACTURER	HORSEPOWER
US Electrical Motors	125 hp
Model# H0125S2SL6	

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
125	64.3 psi	120'	10' + 60 psi operating	3.11

5. Provide pump calculations:

See attached calculation sheet.

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

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

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

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
18"	409	PVC	Buried
16"	688	PVC	Buried
12"	747	PVC	Buried
10"	7,195	PVC	Buried
8"	3,224	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
N/A					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
Valley Precision	1583.3	60	1136	2.54

12. Additional notes or comments related to the system:

See attached pivot system information.

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C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? YES

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3" access hole on SE side of pump

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
16"	202'	1414'	7/20/2001		Balin Ranches	Storey Drilling Services

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

See KLAM 52824

5. Is the appropriation from a dug well (sump)? NO

If "NO", items 6 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) NO

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer? NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted. RECEIVED BY OWRD

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SECTION 5 CONDITIONS

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

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	8-06-2009		
BEGIN CONSTRUCTION (A)			This was an existing well at the time of the issuance of the permit. The flowmeter was installed in 2001.
COMPLETE CONSTRUCTION (B)	8-06-2014		
COMPLETE APPLICATION OF WATER (C)	8-06-2014		

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

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NO

If "NO", you may delete item 3 in this section.

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4. Initial Water Level Measurements:

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a. Was the water user required to submit an initial static water level measurement? YES

If "NO", items 4b through 4d relating to this section may be deleted.

b. What month was the initial measurement to be taken in?

March

c. Was the measurement submitted to the Department? YES

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? YES

If "NO", items 5b through 5e relating to this section may be deleted.

b. Provide the month, or months, the static water level measurement(s) were to be made:

March

c. Were the static water level measurements taken in the month(s) required? YES

d. If "YES", were those measurements submitted to the Department? YES

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? YES

If "NO", items 6b through 6e relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? YES

c. Is the pump test attached to this claim? NO

d. Has the pump test been approved by the Department? YES

e. Has a pump test exemption been approved by the Department? NO

**** Claims will not be reviewed until a pump test or exemption has been approved by the Department**

7. Measurement Conditions:

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

If "NO", items 7b through 7f relating to this section may be deleted.

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

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POA#	McCrometer	01-05772-14	working	293.382	2001

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? YES

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted? YES

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
paper	27627

If the reports have not been submitted, attach a copy of the reports if available.

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9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- a. Were there special well construction standards? YES
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? YES
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? YES

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

11(a): Well to be continuously cased and sealed to minimum depth of 1081' below surface.
 11(c): IF riparian area was disturbed, restoration is required. The riparian area was NOT disturbed.
 11(g): Well ID tag

SECTION 6
ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Well Log	KLAM 52824
Valley	Data on pivot
Map	
Pump capacity calculation sheet	

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

Acreeage measurement based on ArcView 10.2 software and ESRI World Imagery as available in January 2017.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

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

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SALEM, OR

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

WELL I.D. # L27451
START CARD # 107251

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number _____

Name BALU RANCHES
Address 13600 HOMEDALE RD
City KLAMATH FALLS State ORE Zip 97603

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 1414
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
22	0	201	CEMENT	0	50	60 SKS
15	201	1083		190	201	25 SKS
12	1083	1108				

How was seal placed: Method A B C D E
 Other B/C/HOLE 1108-1414
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 16	+1	202	258	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 202 FEET

(7) PERFORATIONS/SCREENS:

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

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

<input checked="" type="checkbox"/> Pump	<input type="checkbox"/> Bailer	<input type="checkbox"/> Air	<input type="checkbox"/> Flowing Artesian
Yield gal/min	Drawdown	Drill stem at	Time
3000	0.79 FEET		8 HRS

Temperature of water 77°F Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:

County KLAMATH Latitude _____ Longitude _____
Township 40 S N or S Range 9 E E or W. WM.
Section 12 SW 1/4 50 1/4
Tax Lot 4009 Lot 01200 Block 01200 Subdivision 0001
Street Address of Well (or nearest address) 13600 HOMEDALE K. FALLS ORE

(10) STATIC WATER LEVEL:
46 ft. below land surface. Date 7/20/01
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 1121 FT

From	To	Estimated Flow Rate	SWL
1121	1414	3000 GPM	46

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
SEE ATTACHED LOG-			

Date started 6/20/01 Completed 7/20/01

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

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 601
Signed _____ Date 7/28/01



V-Chart

Valley Dealer

J.W. Kerns
4360 HWY 39
Klamath Falls, OR 97603-9652
UNITED STATES

Customer

BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603
UNITED STATES

Dealer No.

00003766

Field Name

Cheyne place corner

Parent Order No. **10797034**
Sprinkler Order No. **10803220**

Plant **Valley Systems/Parts**

Dealer PO
Order Date **09/08/2010**
Load Date **09/13/2010**
Method Of Shipment **W/SYS (10797034)**

7 Span Valley Precision Corner 8098
Machine Flow 1136 GPM
Pivot Pressure 60 PSI

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Valley Precision Corner 8098 Machine Summary

Span and Overhang

Model	Qty	Length Pipe		Coupler		D. U.	
		Ft	O.D. In	Spacing	Qty	Profile	Tire
8000	2	204.9	6 5/8	108	23	Standard	14.9 x 24 High Float
8000	1	184.8	6 5/8	108	21	Standard	14.9 x 24 High Float
8000	2	204.9	6 5/8	108	23	Standard	14.9 x 24 High Float
8000	1	184.8	6 5/8	108	21	Standard	14.9 x 24 High Float
8098	1	287	6 5/8	120	118	Standard	14.9 x 24 High Float

Field Area

Acres Total	102.3 Acres: Pivot 360°
	EG on 25%
Machine Length	1478.9 Ft.
End Gun Radius	104.4 Ft.

Flow

Gallons Per Minute	1136
GPM/Acre	6.28
In/Day App Rate	0.34
In. App Depth @ 100%	0.130
GPM End Gun	124.1

Messages

Caution:
 1. Warning: Endgun underwatering by more than 10%

Dealer:
 None

Pressure

60 PSI Pivot Pressure
 Calculated Pressure
 25.0 Ft. Highest Elevation
 5.0 Ft. Lowest Elevation

LRDU Drive Train

56 RPM Center Drive @ 60 Hz freq.
 14.9 x 24 High Float Tire
 52:1 Wheel GB Ratio, LRDU Dist 1191.1 Ft.
 9.2 Hrs/360° @ 100% (13.59) Ft/Min

Sprinkler -- Computer Spacing

Sprinkler Configuration	Range (ft)
Valley U-Pipe 6 Galvanized 3/4 M NPT x 3/4 M Hose	All
Blue Premium Hose Drop Variable Length 72" Ground Clr	
Nelson Regulator Blue Acme 20 3/4 F NPT	
Valley Slip Weight 26 2.0 Poly	
Nelson R3000 D6 - Red 3/4 F Acme	



1080.66 Ft Total Drop Hose Length

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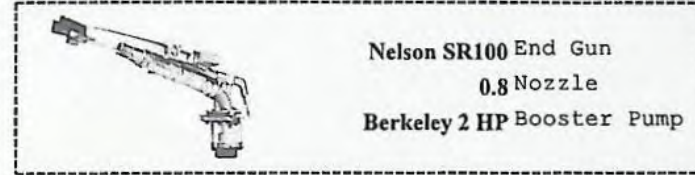
Parent Order No 10797034

Dealer **J.W. Kerns**
 Customer **BALIN RANCH**
 Field Name **Cheyne place corner**
Valley Precision Corner 8098 Machine Summary

Sprinkler Order No 10803220

Pressure Loss

Pipe Length Ft	Pipe I.D. In	Pipe Finish	C-Factor	Loss PSI
1451.4	6.42	Galvanized	150	23.8
27.4	3.79	Galvanized	150	0.6
Total =				24.4



Span Flow

Span Number	Irrigated Length	Irrigated Acres	Rqd GPM	Act GPM	Rqd GPM/Acre	Act GPM/Acre	% Deviation
1	204.7	3.1	19.2	21.6	6.22	7.01	12.7
2	204.9	9.1	56.9	56.8	6.22	6.22	-0.1
3	184.9	13.4	83.6	83.5	6.22	6.21	-0.2
4	204.9	20.7	128.6	128.4	6.22	6.21	-0.1
5	204.9	26.7	166.3	166.4	6.22	6.23	0.1
6	184.6	29.3	182.0	181.8	6.22	6.21	-0.1
7	204.4		245.6	245.9			
O/H	82.3		114.9	115.3			
EG	104.4		144.9	124.1			
Totals			102.3	1123.8			
	Drain Sprinkler		12.6	12.2			
	Total Machine Flow			1136			

Advanced Options

Drain Sprinkler = Senninger Directional
 Last Sprinkler Coverage = 1.0 ft
 Sprinkler Coverage Length = 1479.9 ft
 Use Last Coupler= NO
 Minimum Mainline Pressure = 6.0 PSI

Shipping Options

Ship Drop Hardware
 Ship Endgun Nozzle
 Ship Endgun & Hardware
 Do not ship Endgun Valve / Nozzle Valve Hardware
 Do not ship Boosterpump Hardware

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Parent Order No 10797034

Dealer J.W. Kerns
 Customer BALIN RANCH
 Field Name Cheyne place corner

Sprinkler Order No 10803220

MAY 19 2017

SALEM, OR

Valley Precision Corner 8098 Percent Timer Data

Setup Information - Valley Computer Control Panel Water Application Constants: Minimum Application = 0.130 Hours Per Revolution = 9.2

Based on Inches

Inches Per 360 Degrees	Pivot % Timer	Hours Per 360 Degrees
0.130	100.0	9.2
0.20	64.8	14.2
0.30	43.2	21.3
0.40	32.4	28.4
0.50	25.9	35.5
0.60	21.6	42.6
0.70	18.5	49.7
0.80	16.2	56.8
0.90	14.4	63.9
1.00	13.0	70.8
1.25	10.4	88.5
1.50	8.6	107.0
1.75	7.4	124.3
2.00	6.5	141.5
2.50	5.2	176.9

Based on % Timer

Pivot % Timer	Inches Per 360 Degrees	Hours Per 360 Degrees
100.0	0.130	9.2
90.0	0.14	10.2
80.0	0.16	11.5
70.0	0.19	13.1
60.0	0.22	15.3
50.0	0.26	18.4
45.0	0.29	20.4
40.0	0.32	23.0
35.0	0.37	26.3
30.0	0.43	30.7
25.0	0.52	36.8
20.0	0.65	46.0
17.5	0.74	52.6
15.0	0.86	61.3
12.5	1.04	73.6
10.0	1.30	92.0
7.5	1.73	122.7
5.0	2.59	184.0

Field Area

Acres Total
102.3 Acres: Pivot 360°
 EG on 25%
1478.9 Ft. Machine Length
104.4 Ft. End Gun Radius

Flow

1136 Gallons Per Minute
6.28 GPM/Acre
0.34 In/Day App Rate
0.130 In. App Depth @ 100%
124.1 GPM End Gun

Pressure

60 PSI Pivot Pressure
Calculated Pressure
25.0 Ft. Highest Elevation
5.0 Ft. Lowest Elevation

LRDU Drive Train

56 RPM Center Drive @ **60** Hz freq.
14.9 x 24 High Float Tire
52:1 Wheel GB Ratio, LRDU Dist **1191.1** Ft.
9.2 Hrs/360 @ 100% (**13.59**)Ft/Min

Disclaimer

The information presented in the attached Percent Timer Report is based on variables which cannot be totally controlled by Valmont (including, but not limited to; pivot pressure, inside pipeline surface, end gun throw, end gun arc setting, tire slippage, tire pressure, field slopes, soil variations, sprinkler package installation, well capacity, center drive motor voltage, center drive motor frequency, climatic conditions and other elements and circumstances beyond Valmont's reasonable control). Valmont recommends monitoring the machine for at least one pass through field to obtain an accurate rotation time.

Parent Order No 10797034

Dealer J.W. Kerns
Customer BALIN RANCH
Field Name Cheyne place corner
Valley Precision Corner 8098 Bill Of Materials

Sprinkler Order No 10803220

Qty	Part Number	Description
1	0211059	NPL MS 3/4 X 12 GV SCH 40
100	0231076	REG PR NELSON LO FLO 20 PSI BLUE/RED INTEGRA
19	0231098	REG PR NELSON HI FLO 20 PSI BLUE/RED INTEGRA
1	0232501	PRESSURE GAUGE 0-100 PSI
1	0241005	FIT ER 3/4 X 90 GV
1	0241012	FIT ES 3/4 X 90 GV
1	0244038	FIT PB 1 X 3/4 GV REDUCER
119	0271077	HSE IT 3/4" MNPT X 3/4" HOSE BARB
119	0271080	HSE CL 1 1/16" HOSE CLAMP-CRIMP
119	0271084	HSE CL 1 1/4 S.S. HOSE DROP CLAMP
119	0430530	SPK PD D6 12 DEG ROTOR PLATE (RED)
119	0430601	SPK MS NELSON BODY FOR R3000/S3000
119	0430602	SPK MS NELSON CAP/MOTOR ASSM FOR R3000
5	0430614	NZ LIME 3TN 14/128
1	0430615	NZ LIME/LAVENDER 3TN 15/ 128
1	0430617	NZ LAVENDER/GRAY 3TN 17/ 128
1	0430618	NZ GRAY 3TN 18/128
1	0430619	NZ GRAY/TURQUOISE 3TN 19 /128
1	0430620	NZ TURQUOISE 3TN 20/128
2	0430621	NZ TURQUOISE/YEL 3TN 21/ 128
2	0430623	NZ YELLOW/RED 3TN 23/128
2	0430624	NZ RED 3TN 24/128
1	0430625	NZ RED/WHITE 3TN 25/128
1	0430626	NZ WHITE 3TN 26/128
1	0430627	NZ WHITE/BLUE 3TN 27/128
5	0430628	NZ BLUE 3TN 28/128
7	0430629	NZ BLUE/DARK BROWN 3TN 2 9/128
13	0430630	NZ DARK BROWN 3TN 30/128
3	0430631	NZ DARK BROWN/ORANGE 3TN 31/128
13	0430632	NZ ORANGE 3TN 32/128
10	0430633	NZ ORANGE/DARK GREEN 3TN 33/128
6	0430634	NZ DARK GREEN 3TN 34/128
5	0430635	NZ DARK GREEN/PURPLE 3TN 35/128
4	0430636	NZ PURPLE 3TN 36/128
3	0430637	NZ PURPLE/BLACK 3TN 37/1 28
7	0430638	NZ BLACK 3TN 38/128

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Parent Order No 10797034

Dealer J.W. Kerns
Customer BALIN RANCH
Field Name Cheyne place corner
Valley Precision Corner 8098 Bill Of Materials

Sprinkler Order No 10803220

Qty	Part Number	Description
7	0430639	NZ BLACK/DARK TURQUOISE 3TN 39/128
5	0430640	NZ DARK TURQUOISE 3TN 40 /128
6	0430641	NZ DARK TURQUOISE/MUSTAR D 3TN 41/128
3	0430642	NZ MUSTARD 3TN 42/128
2	0430643	NZ MUSTARD/MAROON 3TN 43 /128
1	0430645	NZ MAROON/CREAM 3TN 45/1 28
1	0496190	BLACK SPRAY NZ #19 ORF . 297
1	0500708	SPK NZ TAPERED SR100 NELSON 0.8T
1	0505060	SPK CP NELSON SR100 END GUN MOD W/2"BASE
119	0994385	2 LB. HOSE DROP WEIGHT - POLYETHYLENE
119	0995972	U-PIPE W/BARBED END
5	09S0049	PREMIUM BLUE PIVOT IRR HOSE 3/4" (250')
1	PRDCTED	COOP & PRODUCT PROMOTION

Total Net Weight (lbs): 676.94

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SALEM, OR

Pump Capacity Calculation Sheet G-16554 well

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 125
 Efficiency = 7.04
 Lift = 120
 PSI = 64.3 Lift of 10 feet to place of use plus 60 psi operating pressure

Results Calculated

(hp)(efficiency) = 880
 Head based on psi = 163.3
 Total dynamic head = 283.3
 (head + lift)

Pump Capacity = 3.11 feet per second

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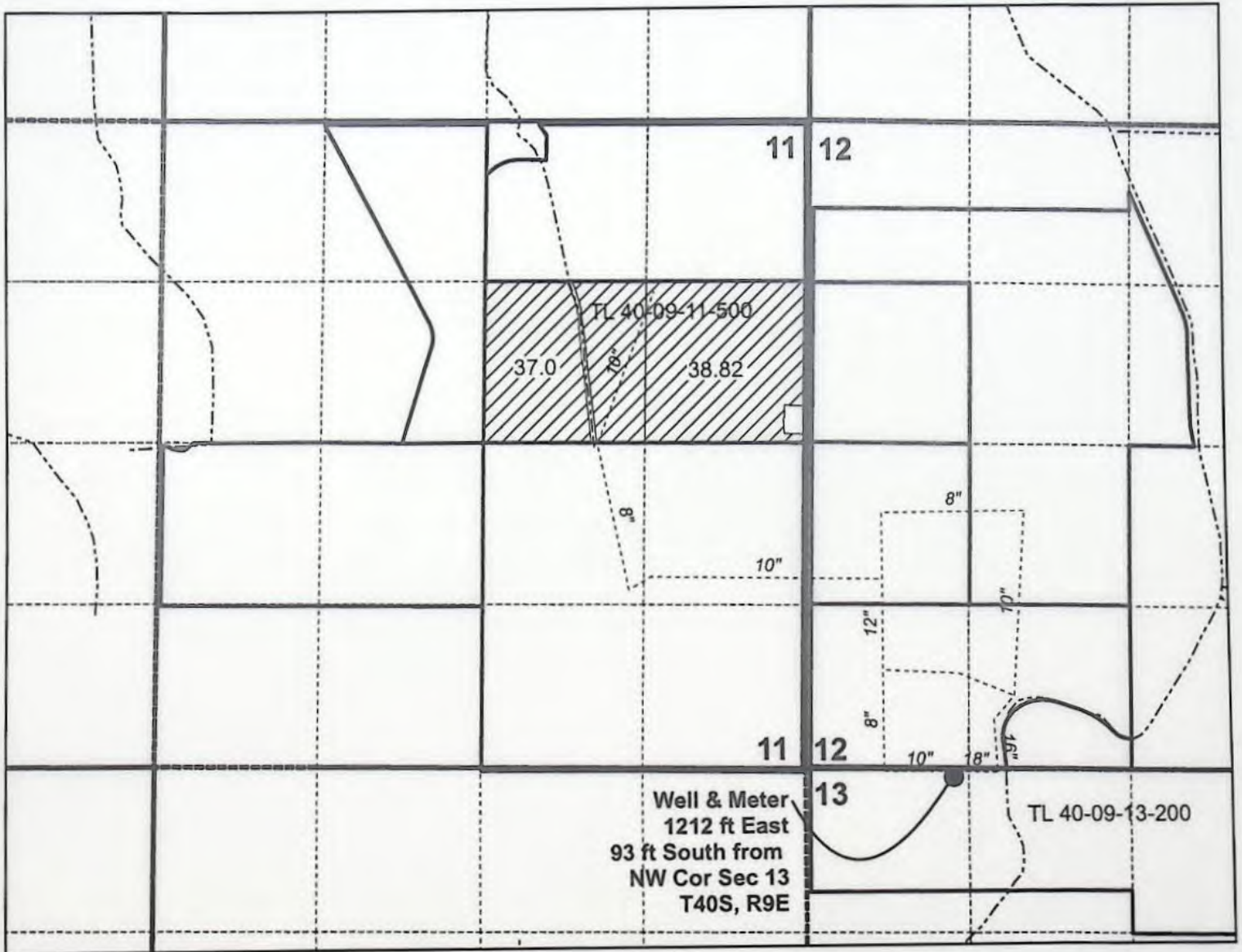
**Map of
Claim of Beneficial Use
Balin Ranches
Application G-17177
Permit G-16554**

T 40 S, R 9 E, Sec. 11 WM




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SALEM, OR



Legend

-  Area irrigated
-  Pipelines
-  KID Canals



1 inch = 1,320 feet

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



Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17177

Final Order

Appeal Rights

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

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the Final Order is not subject to judicial review.

Application History

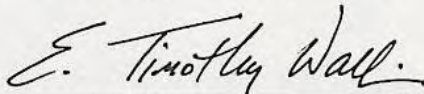
On February 11, 2009, Balin Ranches submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on June 2, 2009. The protest period closed July 17, 2009, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Application G-17177 therefore is approved as proposed by the Proposed Final Order, and Permit G-16554 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED August 6, 2009



for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Joel Plahn. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0815.

If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

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

APPLICATION FILE NUMBER: G-17177

SOURCE OF WATER: A WELL (KLAM 52824) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 76.1 ACRES

MAXIMUM RATE: 0.95 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 11, 2009

WELL LOCATION: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 13, T40S, R9E, W.M.; 200 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 13

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.1 ACRES

SECTION 11

TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall keep a complete record of the amount of water used each month, and shall submit a report which includes

the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.

- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as

- depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well(s) shall be continuously cased and continuously sealed to a minimum depth of 1081 feet below land surface. The well(s) may not be completed in such a manner to allow ground water to be developed from the basin fill materials above the consolidated basalt. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new well depth and construction specifications will be incorporated into any certificate issued for this permit.

The ground water reference level at Well (KLAM 52824, well tag L 29451) shall be 38.6 feet below land surface.

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

STANDARD CONDITIONS

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

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

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

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

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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

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

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued August 6, 2009

E. Timothy Ward

for Phillip C. Ward, Director
Water Resources Department

G-17177

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE E1/2 OF SECTION 11, THE W1/2 E1/2 AND THE W1/2 OF SECTION 12, AND THE NW1/4 OF SECTION 13, T40S, R9EWM, KLAMATH COUNTY, OREGON, FEBRUARY, 2009

MAP PREPARED FOR

--BALIN RANCH--

MAP PREPARED FROM

--ASSESSORS MAP--

--AERIAL PHOTOGRAPH--

WELL LOCATION

200 FEET SOUTH AND 1320 FEET EAST OF THE NORTHWEST CORNER OF SECTION 13

TAX LOT
40 09 11 - 500



RECEIVED

FEB 05 2009

WATER RESOURCES DEPT
SALEM, OREGON



NEW LANDS SUPPLEMENTAL TO KLAMATH IRRIGATION DISTRICT

--24.0--



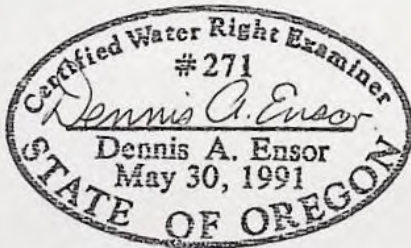
NEW LANDS SUPPLEMENTAL TO KLAMATH BASIN IMPROVEMENT DISTRICT

--52.1--



LANDS SUPPLEMENTAL TO PERMIT # G-15333 AND G-16209

TOTAL AREA THIS APPLICATION
--76.1 AC--



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

WATER RESOURCES DEPT
SALEM, OREGON

FEB 11 2009

RECEIVED

TRU SURVEYING INC. LINE

2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

G-17177

EFU-C

EFU-C

EFU-C EFU-C
EFU-C EFU-C

CROSS RD

EFU

R-4009-01100-00100-000

R-4009-01200-00402-000

R-4009-01100-00500-000

R-4009-01200-00500-000

EFU-C

EFU-C

RECEIVED

FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

R-4009-01100-00600-000

R-4009-01200-01300-000

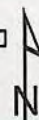
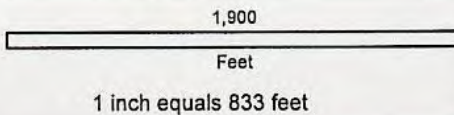
C Canal

R-4009-01400-00100-000

R-4009-01300-00200-000

HOMEDALE RD

Klamath County
Planning Department



Date Printed: 2/10/09

This map is for planning purposes only. This map has been prepared for internal use by Klamath County only. Accuracy and completeness is not guaranteed to any other agency, public or private.

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FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

*Land To
Add on Application*

*Existing
Machinery*

*Pump Station
Existing*

*150 HP Pump
Station*

*KLAM
52824*

25.03 ac

52.53 ac

9.39 ac

5.98 ac

5.26 ac

57.84 ac

88.49 ac

39.06 ac

44.36 ac

145.66 ac

40.9 ac

25.73 ac

27.68 ac

9.48 ac

33.88 ac

21.96 ac

36.75 ac

Balin Ranch



0 500 1,000 Feet

RECEIVED

FEB 05 2009

WATER RESOURCES DE
SALEM, OREGON

FO Checklist

Application #: G-17177 Applicant: BALIN RANCH TRUST DBA BALIN RANCHES

Name and/or address has **changed or been assigned** Yes No

If new: _____

Respond to **significant comments, issues, or disputes** related to the proposed use of water. N/A

Affected landowner(s) have been notified N/A Yes No, send a letter to landowners before FO issuance.

Verify names/addresses of affected landowners, and those who commented and/or paid \$10 fee. N/A

Include fish screen form if ODFW requested **screening condition and rate** ≤ 0.5 CFS N/A Yes No

PFO conclusions **require modification** due to typos, errors or omission of conditions Yes No

If so: _____

Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** N/A Yes

SWW If GW and interference, copy form for Stahr. N/A

Fees

Base Fee

Water Amount (Q)

\$300 / ~~\$500~~
\$700 / \$1000

1st CFS/AF

200

_____ Addl @ _____

_____ Addl @ _____

Add'l POD/POA use + _____

_____ +
(base)

_____ =
(Q)

_____ =
(total exam fee)

EXAM FEE REQUIRED	<u>700</u>	RECORDING FEE REQUIRED	\$250 / \$300 / \$400
EXAM FEE PAID	<u>-700</u>	RECORDING FEE PAID	<u>-300</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

___ FO w/ draft permit; still needed:

___ fees

___ easement

___ st water contract

___ approved dam plans & specs

___ land use approval

___ FO w/ permit # ~~16554~~ 16554

___ FO to deny

refund \$ _____

Name: Joel Plahn

Date: 7/17/2009

Peer Reviewer: _____

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

PFO Checklist

Application #: G-17177 Applicant: BALIN RANCH TRUST DBA BALIN RANCHES

Shortcomings preventing PFO? Y / Should process continue? / N

IR Date 4-10-09 Public Notice Date 4-14-09 Comments received? Y / N _____

Was additional information requested in the IR? / N If so, do we now have enough info to do the PFO? / N

Was the application filed after 10/23/99? / N (If not, add A date requirement)

B.O.R. or Doug Co. project Y / Contract in file? N contract # _____

POD characteristics identifies as DEQ 303d? Y / N / Comments received? Y / N _____

Is second gw review necessary? Y / / NA Complete? Y / N

Water Availability / REDONE / NA _____

Have conflicts been addressed? Y / N / _____

Changes from IR determinations _____

SWW If GW and interference, copy form for Stahr.

Copy to Reg Manager NA WM 17 CWRE Dennis Agent _____

Fees	Base Fee	Water Amount (Q)	
	\$150 / \$250	1 st CFS/AF	_____
	\$300 / \$500	_____ Addl @ _____	_____
		Add'l <input type="checkbox"/> POD/POA <input type="checkbox"/> use +	_____
	_____ +		
	(base)	(Q)	= _____ (total exam fee)

EXAM FEE REQUIRED	<u>700</u>	RECORDING FEE REQUIRED	\$175 / \$250 / <input checked="" type="checkbox"/> \$300
EXAM FEE PAID	<u>- 700</u>	RECORDING FEE PAID	<u>- 0</u>
STILL OWED	<u>0</u>	STILL OWED	<u>300</u>

Name: Joel Plahn Date: 5/6/2009 Peer Reviewer: _____

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KIAM 52824

IR CHECKLIST

Application #: G-17177 Applicant: SCOTT BALIN BALIN RANCH TRUST

Use(s): SUPPLEMENTAL IRRIGATION USE ON 76.1 ACRES Priority Date: February 11, 2009

MU or QM NA will complete construction within 20 years
 Fujii reviewed recommendations _____

Is the application complete? No Yes LU + legal

ORS 538 prohibits use No Yes If so, do not do an IR; return the application & fees to the applicant.

DIV 9 NA will likely be available... will not likely be available... will, if properly conditioned...

classify as surface water well _____ has PSI with _____

(include basin map if true) well _____ is within 1N 3E 20, 21, 28, 29 GWLA CGWA _____

GW conditions 7B 7N 7K Special 7J

DIVISION 33 NA No above Bonneville, and not allowed 4/15 - 9/30
 below Bonneville
 statewide

SW Availability NA 80% live 50% storage _____ WID: _____

Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

POU conflict NA No No, different sources No, make up a deficiency in rate No, existing not at max. rate

Yes _____

Use is supplemental, checked for primary rights w/ diff source NA Yes limits 1/80 1/80

Use is allowed not allowed limited OAR Compact Klamath

Requested Use/Rate/Season SI 1.0 cfs April - Octo

Allowed Use/Rate/Season 1/80 = 0.95 cfs Limit 1/80 Duty 3

* Land use approved not approved being pursued county notified NA Does not include all lands

Storage contract NA BOR Doug Co Corp of Eng needed obtained _____

Authorized agent specified NA needed Yes _____

Conditions: _____

Small ≤ 0.1 CFS, ≤ 9.2 AF, Medium > 0.1 and < 0.5 CFS, > 9.2 and < 100 AF, Large ≥ 0.5 CFS, ≥ 100 AF
Use at least "Medium" when the source is Siltcoos Lake, Sandy Basin GW, or stored water with a contract.
Use "Large" for temp control (including NU), HC exceptions, Tenmile Lake, or if applicant is a government entity
Use "Large-7g" or "Large-7i" if GW recommends 7g or 7i
Use "Large with totalizing flow meter" for IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA

Stream is withdrawn NA No Yes, allows use/season _____

* SWW NA above within Klamath (If GW and interference, copy form for Stahr.)

Application #: G-17177 Applicant: SCOTT BALIN BALIN RANCH TRUST

Use is within a high priority area for streamflow restoration NA No Yes

Letter format good limited bad bad w/ rate reduction opportunity bad w/ HC opportunity

POD is within North Umpqua settlement reach and the spreadsheet was updated NA Yes

Forms NA DIV 33 basin map HC except spring description other _____

Copy to NWR WM # 17 ODFW CRIFC
 NCR agent DEQ US Fish & Wildlife
 ER CWRE DOA NW Planning Council
 SWR State Parks CTUIR

DOA Food Safety Division
(bottled water)

city _____
(w/in 5-mile muni wells)

Prior to permit, applicant must submit NA storage contract easement plans/specs evidence of well repair

App and map meet min. requirements Yes No _____
(If not, send IR certified)

Scanned images exist for application form and map

Fees 500 CFS
_____ AF

Base 200

Up to 1 CFS _____

_____ Add'l CFS @ _____

Up to 20 AF _____

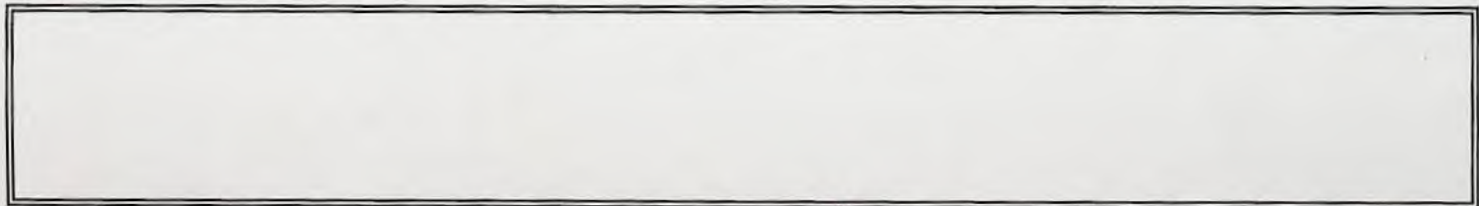
_____ Add'l AF @ _____

Add'l POD/POA use + _____

Exam Fee Required = 700

Exam Fee Paid 700

Still Owed 0



Name: Joel Plahn

Date: 2009

Peer Reviewer: Kerry

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Point of Diversion Characteristics

Right:	App:G 17177 *
Name:	BALIN RANCH TRUST SCOTT BALIN

TRSQQ: 40.00S-09.00E-13-NWNW Digital Map of TRSQQ

County: Klamath

Basin: Klamath

WM District: 17

WM Region: SC

Withdrawn Area:

WAB:

Priority WAB:

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way:

Division 33: STATEWIDE

Water Quality Limited:

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App:G 17177 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't	Lot	Acres
<u>CLAIM:KL 293</u> *	STEPHEN PALMER						NC	IR	40.00S-09.00E-11-SWNE	0	0		40.0000
								IR	40.00S-09.00E-11-SENE	0	0		38.4000
<u>CLAIM:KL 321</u> *	IRRIGATION DISTRICTS: ADY, EID, JOHNSTON, KBID, E						NC	IR	40.00S-09.00E-11-SENE	0	0		39.3000
								IR	40.00S-09.00E-11-SWNE	0	0		40.3000
<u>CLAIM:KL 323</u> *	IRRIGATION DISTRICTS: ADY; EID, JOHNSTON; KBID, E						NC	IR	40.00S-09.00E-11-SENE	0	0		39.3000
								IR	40.00S-09.00E-11-SWNE	0	0		40.3000
<u>CLAIM:KL 293</u> *	STEPHEN PALMER						NC	LV	40.00S-09.00E-11-SENE	0	0		
								LV	40.00S-09.00E-11-SWNE	0	0		
<u>PERMIT:G 16209</u> *	KLAMATH BASIN IMPROVEMENT DISTRICT	G-16030	G-16209			6/4/2003	NC	IS	40.00S-09.00E-11-SENE				37.1000
								IS	40.00S-09.00E-11-SWNE				15.0000

REVISED

1-29-08

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 13 T.40S. R.09E. W.M.
KLAMATH COUNTY

40 09 13

1"=400'



1668.000

40 09 13

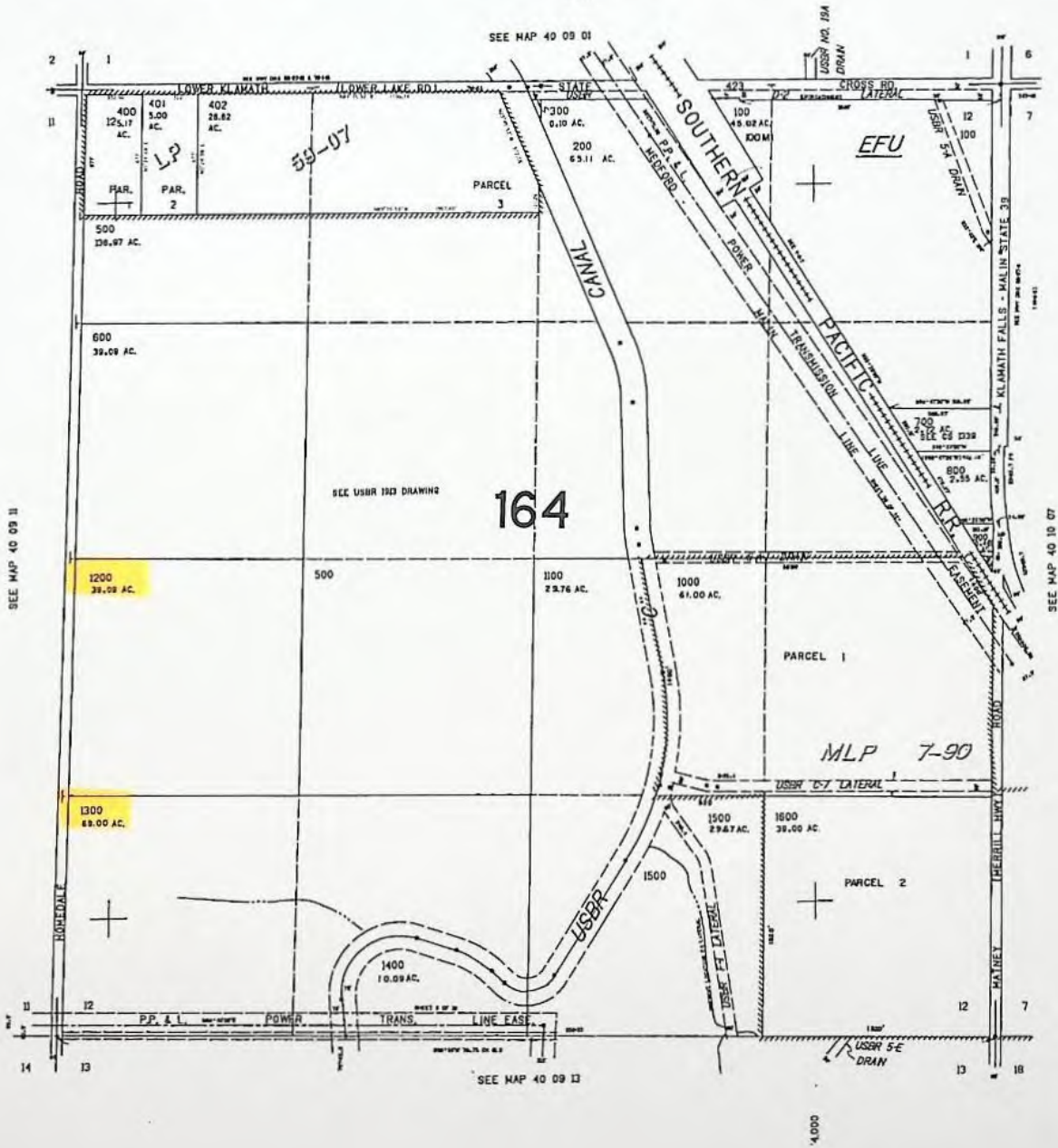
REVISED 11-28-07

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 12 T.40S. R.09E. W.M. KLAMATH COUNTY

40 09 12

1"=400'



150.001

40 09 12

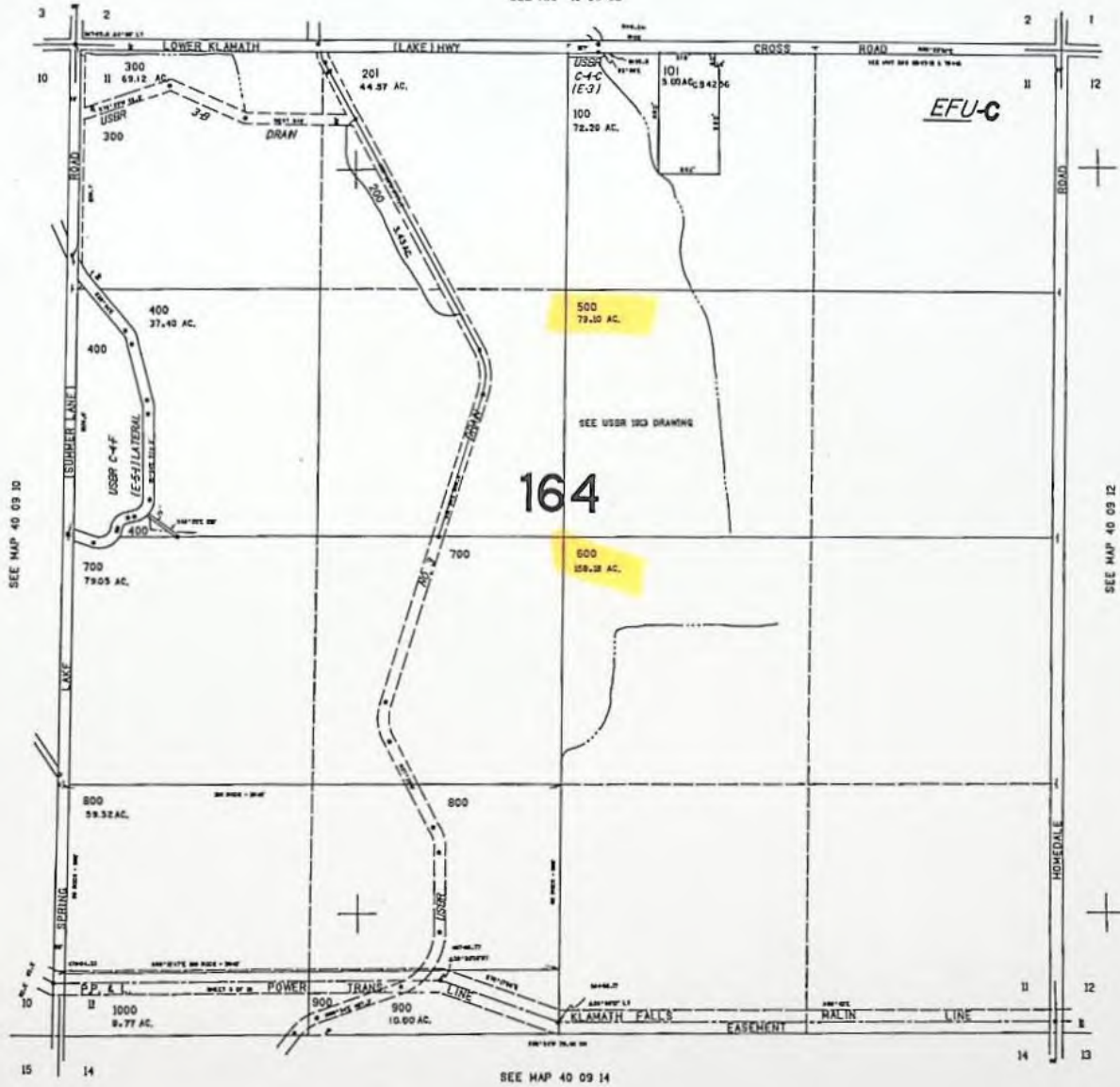
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY.

SECTION 11 T.40S. R.09E. W.M.
KLAMATH COUNTY

40 09 11

1"=400'

SEE MAP 40 09 02



SEE MAP 40 09 10

SEE MAP 40 09 12

160.00

10,000

40 09 11

ratification by Congress by virtue of the authority vested in it under section 10, Article I of the United States Constitution.

ARTICLE XI

This compact shall continue in force and remain binding upon each state until renounced by it. Renunciation of this compact must be preceded by sending six months' written notice of intention to withdraw from the compact to the other parties hereto.

ARTICLE XII

The State of Nevada or any state having rivers or streams tributary to the Columbia River may become a contracting state by enactment of the Columbia River Natural Resources Management Compact. Upon admission of any new state to the compact, the purposes of the compact and the duties of the commission shall extend to the development of joint programs for the use and governance of the Columbia River and its natural resources in which the contracting states share mutual concerns.

This article shall become effective upon its enactment by the States of Idaho, Montana, Oregon and Washington and upon ratification by Congress by virtue of the authority vested in it under section 10, Article I of the United States Constitution.

[1999 c.540 §1]

Note: 542.550 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 542 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

KLAMATH RIVER BASIN COMPACT

542.610 Klamath River Basin Compact ratified; when effective. (1) The Legislative Assembly of the State of Oregon hereby ratifies the Klamath River Basin Compact set forth in ORS 542.620, and the provisions of such compact hereby are declared to be the law of this state upon such compact becoming effective as provided in subsection (2) of this section.

(2) The compact shall become effective when it has been ratified by the legislatures of the States of California and Oregon, and has been consented to by the Congress of the United States as provided in Article XIII of the compact. [1957 c.142 §1]

Note: The Klamath River Basin Compact became effective on September 11, 1957. The compact was ratified by the State of California by chapter 113, California Statutes 1957 (signed by Governor on April 17, 1957, and effective on September 11, 1957). The Congress of the United States consented to the compact by Public Law 222, 85th Congress (signed by President on August 30, 1957).

542.620 Klamath River Basin Compact. The provisions of the Klamath River Basin Compact are as follows:

ARTICLE I PURPOSES

The major purposes of this compact are, with respect to the water resources of the Klamath River Basin:

A. To facilitate and promote the orderly, integrated and comprehensive development, use, conservation and control thereof for various purposes, including, among others: The use of water for domestic purposes; the development of lands by irrigation and other means; the protection and enhancement of fish, wildlife and recreational resources; the use of water for industrial purposes and hydroelectric power production; and the use and control of water for navigation and flood prevention.

B. To further intergovernmental cooperation and comity with respect to these resources and programs for their use and development and to remove causes of present and future controversies by providing (1) for equitable distribution and use of water among the two states and the Federal Government, (2) for preferential rights to the use of water after the effective date of this compact for the anticipated ultimate requirements for domestic and irrigation purposes in the Upper Klamath River Basin in Oregon and California, and (3) for prescribed relationships between beneficial uses of water as a practicable means of accomplishing such distribution and use.

ARTICLE II DEFINITION OF TERMS

As used in this compact:

A. "Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries within the States of California and Oregon and all closed basins included in the Upper Klamath River Basin.

B. "Upper Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries upstream from the boundary between the States of California and Oregon and the closed basins of Butte Valley, Red Rock Valley, Lost River Valley, Swan Lake Valley and Crater Lake, as delineated on the official map of the Upper Klamath River Basin approved on September 6, 1956, by the commissions negotiating this compact and filed with the Secretaries of State of the two states and the General Services Administration of the United States, which map is incorporated by reference and made a part hereof.

C. "Commission" shall mean the Klamath River Compact Commission as created by Article IX of this compact.

D. "Klamath Project" of the Bureau of Reclamation of the Department of the Interior of the United States shall mean that area as delineated by appropriate legend on the official map incorporated by reference under subdivision B of this Article.

E. "Person" shall mean any individual or any other entity, public or private, including either state, but excluding the United States.

F. "Keno" shall mean a point on the Klamath River at the present needle dam, or any substitute control dam constructed in section 36, township 39 south, range 7 east, Willamette Base and Meridian.

G. "Water" or "waters" shall mean waters appearing on the surface of the ground in streams, lakes or otherwise, regardless of whether such waters at any time were or will become ground water, but shall not include water extracted from underground sources until after such water is used and becomes surface return flow or waste water.

H. "Domestic use" shall mean the use of water for human sustenance, sanitation and comfort; for municipal purposes; for livestock watering; for irrigation of family gardens; and for other like purposes.

I. "Industrial use" shall mean the use of water in manufacturing operations.

J. "Irrigation use" shall mean the use of water for production of agricultural crops, including grain grown for feeding wildfowl.

ARTICLE III DISTRIBUTION AND USE OF WATER

A. There are hereby recognized vested rights to the use of waters originating in the Upper Klamath River Basin validly established and subsisting as of the effective date of this compact under the laws of the state in which the use or diversion is made, including rights to the use of waters for domestic and irrigation uses within the Klamath Project. There are also hereby recognized rights to the use of all waters reasonably required for domestic and irrigation uses which may hereafter be made within the Klamath Project.

B. Subject to the rights described in subdivision A of this Article and excepting the uses of water set forth in subdivision E of Article XI, rights to the use of unappropriated waters originating within the Upper Klamath River Basin for any beneficial use in the Upper Klamath River Basin, by direct diversion or by storage for later use, may be acquired by any person after the effective date of this compact by appropriation under the laws of the state where the use is to be

made, as modified by the following provisions of this subdivision B and subdivision C of this Article, and may not be acquired in any other way:

1. In granting permits to appropriate waters under this subdivision B, as among conflicting applications to appropriate when there is insufficient water to satisfy all such applications, each state shall give preference to applications for a higher use over applications for a lower use in accordance with the following order of uses:

- (a) Domestic use,
- (b) Irrigation use,
- (c) Recreational use, including use for fish and wildlife,
- (d) Industrial use,
- (e) Generation of hydroelectric power,
- (f) Such other uses as are recognized under the laws of the state involved.

These uses are referred to in this compact as uses (a), (b), (c), (d), (e) and (f), respectively. Except as to the superiority of rights to the use of water for use (a) or (b) over the rights to the use of water for use (c), (d), (e) or (f), as governed by subdivision C of this Article, upon a permit being granted and a right becoming vested and perfected by use, priority in right to the use of water shall be governed by priority in time within the entire Upper Klamath River Basin regardless of state boundaries. The date of priority of any right to the use of water appropriated for the purposes above enumerated shall be the date of the filing of the application therefor, but such priority shall be dependent on commencement and completion of construction of the necessary works and application of the water to beneficial use with due diligence and within the times specified under the laws of the state where the use is to be made. Each state shall promptly provide the commission and the appropriate official of the other state with complete information as to such applications and as to all actions taken thereon.

2. Conditions on the use of water under this subdivision B in Oregon shall be:

(a) That there shall be no diversion of waters from the Upper Klamath River Basin, but this limitation shall not apply to out-of-basin diversions of waters originating within the drainage area of Fourmile Lake.

(b) That water diverted from Upper Klamath Lake and the Klamath River and its tributaries upstream from Keno, Oregon, for use in Oregon and not consumed therein and appearing as surface return flow and waste water within the Upper Klamath River Basin shall be returned to the Klamath River or its tributaries above Keno, Oregon.

3. Conditions on the use of water under this subdivision B in California shall be:

(a) That the waters diverted from the Klamath River within the Upper Klamath River Basin for use in California shall not be taken outside the Upper Klamath River Basin.

(b) That substantially all of the return flows and waste water finally resulting from such diversions and use appearing as surface waters in the Upper Klamath River Basin shall be made to drain so as to be eventually returned to the Klamath River upstream from Keno, Oregon.

C. 1. All rights, acquired by appropriation after the effective date of this compact, to use waters originating within the Upper Klamath River Basin for use (a) or (b) in the Upper Klamath River Basin in either state shall be superior to any rights, acquired after the effective date of this compact, to use such waters (i) for any purpose outside the Klamath River Basin by diversion in California or (ii) for use (c), (d), (e) or (f) anywhere in the Klamath River Basin. Such superior rights shall exist regardless of their priority in time and may be exercised with respect to inferior rights without the payment of compensation. But such superior rights to use water for use (b) in California shall be limited to the quantity of water necessary to irrigate 100,000 acres of land, and in Oregon shall be limited to the quantity of water necessary to irrigate 200,000 acres of land.

2. The provisions of paragraph 1 of this subdivision C shall not prohibit the acquisition and exercise after the effective date of this compact of rights to store waters originating within the Upper Klamath River Basin and to make later use of such stored water for any purpose, as long as the storing of waters for such later use, while being effected, does not interfere with the direct diversion or storage of such waters for use (a) or (b) in the Upper Klamath River Basin.

ARTICLE IV HYDROELECTRIC POWER

It shall be the objective of each state, in the formulation and the execution and the granting of authority for the formulation and execution of plans for the distribution and use of the water of the Klamath River Basin, to provide for the most efficient use of available power head and its economic integration with the distribution of water for other beneficial uses in order to secure the most economical distribution and use of water and lowest power rates which may be reasonable for irrigation and drainage pumping, including pumping from wells.

ARTICLE V INTERSTATE DIVERSION AND STORAGE RIGHTS; MEASURING DEVICES

A. Each state hereby grants for the benefit of the other and its designees the right to construct and operate facilities for the measurement, diversion, storage and conveyance of water from the Upper Klamath River Basin in one state for use in the other insofar as the exercise of such right may be necessary to effectuate and comply with the terms of this compact. The location of such facilities shall be subject to approval by the commission.

B. Each state or its designee, exercising within the jurisdiction of the other a right granted under subdivision A of this Article, shall make provision for the establishment, operation and maintenance of permanent gaging stations at such points on streams or reservoir or conveyance facilities as may be required by the commission for the purpose of ascertaining and recording the volume of diversions by the streams or facilities involved. Said stations shall be equipped with suitable devices for determining the flow of water at all times. All information obtained from such stations shall be compiled in accordance with the standards of the United States Geological Survey, shall be filed with the commission, and shall be available to the public.

ARTICLE VI ACQUISITION OF PROPERTY FOR STORAGE AND DIVERSION; IN LIEU TAXES

A. Subject to approval of the commission, either state shall have the right (1) to acquire such property rights in the other state as are necessary for the diversion, storage, conveyance, measurement and use of water in conformity with this compact, by donation or purchase, or (2) to elect to have the other state acquire such property rights for it by purchase or through the exercise of the power of eminent domain. A state making the latter election shall make a written request therefor and the other state shall expeditiously acquire said property rights either by purchase at a price satisfactory to the requesting state, or, if such purchase cannot be made, then through the exercise of its power of eminent domain, and shall convey said property rights to the requesting state or its designee. All costs of such acquisition shall be paid by the requesting state. Neither state shall have any greater power to acquire property rights for the other state through the exercise of the power of eminent domain than it would have under its laws to acquire the same property rights for itself.

B. Should any diversion, storage or conveyance facilities be constructed or acquired

in either state for the benefit of the other state, as herein provided, the construction, repair, replacement, maintenance and operation of such facilities shall be subject to the laws of the state in which the facilities are located, except that the proper officials of that state shall permit the storage, release and conveyance of any water to which the other state is entitled under this compact.

C. Either state having property rights other than water rights in the other state acquired as provided in this Article shall pay to each political subdivision of the state in which such property rights are located, each and every year during which such rights are held, a sum of money equivalent to the average annual amount of taxes assessed against those rights during the 10 years preceding the acquisition of such rights in reimbursement for the loss of taxes to such political subdivisions of the state. Payments so made to a political subdivision shall be in lieu of any and all taxes by that subdivision on the property rights for which the payments are made.

ARTICLE VII POLLUTION CONTROL

A. The states recognize that the growth of population and the economy of the Upper Klamath River Basin can result in pollution of the waters of the Upper Klamath River Basin constituting a menace to the health and welfare of, and occasioning economic loss to, people living or having interests in the Klamath River Basin. The states recognize further that protection of the beneficial uses of the waters of the Klamath River Basin requires cooperative action of the two states in pollution abatement and control.

B. To aid in such pollution abatement and control, the commission shall have the duty and power:

1. To cooperate with the states or agencies thereof or other entities and with the United States for the purpose of promoting effective laws and the adoption of effective regulations for abatement and control of pollution of the waters of the Klamath River Basin, and from time to time to recommend to the governments reasonable minimum standards for the quality of such waters.

2. To disseminate to the public by any and all appropriate means information respecting pollution abatement and control in the waters of the Klamath River Basin and on the harmful and uneconomic results of such pollution.

- C. Each state shall have the primary obligation to take appropriate action under its own laws to abate and control interstate pollution, which is defined as the deterioration of the quality of the waters of the

Upper Klamath River Basin within the boundaries of such state which materially and adversely affects beneficial uses of waters of the Klamath River Basin in the other state. Upon complaint to the commission by the state water pollution control agency of one state that interstate pollution originating in the other state is not being prevented or abated, the procedure shall be as follows:

1. The commission shall make an investigation and hold a conference on the alleged interstate pollution with the water pollution control agencies of the two states, after which the commission shall recommend appropriate corrective action.

2. If appropriate corrective action is not taken within a reasonable time, the commission shall call a hearing, giving reasonable notice in writing thereof to the water pollution control agencies of the two states and to the person or persons which it is believed are causing the alleged interstate pollution. Such hearing shall be held in accordance with rules and regulations of the commission, which shall conform as nearly as practicable with the laws of the two states governing administrative hearings. At the conclusion of such hearing, the commission shall make a finding as to whether interstate pollution exists, and if so, shall issue to any person or persons which the commission finds are causing such interstate pollution an order or orders for correction thereof.

3. It shall be the duty of the person against whom any such order is issued to comply therewith. Any court of general jurisdiction of the state where such discharge is occurring or the United States District Court for the district where the discharge is occurring shall have jurisdiction, on petition of the commission for enforcement of such order, to compel action by mandamus, injunction, specific performance, or any other appropriate remedy, or on petition of the person against whom the order is issued to review any order. At the conclusion of such enforcement or review proceedings, the court may enter such decree or judgment affirming, reversing, modifying, or remanding such order as in its judgment is proper in the circumstances on the basis of the rules customarily applicable in proceedings for court enforcement or review of administrative actions.

- D. The water pollution control agencies of the two states shall, from time to time, make available to the commission all data relating to the quality of the waters of the Upper Klamath River Basin which they possess as the result of studies, surveys and investigations thereof which they may have made.

ARTICLE VIII
MISCELLANEOUS

A. Subject to vested rights as of the effective date of this compact, there shall be no diversion of waters from the basin of Jenny Creek to the extent that such waters are required, as determined by the commission, for use on land within the basin of Jenny Creek.

B. Each state shall exercise whatever administrative, judicial, legislative or police powers it has that are required to provide any necessary reregulation or other control over the flow of the Klamath River downstream from any hydroelectric power plant for protection of fish, human life or property from damage caused by fluctuations resulting from the operation of such plant.

ARTICLE IX
ADMINISTRATION

A. 1. There is hereby created a commission to administer this compact. The commission shall consist of three members. The representative of the State of California shall be the Department of Water Resources. The representative of the State of Oregon shall be the Water Resources Commission of Oregon who shall serve as ex officio representative of the Water Resources Commission of Oregon. The President is requested to appoint a federal representative who shall be designated and shall serve as provided by the laws of the United States.

2. The representative of each state shall be entitled to one vote in the commission. The representative of the United States shall serve as chairman of the commission without vote. The compensation and expenses of each representative shall be fixed and paid by the government which he represents. Any action by the commission shall be effective only if it be agreed to by both voting members.

3. The commission shall meet to establish its formal organization within 60 days after the effective date of this compact, such meeting to be at the call of the Governors of the two states. The commission shall then adopt its initial set of rules and regulations governing the management of its internal affairs providing for, among other things, the calling and holding of meetings, the adoption of a seal, and the authority and duties of the chairman and executive director. The commission shall establish its office within the Upper Klamath River Basin.

4. The commission shall appoint an executive director, who shall also act as secretary, to serve at the pleasure of the commission and at such compensation, under such terms and conditions and performing such duties as it may fix. The executive director shall be the custodian of the records

of the commission with authority to affix the commission's official seal, and to attest to and certify such records or copies thereof. The commission, without regard to the provisions of the civil service laws of either state, may appoint and discharge such consulting, clerical and other personnel as may be necessary for the performance of the commission's functions, may define their duties, and may fix and pay their compensation. The commission may require the executive director and any of its employees to post official bonds, and the cost thereof shall be paid by the commission.

5. All records, files and documents of the commission shall be open for public inspection at its office during established office hours.

6. No member, officer or employee of the commission shall be liable for injury or damage resulting from (a) action taken by such member, officer or employee in good faith and without malice under the apparent authority of this compact, even though such action is later judicially determined to be unauthorized, or (b) the negligent or wrongful act or omission of any other person, employed by the commission and serving under such officer, member or employee, unless such member, officer or employee either failed to exercise due care in the selection, appointment or supervision of such other person, or failed to take all available action to suspend or discharge such other person after knowledge or notice that such other person was inefficient or incompetent to perform the work for which he was employed. No suit may be instituted against a member, officer or employee of the commission for damages alleged to have resulted from the negligent or wrongful act or omission of such member, officer or employee or a subordinate thereof occurring during the performance of his official duties unless, within 90 days after occurrence of the incident, a verified claim for damages is presented in writing and filed with such member, officer or employee and with the commission. In the event of a suit for damages against any member, officer or employee of the commission on account of any act or omission in the performance of his or his subordinates' official duties, the commission shall arrange for the defense of such suit and may pay all expenses therefor on behalf of such member, officer or employee. The commission may at its expense insure its members, officers and employees against liability resulting from their acts or omissions in the performance of their official duties. Nothing in this paragraph shall be construed as imposing any liability upon any member, officer or employee of the commission that he would otherwise not have.

7. The commission may incur obligations and pay expenses which are necessary for the performance of its functions. But it shall not pledge the credit of any government except by and with the authority of the legislative body thereof given pursuant to and in keeping with the constitution of such government, nor shall the commission incur any obligations prior to the availability of funds adequate to meet them.

8. The commission may:

(a) Borrow, accept or contract for the services of personnel from any government or agency thereof, from any intergovernmental agency, or from any other entity.

(b) Accept for any of its purposes and functions under this compact any and all donations, gifts, grants of money, equipment, supplies, materials and services from any government or agency thereof or intergovernmental agency or from any other entity.

(c) Acquire, hold and dispose of real and personal property as may be necessary in the performance of its functions.

(d) Make such studies, surveys and investigations as are necessary in carrying out the provisions of this compact.

9. All meetings of the commission for the consideration of and action on any matters coming before the commission, except matters involving the management of internal affairs of the commission and its staff, shall be open to the public. Matters coming within the exception of this paragraph may be considered and acted upon by the commission in executive sessions under such rules and regulations as may be established therefor.

10. In the case of the failure of the two voting members of the commission to agree on any matter relating to the administration of this compact as provided in paragraph 2 of this subdivision A, the representative from each state shall appoint one person and the two appointed persons shall appoint a third person. The three appointees shall sit as an arbitration forum. The terms of appointment and the compensation of the members of the arbitration forum shall be fixed by the commission. Matters on which the two voting members of the commission have failed to agree shall be decided by a majority vote of the members of the arbitration forum. Each state obligates itself to abide by the decision of the arbitration forum, subject, however, to the right of each state to have the decision reviewed by a court of competent jurisdiction.

11. The commission shall have the right of access, through its authorized representatives, to all properties in the Klamath River Basin whenever necessary for the pur-

pose of administration of this compact. The commission may obtain a court order to enforce its right of access.

B. 1. The commission shall submit to the Governor or designated officer of each state a budget of its estimated expenditures for such period and at such times as may be required by the laws of that state for presentation to the legislature thereof. Each state pledges itself to appropriate and pay over to the commission one-half of the amount required to finance the commission's estimated expenditures as set forth in each of its budgets, and pledges further that concurrently with approval of this compact by its legislature the sum of not less than \$12,000 will be appropriated by it to be paid over to the commission at its first meeting for use in financing the commission's functions until the commission can prepare its first budget and receive its first appropriation thereunder from the states.

2. The commission shall keep accurate accounts of all receipts and disbursements, which shall be audited yearly by a certified public accountant, and the report of the audit shall be made a part of its annual report. The accounts of the commission shall be open for public inspection during established office hours.

3. The commission shall make and transmit to the legislature and Governor of each state and to the President of the United States an annual report covering the finances and activities of the commission and embodying such plans, recommendations and findings as may have been adopted by the commission.

C. 1. The commission shall have the power to adopt, and to amend or repeal, such rules and regulations to effectuate the purposes of this compact as in its judgment may be appropriate.

2. Except as to matters involving exclusively the management of the internal affairs of the commission and its staff or involving emergency matters, prior to the adoption, amendment or repeal of any rule or regulation the commission shall hold a hearing at which any interested person shall have the opportunity to present his views on the proposed action in writing, with or without the opportunity to present the same orally. The commission shall give adequate advance notice in a reasonable manner of the time, place and subject of such hearings.

3. Emergency rules and regulations may be adopted without a prior hearing, but in such case they may be effective for not longer than 90 days.

4. The commission shall publish its rules and regulations in convenient form.

ARTICLE X
STATUS OF INDIAN RIGHTS

A. Nothing in this compact shall be deemed:

1. To affect adversely the present rights of any individual Indian, tribe, band or community of Indians to the use of the waters of the Klamath River Basin for irrigation.

2. To deprive any individual Indian, tribe, band or community of Indians of any rights, privileges, or immunities afforded under federal treaty, agreement or statute.

3. To affect the obligations of the United States of America to the Indians, tribes, bands or communities of Indians, and their reservations.

4. To alter, amend or repeal any of the provisions of the Act of August 13, 1954, (68 Stat. 718) as it may be amended.

B. Lands within the Klamath Indian Reservation which are brought under irrigation after the effective date of this compact, whether before or after section 14 of said Act of August 13, 1954, becomes fully operative, shall be taken into account in determining whether the 200,000 acre limitation provided in paragraph 1 of subdivision C of Article III has been reached.

ARTICLE XI
FEDERAL RIGHTS

Nothing in this compact shall be deemed:

A. To impair or affect any rights, powers or jurisdiction of the United States, its agencies or those acting by or under its authority, in, over and to the waters of the Klamath River Basin, nor to impair or affect the capacity of the United States, its agencies or those acting by or under its authority in any manner whatsoever, except as otherwise provided by the federal legislation enacted for the implementation of this compact as specified in Article XIII.

B. To subject any property of the United States, its agencies or instrumentalities, to taxation by either state or any subdivision thereof, unless otherwise provided by Act of Congress.

C. To subject any works or property of the United States, its agencies, instrumentalities or those acting by or under its authority, used in connection with the control or use of waters which are the subject of this compact, to the laws of any state to an extent other than the extent to which those laws would apply without regard to this compact, except as otherwise provided by the federal legislation enacted for the implementation of this compact as specified in Article XIII.

D. To affect adversely the existing areas of Crater Lake National Park or Lava Beds National Monument, or to limit the operation of laws relating to the preservation thereof.

E. To apply to the use of water for the maintenance, on the scale at which such land and water areas are maintained as of the effective date of this compact, of officially designated waterfowl management areas, including water consumed by evaporation and transpiration on water surface areas and water used for irrigation or otherwise in the Upper Klamath River Basin; nor to affect the rights and obligations of the United States under any migratory bird treaty or the Migratory Bird Conservation Act (45 Stat. 1222), as amended to the effective date of this compact.

ARTICLE XII
GENERAL PROVISIONS

A. Each state and all persons using, claiming or in any manner asserting any right to the use of the waters of the Klamath River Basin under the authority of either state shall be subject to the terms of this compact.

B. Nothing in this compact shall be construed to limit or prevent either state from instituting or maintaining any action or proceeding, legal or equitable, in any court of competent jurisdiction for the protection of any right under this compact or the enforcement of any of its provisions.

C. Should a court of competent jurisdiction hold any part of this compact to be contrary to the Constitution of either state or the United States, all other provisions shall continue in full force and effect, unless it is authoritatively and finally determined judicially that the remaining provisions cannot operate for the purposes, or substantially in the manner, intended by the states independently of the portions declared unconstitutional or invalid.

D. Except as to matters requiring the exercise of discretion by the commission, the provisions of this compact shall be self-executing and shall by operation of law be conditions of the various state permits, licenses or other authorizations relating to the waters of the Klamath River Basin issued after the effective date of this compact.

E. The physical and other conditions peculiar to the Klamath River Basin constitute the basis for this compact, and neither of the states hereby, nor the Congress of the United States by its consent, considers that this compact establishes any general principle or precedent with respect to any other interstate stream.

ARTICLE XIII
RATIFICATION

A. This compact shall become effective when ratified by the legislature of each signatory state, and when consented to by an Act of Congress of the United States which will, in substance, meet the provisions hereinafter set forth in this Article.

B. The Act of Congress referred to in subdivision A of this Article shall provide that the United States or any agency thereof, and any entity acting under any license or other authority granted under the laws of the United States (referred to in this Article as "the United States"), in connection with developments undertaken after the effective date of this compact pursuant to laws of the United States, shall comply with the following requirements:

1. The United States shall recognize and be bound by the provisions of subdivision A of Article III.

2. The United States shall not, without payment of just compensation, impair any rights to the use of water for use (a) or (b) within the Upper Klamath River Basin by the exercise of any powers or rights to use or control water (i) for any purpose whatsoever outside the Klamath River Basin by diversions in California or (ii) for any purpose whatsoever within the Klamath River Basin other than use (a) or (b). But the exercise of powers and rights by the United States shall be limited under this paragraph 2 only as against rights to the use of water for use (a) or (b) within the Upper Klamath River Basin which are acquired as provided in subdivision B of Article III after the effective date of this compact, but only to the extent that annual depletions in the flow of the Klamath River at Keno resulting from the exercise of such rights to use water for uses (a) and (b) do not exceed 340,000 acre-feet in any one calendar year.

3. The United States shall be subject to the limitation on diversions of waters from the basin of Jenny Creek as provided in subdivision A of Article VIII.

4. The United States shall be governed by all the limitations and provisions of paragraph 2 and subparagraph (a) of paragraph 3 of subdivision B of Article III.

5. The United States, with respect to any irrigation or reclamation development undertaken by the United States in the Upper Klamath River Basin in California, shall provide that substantially all of the return flows and waste water finally resulting from such diversions and use appearing as surface waters in the Upper Klamath River Basin shall be made to drain so as to be eventually

returned to the Klamath River upstream from Keno, unless the Secretary of the Interior shall determine that compliance with this requirement would render it less feasible than under an alternate plan of development, in which event such return flows and waste waters shall be returned to the Klamath River at a point above Copco Lake.

C. Upon enactment of the Act of Congress referred to in subdivision A of this Article and so long as such Act shall be in effect, the United States, when exercising rights to use water pursuant to state law, shall be entitled to all of the same privileges and benefits of this compact as any person exercising similar rights.

D. Such Act of Congress shall not be construed as relieving the United States of any requirement of compliance with state law which may be provided by other federal statutes.

ARTICLE XIV
TERMINATION

This compact may be terminated at any time by legislative consent of both states, but despite such termination, all rights then established hereunder or recognized hereby shall continue to be recognized as valid by the states.

[1957 c.142 §2]

542.630 Water Resources Director to represent state in administering the Klamath River Basin Compact. The Water Resources Director shall be the only representative of this state in administering the Klamath River Basin Compact set forth in ORS 542.620. The director shall receive no additional compensation for services as such representative, but, subject to any other applicable law regulating mileage and traveling and other expenses for state officers, shall receive actual and necessary traveling and other expenses incurred in the performance of official functions as such representative, to be paid in the same manner and out of the same moneys as other similar expenses of the director are paid. [1957 c.142 §3]

**TEST STUDY OF INTEGRATED
LAND-WATER MANAGEMENT**

542.710 Test stream and watershed study. (1) The Department of Higher Education, under the direction of the State Board of Higher Education acting through the Agricultural Experiment Station of Oregon State University, is authorized to conduct a test stream and watershed study in order to ascertain in a scientific manner the interrelation between all factors operating in watersheds upon maximum resource

Jerry Grondin

From: Doug Woodcock
Sent: Friday, February 27, 2009 2:08 PM
To: Jerry Grondin
Subject: FW: OWRD: Water Right Application G 17177 (Ground Water) has been submitted for your District or Region. [GWR]

Importance: High

Oregon Water Resources Department - Automated e-mail notice

Ground Water Review request for proposed water right application G 17177

Application Stakeholder(s): BALIN, SCOTT; BALIN RANCH TRUST

Application Type: Ground Water
Notice Number: 1

Diversion Location:
County: Klamath
TRSQQ: 40S 9E 13 NWNW
Source: A WELL
Tributary To: UPPER KLAMATH LAKE

To view the OWRD Web page for G 17177 please click the link below.
http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_query.aspx?SearchType=App&app_nbr_start=17177&app_char=G

To view the pending reviews for your district or region, click the following link.
http://apps2.wrd.state.or.us/apps/wr/external_review/gwr_review.aspx?directory_id=122863

Caseworker: Joel M. Plahn; Oregon Water Resources Department at 503-986-0815 or joel.m.plahn@wr.state.or.us

This message has been generated automatically by an unmonitored email account.
Please do not "reply" to this message. Thank you.

Joel Plahn

From: Jerry Grondin
Sent: Thursday, March 12, 2009 4:26 PM
To: Doug Woodcock; Tim Wallin
Cc: Jerry Grondin; Joel Plahn; Dwight French; Ned Gates
Subject: Balin: Application G-17177

Hi Doug & Tim,

I just finished speaking with Scott Balin.

He has filed applications G-17177 and G-17178 for supplemental irrigation of neighboring properties he has purchased.

Mr. Balin called about how the processing of the applications could be expedited. He wants to plant potatoes, but USBOR Klamath Project water delivery in 2009 is uncertain. Additionally, he has signed up for the USBOR water bank.

I noted that I just completed my review of his applications and that I recommended reconstruction of well KLAM 52824 to take the casing and seal through the basin fill to basalt, to a depth of 1081 feet or greater.

Mr. Balin objects to the recommendation and questions the science. He asked me to document his objection.

Mr. Balin noted that he has a domestic well nearby that has been unaffected by use of irrigation well KLAM 52824 operating under a different water right. He noted the well driller was instructed to construct the well to protect shallow domestic wells.

Mr. Balin noted that he is willing to cooperate with any data collection necessary (including measuring the domestic well) to show the well reconstruction is not needed.

Mr. Balin noted that OWRD measures his irrigation wells and that it is his understanding that the ground water level at his wells (his area) are doing better than other areas.

I am available to answer any questions or respond to any requests from you or Mr. Balin.

Jerry

Jerry Grondin
Hydrogeologist
Phone: 503-986-0848
E-Mail: Gerald.H.Grondin@wrd.state.or.us

Ground Water Hydrology Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

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

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # # G-17177

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 40S/9E-sec 13

CONDITIONS ATTACHED?: yes no

REMARKS OR FURTHER INSTRUCTIONS:

Conditions: see page 7

• Conditions: 7B, 7N, 7J, 7K

• Well construction requirements under 7K

Reviewer: GERALD H. GRONDI

WATER RESOURCES DEPARTMENT

MEMO

10 March, 2009

TO: **Application G-** 17177

FROM: **GW:** GERALD H. GRONDIW
(Reviewer's Name)

SUBJECT: **Scenic Waterway Interference Evaluation**

YES

The source of appropriation is within or above a Scenic Waterway

NO

YES

Use the Scenic Waterway condition (Condition 7J)

NO

Per ORS 390.835, the Ground Water Section is **able** to calculate ground water interference with surface water that contributes to a Scenic Waterway. The calculated interference is distributed below.

Per ORS 390.835, the Ground Water Section is **unable** to calculate ground water interference with surface water that contributes to a scenic waterway; **therefore, the Department is unable to find that there is a preponderance of evidence that the proposed use will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway.**

DISTRIBUTION OF INTERFERENCE

Calculate the percentage of consumptive use by month and fill in the table below. If interference cannot be calculated, per criteria in 390.835, do not fill in the table but check the "unable" option above, thus informing Water Rights that the Department is unable to make a Preponderance of Evidence finding.

Exercise of this permit is calculated to reduce monthly flows in Klamath Scenic Waterway by the following amounts expressed as a proportion of the consumptive use by which surface water flow is reduced.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.048	0.040	0.034	0.042	0.068	0.097	0.132	0.157	0.147	0.111	0.072	0.052

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date 11 March 2009

FROM: Ground Water/Hydrology Section Gerald H. Grondin
Reviewer's Name

SUBJECT: Application G-17177 Supersedes review of N.A.
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAD 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: Balin Farm Trust County: Klamath

A1. Applicant(s) seek(s) 1.00 (449 gpm) cfs from 1 well(s) in the Klamath Basin,
Lost River sub basin Quad Map: Merrill

A2. Proposed use: Irrigation (supplemental 76.1 acres) Seasonality: 1 April through 31 October (214 days)

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	KLAM 52824	?	Basalt	1.00	40S/9E-sec 13 BBA	200' S, 1320' E fr NW cor S 13
2						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Interval s (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	4105	1121	46	07/21/01	1414	0 - 50 190 - 201	+1 - 202	None	None	3000	33	P
2												

Use data from application for proposed wells.

A4. Comments: _____

The application requests 1.00 cfs (449 gpm) for supplemental irrigation of 76.1 acres. Often, the allowed rate is 1/80 cfs per acre. For 76.1 acres, that would be 0.95 cfs (427 gpm).

The reported casing and seal in well KLAM 52824 is a split seal and it leaves exposed 868 feet of basin fill below the casing and above the basalt.. Ground water occurrence was not identified above 1121 feet. Ground water occurs in both the basin fill and the basalt. Other water well reports (well logs) for nearby wells report water bearing zones in the basin fill with first water less than 100 feet below land surface.

The well is also under files: G-15426 (drought permit G-14005), LL-554, G-15679 (permit G-15333).

This application is filed concurrently with application G-17178 (well KLAM 52797, also T40S/R09E-sec 13). Both ground water permit applications are for supplemental irrigation within the USBOR Klamath Project. A permit for supplemental irrigation (ground water when project surface water is not available) is one current qualification for participation in the USBOR water bank.

A5. Provisions of the N.A. Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water are, or are not, activated by this application. (Not all basin rules contain such provisions.)

Comments: No basin rule applies. Only the Klamath River Compact ORS 542.610 to 542.630 applies to the Klamath Basin. However, that compact applies to surface water only, not ground water

A6. Well(s) # N.A., _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.

Name of administrative area: _____

Comments: Currently, no administrative area.

B. GROUND WATER AVAILABILITY CONSIDERATIONS, OAR 690-310-130, 400-010, 410-0070

B1. Based upon available data, I have determined that ground water* for the proposed use:

- a. is over appropriated, is not over appropriated, or cannot be determined to be over appropriated during any period of the proposed use. * This finding is limited to the ground water portion of the over-appropriation determination as prescribed in OAR 690-310-130;
- b. will not or will likely be available in the amounts requested without injury to prior water rights. * This finding is limited to the ground water portion of the injury determination as prescribed in OAR 690-310-130;
- c. will not or will likely to be available within the capacity of the ground water resource; or
- d. will, if properly conditioned, avoid injury to existing ground water rights or to the ground water resource:
 - i. The permit should contain condition #(s) 7B and 7N and 7K
 - ii. The permit should be conditioned as indicated in item 2 below.
 - iii. The permit should contain special condition(s) as indicated in item 3 below;

- B2. a. Condition to allow ground water production from no deeper than _____ ft. below land surface;
- b. Condition to allow ground water production from no shallower than _____ ft. below land surface;
- c. Condition to allow ground water production only from the _____ ground water reservoir between approximately _____ ft. and _____ ft. below land surface;
- d. Well reconstruction is necessary to accomplish one or more of the above conditions. The problems that are likely to occur with this use and without reconstructing are cited below. Without reconstruction, I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Ground Water Section.

Describe injury –as related to water availability– that is likely to occur without well reconstruction (interference w/ senior water rights, not within the capacity of the resource, etc): _____

B3. Ground water availability remarks: _____

Recommend conditions 7B and 7N and 7K (for blank 1: specify casing and seal depth to 1081 or greater at well KLAM 52824, and for blank 2: specify that the well may not allow ground water to be developed from the basin fill materials above the consolidated basalt.

Recommend condition saying: "The ground water reference level at well KLAM 52824 (well tag = L 29451) shall be 38.6 feet below land surface"

Data from the eastern Lost River sub-basin ground water investigation (Grondin, 2004) and the USGS-OWRD cooperative Upper Klamath Basin ground water investigation (Gannett and others, 2007) indicate basin long-term ground water levels are generally controlled by climate and short-term (seasonal) ground water levels are controlled by ground water use.

Additionally, the USGS (2005) has documented annual ground water level declines in the basin south of Upper Klamath Lake since 2001, including wells in the vicinity of Spring Lake. The declines are greater than typically observed during drought periods. Gannett and others (2007) noted annual declines from 2001 to 2004 of 10 to 15 feet in the Spring Lake area. They appear related to the USBOR Klamath Project Water Bank.

At this time, future ground water use for the USBOR water bank is uncertain, and it is uncertain whether the post-1999 ground water level declines in the Spring Lake vicinity will continue, stabilize at a lower level, or recover.

Ground water level measurements at two Balin wells (KLAM 52824 and KLAM 52797) in T40S/R09E-section 13 are on file at OWRD. The data is primarily after the year 2000. The measurements show seasonal fluctuations and annual ground water level declines since 2001 consistent with the USGS (2005) and Gannett and others (2007) observations noted above. The measurements show a net decline of 5 to 10 feet since 2002. The annual decline moderated with decreased USBOR water bank activity.

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040

C1. 690-09-040 (1): Evaluation of aquifer confinement:

Well #	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Basalt	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2		<input type="checkbox"/>	<input type="checkbox"/>
3		<input type="checkbox"/>	<input type="checkbox"/>
4		<input type="checkbox"/>	<input type="checkbox"/>
5		<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer confinement evaluation: _____

System is identified as generally unconfined with discontinuous low permeability layers causing local (discontinuous, limited) confinement. Generally, low transmissivity (low permeability) sediment of varying thickness overlies high transmissivity (high permeability) basalt. Ground water occurs in both the sediment and basalt.

Water well reports (well logs) for wells in the Spring Lake vicinity indicate the sediment thickness varies from less than 25 feet to more than 1000 feet.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Lost River	4065	4070	7500	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1	2	Klamath River	4065	4080	35100	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Basis for aquifer hydraulic connection evaluation: _____

Ground water elevation is based upon OWRD measurement at KLAM 52824 on 26 March 2003 (SWL = 38.57 blsd).

The ground water elevation measurement used here occurred prior to a seasonal decline due to seasonal ground water use in the area, prior to annual ground water level declines in the area related to ground water use for the USBOR water bank, but after the onset of smaller annual ground water declines related to climate.

Gannett and others (2007) show ground water flow from the uplands north, west, and east of the Spring Lake vicinity toward the Lost River and Tule Lake. This includes flow across the proposed well site. Generally in the Upper Klamath Basin, ground water and surface water are hydraulically connected.

Given available data, it appears ground water at the proposed well (KLAM 52824) is hydraulically connected to the Lost River and the Klamath River. The connection with the Lost River appears to be primarily at the nearest reach and north. Further south towards Merrill, it appears the ground water elevation drops below the Lost River.

Water Availability Basin the well(s) are located within: LOST R > TULE L - AT STATE LINE

KLAMATH R > PACIFIC OCEAN - AB JOHN C BOYLE RES

C4a. 690-09-040 (5): Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	1	0.5%	0.5%	0.5%	0.2%	0.3%	0.3%	0.4%	0.5%	0.5%	0.6%	0.5%	0.5%
Well Q as CFS		0.00	0.00	0.00	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.00	0.00
Interference CFS		0.005	0.005	0.005	0.002	0.002	0.003	0.004	0.004	0.005	0.006	0.005	0.005
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.		0.005	0.005	0.005	0.002	0.002	0.003	0.004	0.004	0.005	0.006	0.005	0.005
(B) = 80 % Nat. Q		182.0	403.0	453.0	336.0	223.0	139.0	124.0	110.0	97.00	95.40	104.0	151.0
(C) = 1 % Nat. Q		1.820	4.030	4.530	3.360	2.230	1.390	1.240	1.100	0.970	0.954	1.040	1.510
(D) = (A) > (C)		No	No	No	No	No	No	No	No	No	No	No	No
(E) = (A / B) x 100		0.003	0.001	0.001	0.001	0.001	0.002	0.003	0.004	0.005	0.006	0.005	0.003

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: _____

Well KLAM 52824 is more than 1.00 mile from the Lost River.

Given available data, it appears ground water at the proposed well (KLAM 52824) is hydraulically connected to the Lost River. The connection with the Lost River appears to be primarily at the nearest reach and north. Further south towards Merrill, it appears the ground water elevation drops below the Lost River.

Interference at the Lost River was calculated using Hunt (2003) given the well obtains ground water predominantly from basalt below basin fill. The basin fill in this vicinity near the Lost River likely exceeds 500 feet thickness, but thins to less than 100 feet near the upland areas. The values used in the model were basalt transmissivity of 26,300 ft²/day (based upon specific capacity data for proposed well KLAM 52824 and is within the range of values in Gannett and others (2007)), an intermediate storage coefficient of 0.001, basin fill thickness of 1,000 based on KLAM 52824 with a hydraulic conductivity of 2.09 ft/day based upon Upper Lost River sub-basin data.

The potential interference with distant springs to the northeast (west of Olene Gap) was not evaluated due conditions that exceed assumptions and capabilities of models currently available for analyses.

C4a. 690-09-040 (5): Estimated impacts on hydraulically connected surface water sources greater than one mile as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	2	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Well Q as CFS		0.00	0.00	0.00	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.00	0.00
Interference CFS		0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.		0.000	0.000	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
(B) = 80 % Nat. Q		1470.	1530.	1710.	2240.	2110.	1670.	1180.	915.0	831.0	810.0	955.0	1240.
(C) = 1 % Nat. Q		14.70	15.30	17.10	22.40	21.10	16.70	11.80	9.150	8.310	8.100	9.550	12.40
(D) = (A) > (C)		No	No	No	No	No	No	No	No	No	No	No	No
(E) = (A / B) x 100		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

Basis for impact evaluation: _____

Well KLAM 52824 is more than 1.00 mile from the Klamath River.

Given available data, it appears ground water at the proposed well (KLAM 52824) is hydraulically connected to the Klamath River.

Interference at the Klamath River was calculated using Hunt (2003) given the well obtains ground water predominantly from basalt below basin fill. The basin fill near the Klamath River is about 100 feet thick, but thickening toward the valley and thinning toward upland areas. The values used in the model were basalt transmissivity of 26,300 ft²/day (based upon specific capacity data for proposed well KLAM 52824 and is within the range of values in Gannett and others (2007)), an intermediate storage coefficient of 0.001, basin fill thickness of 100 based on well log data for wells near the nearest reach of the Klamath River with a hydraulic conductivity of 2.09 ft/day based upon Upper Lost River sub-basin data.

C4b. 690-09-040 (5) (b) The potential to impair or detrimentally affect the public interest is to be determined by the Water Rights Section.

- C5. If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:
 - i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;

C6. SW / GW Remarks and Conditions _____

Recommend conditions 7B and 7N and 7J and 7K (for blank 1: specify casing and seal depth to 1081 or greater at well KLAM 52824, and for blank 2: specify that the well may not allow ground water to be developed from the basin fill materials above the consolidated basalt).

If a permit is issued, include condition saying: "The ground water reference level at well KLAM 52824 (well tag = L 29451) shall be 38.6 feet below land surface"

References Used: _____

Gannett, M.W., Lite, K.E., La Marche, J.L., Fisher, B.J., and Polette, D.J. 2007. Ground-Water Hydrology of the Upper Klamath Basin, Oregon and California. USGS Scientific Investigations Report 2007-5050.

USGS, 2005. Assessment of the Klamath Project pilot water bank: a review from a hydrologic perspective. Prepared by the U.S. Geological Survey Oregon Water Science Center, Portland, Oregon for the U.S. Bureau of Reclamation Klamath Basin Area Office, Klamath Falls, Oregon, May 3, 2005.

Grondin, G.H., 2004. Ground Water in the Eastern Lost River Sub-Basin, Langell, Yonna, Swan Lake, and Poe Valleys of Southeastern Klamath County, Oregon. Ground Water Report 41, Oregon Water Resources Department, Salem, Oregon.

Leonard, A.R. and Harris, A.B. 1974. Ground water in selected areas in the Klamath Basin, Oregon. OWRD Ground Water Report No. 21, 104 pgs.

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, 2003.

Theis, C.V. 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using ground water storage. American Geophysical Union Transactions, 16 annual meeting, vol. 16, pg. 519-524.

Hydrographs and ground water level data for wells KLAM 52824, KLAM 52797

Water well reports (well logs) for wells within T40S/R09E-sec 13, T40S/R10E-sec 6 & 7, T40S/R08E-sec 1, 2, 3, 11,12

USGS Lost River quadrangle map (1:24,000 scale)

D. WELL CONSTRUCTION, OAR 690-200

D1. Well #: 1 Logid: KLAM 52824

D2. THE WELL does not meet current well construction standards based upon:

- a. review of the well log;
- b. field inspection by _____;
- c. report of CWRE _____;
- d. other: (specify) _____

D3. THE WELL construction deficiency:

- a. constitutes a health threat under Division 200 rules;
- b. commingles water from more than one ground water reservoir;
- c. permits the loss of artesian head;
- d. permits the de-watering of one or more ground water reservoirs;
- e. other: (specify) _____

D4. THE WELL construction deficiency is described as follows: _____

- D5. THE WELL
- a. was, or was not constructed according to the standards in effect at the time of original construction or most recent modification.
 - b. I don't know if it met standards at the time of construction.

Comment: _____

No need to route to enforcement. Meeting well construction permit condition 7K (blank 1: specify casing and seal depth to 1081 or greater at well KLAM 52824, and blank 2: specify that the well may not allow ground water to be developed from the basin fill materials above the consolidated basalt) for well KLAM 52824 (well tag = L 29451) and subsequent OWRD Enforcement Section review of the water well report that will be filed should address well construction standards. The condition as recommended is consistent with OAR 690-210-0150 (Sealing of Water Supply Wells in Consolidated Formations).

D6. Route to the Enforcement Section.

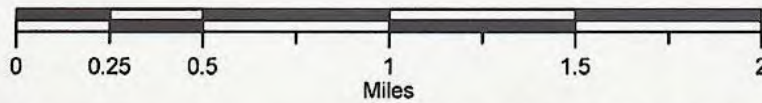
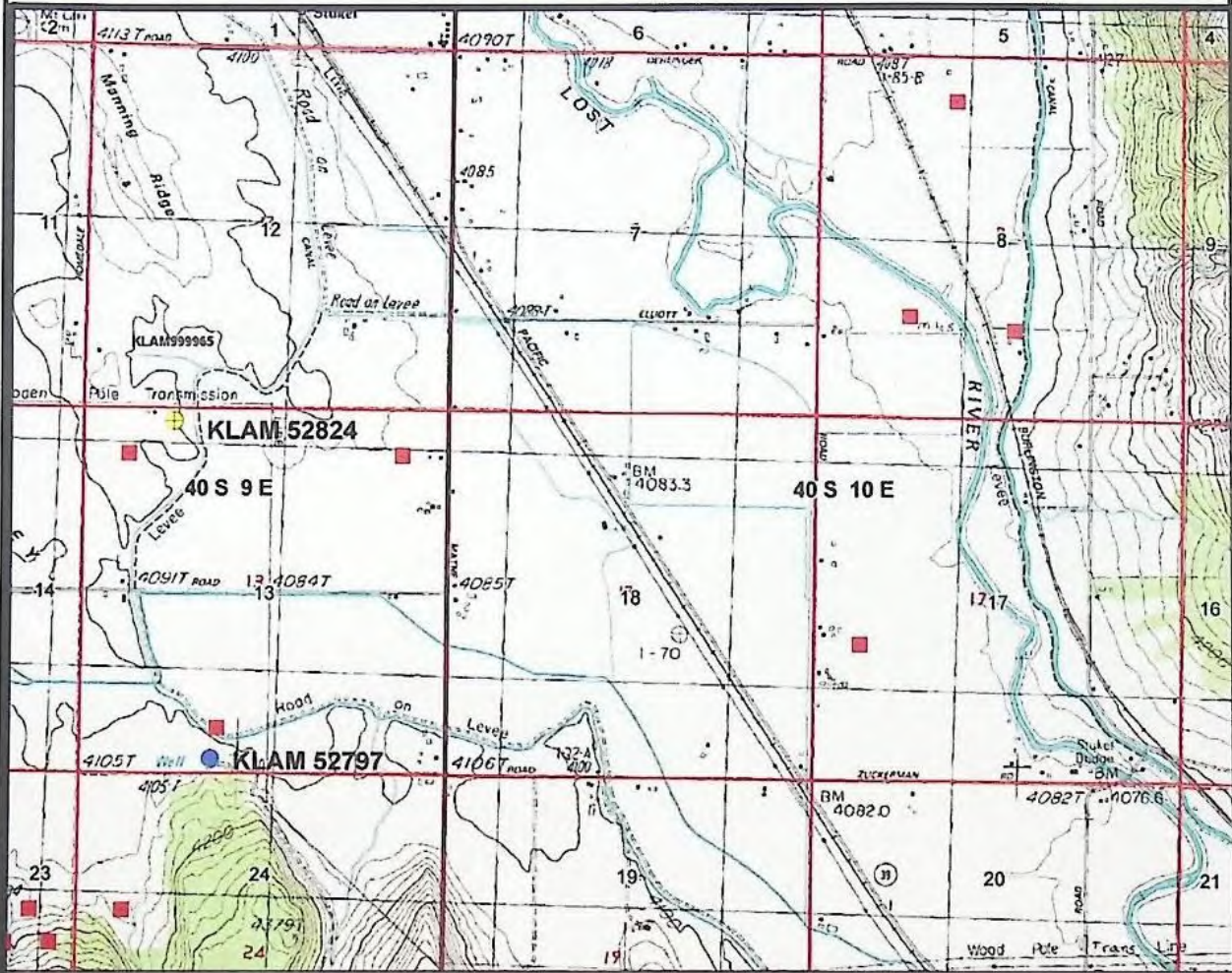
THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

D7. Well construction deficiency has been corrected by the following actions: _____

_____, 200_____
(Enforcement Section Signature)

D8. Route to Water Rights Section (attach well reconstruction logs to this page).

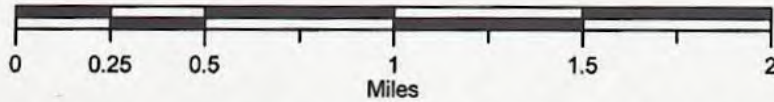
Ground Water Application G-17177 Balin Farm Trust



Yellow = Proposed Well (KLAM 52824)
Red & Blue = Other Wells (many = qtr qtr location)
Green = Surface Water Rights



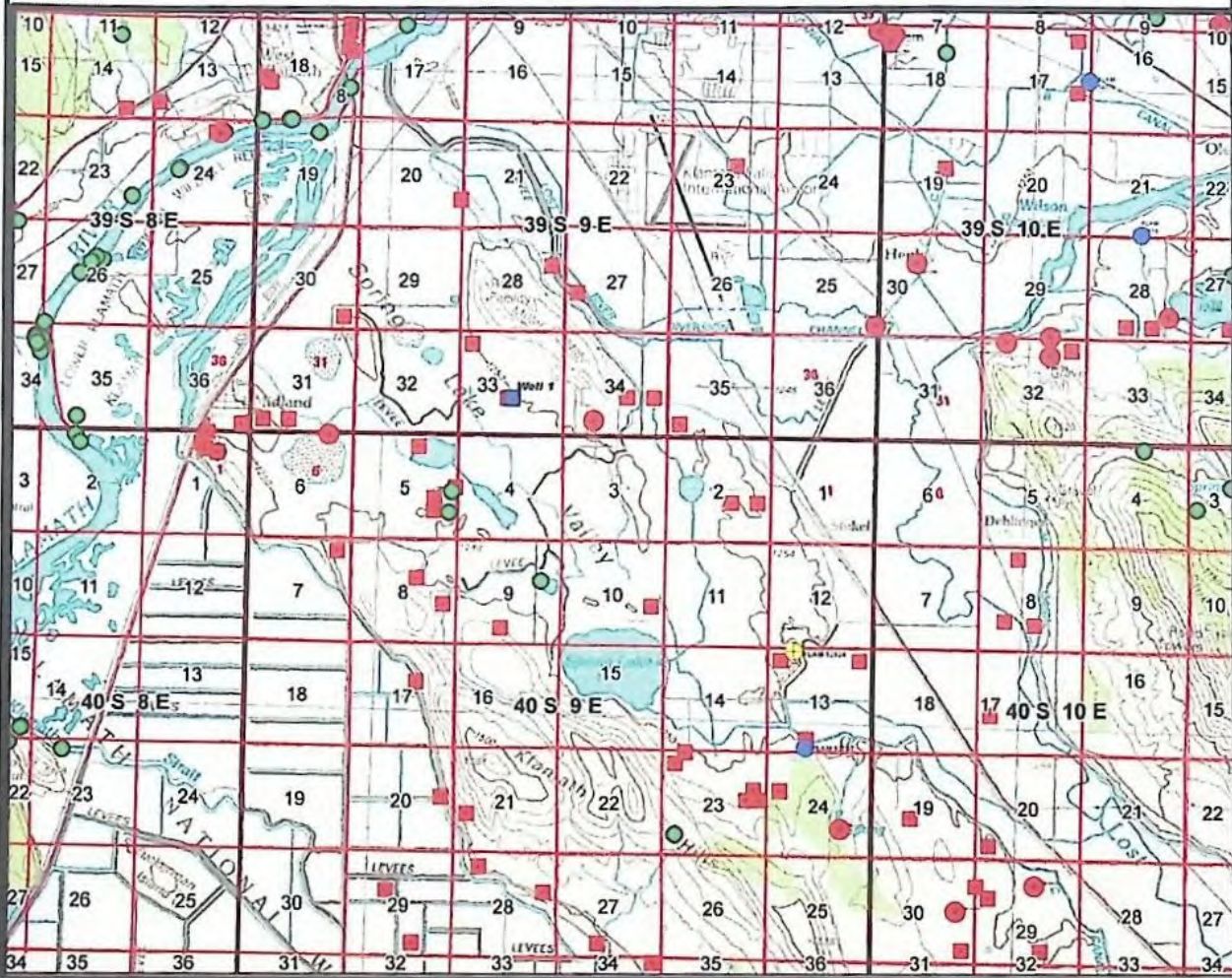
Ground Water Application G-17177 Balin Farm Trust



Yellow = Proposed Well (KLAM 52824)
Red & Blue = Other Wells (many = qtr qtr location)
Green = Surface Water Rights



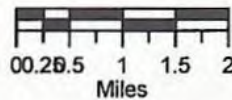
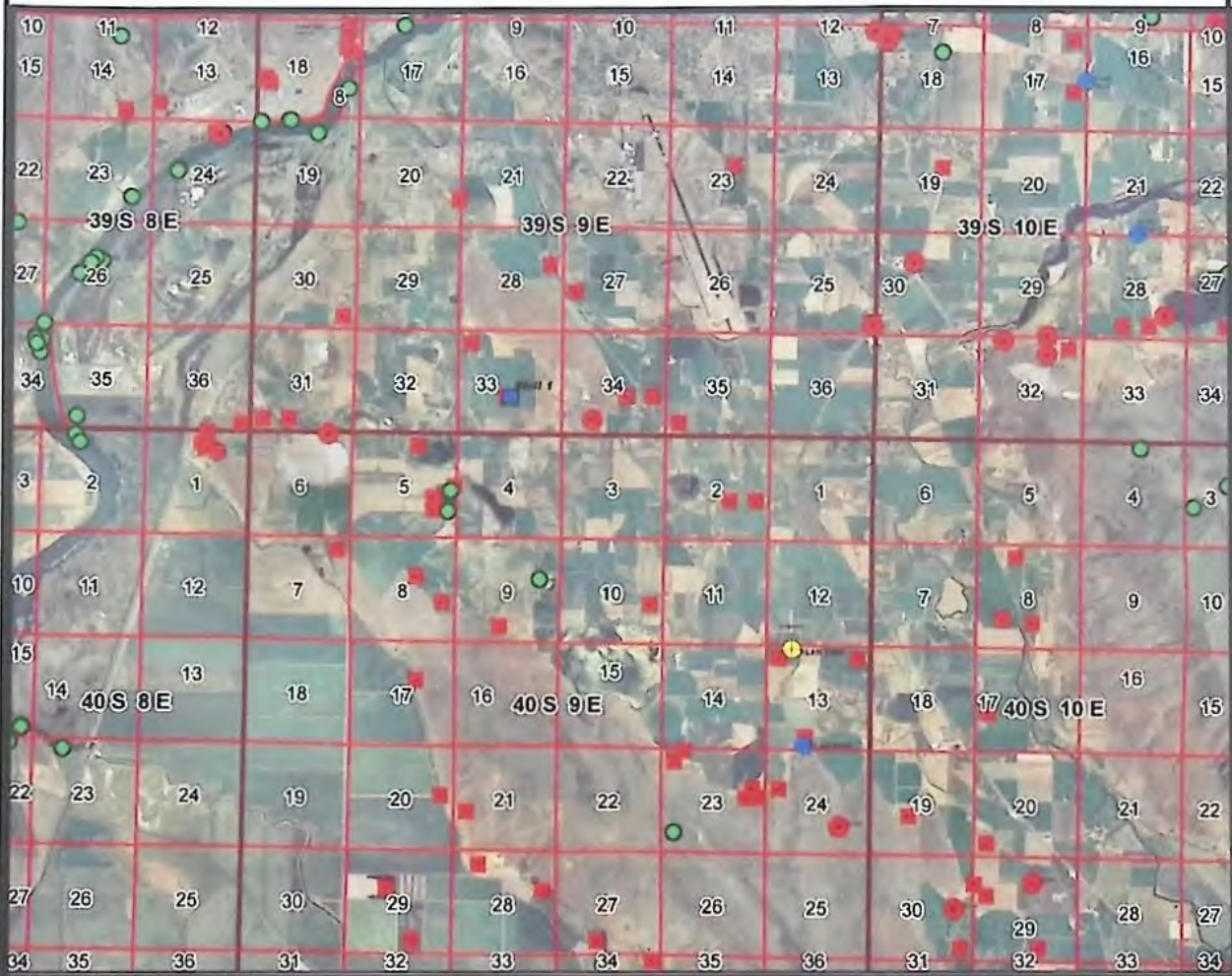
Ground Water Application G-17178 Balin Farm Trust



Yellow = Proposed Well (KLAM 52824)
Red & Blue = Other Wells (many = qtr qtr location)
Green = Surface Water Rights



Ground Water Application G-17178 Balin Farm Trust



Yellow = Proposed Well (KLAM 52824)
Red & Blue = Other Wells (many = qtr qtr location)
Green = Surface Water Rights



KLAM 52824

STOREY DRILLING SERVICES

P.O. Box 98 • MIDLAND, OREGON 97634
(541) 884-3990 • (800) 245-8122
Fax #: (530) 528-2562

22560 ADOBE ROAD • RED BLUFF, CALIFORNIA 96080
CONTRACTOR'S LICENSES:
OR #601 • CA #5B3153 • NV #38199

Balin Ranches
13600 Homedale Road
Klamath Falls, Oregon 97603

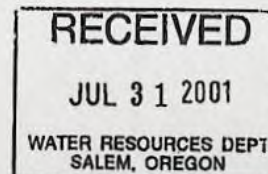


START: June 20, 2001
FINISH: July 20, 2001

WELL LOCATION: ¼ mile North of the O'Connor RD. & Homedale Rd. intersection; ¼ mile east of Homedale Rd.
SW¼ SW¼ S12 T40S R9E

LOG

0 - 3	Brown top soil
3 - 9	Brown shale & hard pan
9 - 12	Hard pan with brown clay & fine gravel
12 - 19	Brown shale
19 - 32	Sandy yellow clay
32 - 98	Brown sandstone
98 - 138	Brown sandy clay
138 - 1070	Gray clay
1070 - 1076	Decomposed black lava with streaks black clay
1076 - 1114	Black basalt
1114 - 1116	Gray basalt
1116 - 1142	Black basalt
1142 - 1145	Gray basalt
1145 - 1146	Black basalt
1146 - 1147	Hard broken black basalt
1147 - 1160	Black basalt
1160 - 1177	Gray basalt
1177 - 1180	Black basalt
1180 - 1187	Hard gray basalt
1187 - 1201	Black basalt
1201 - 1208	Hard gray basalt
1208 - 1210	Hard broken gray basalt
1210 - 1216	Hard gray basalt
1216 - 1221	Black basalt
1221 - 1224	Hard gray basalt
1224 - 1231	Hard broken gray basalt
1231 - 1236	Black basalt
1236 - 1238	Gray basalt
1238 - 1248	Brown basalt
1248 - 1249	Hard black basalt
1249 - 1259	Black basalt
1259 - 1269	Gray basalt
1269 - 1278	Brown basalt with bubbly black basalt
1278 - 1292	Hard gray basalt
1292 - 1295	Broken gray basalt



KLAM 52824

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22560 ADOBE ROAD • RED BLUFF, CALIFORNIA 96080
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13600 Homedale Road
Klamath Falls, Oregon 97603



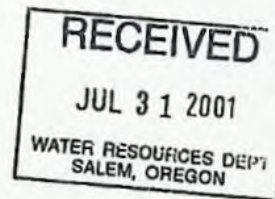
START: June 20, 2001
FINISH: July 20, 2001

WELL LOCATION: ¼ mile North of the O'Connor RD. & Homedale Rd. intersection; ¼ mile east of Homedale Rd.
SW¼ SW¼ S12 T40S R9E

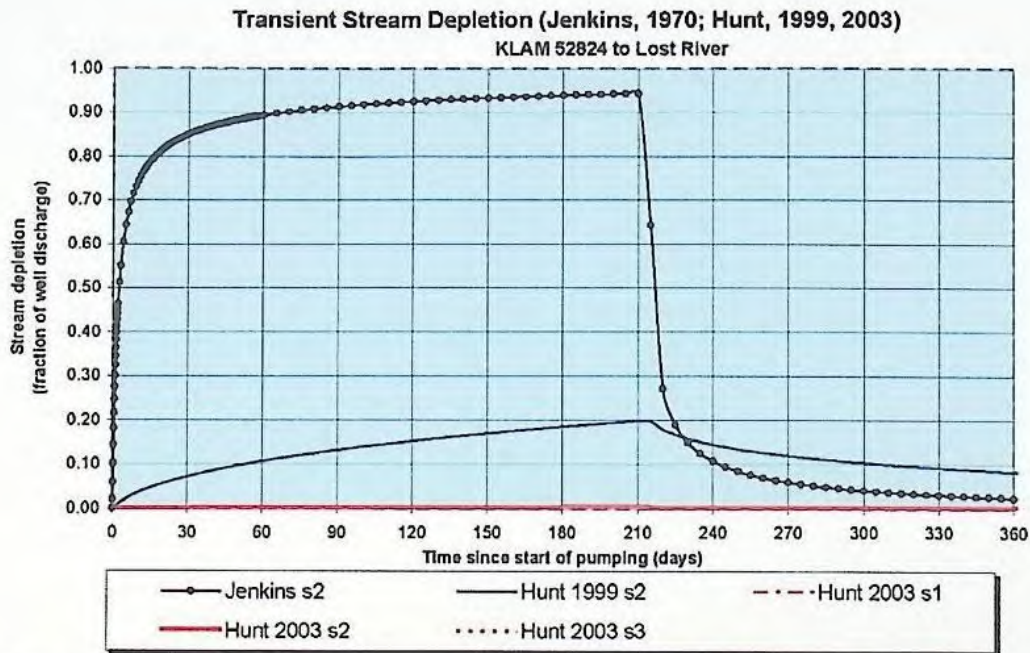
LOG

(Continued from page 1)

1295 - 1299	Brown lava
1299 - 1302	Black basalt
1302 - 1331	Brown Ash rock
1331 - 1335	Gray basalt
1335 - 1359	Brown ash rock
1359 - 1364	Broken gray basalt
1364 - 1369	Black basalt
1369 - 1376	Hard gray basalt
1376 - 1380	Black basalt
1380 - 1384	Gray basalt
1384 - 1398	Black basalt
1398 - 1414	Brown & black basalt



202 feet 6 inches of 16 inch O. D. x .250 wall steel casing set and cemented at 201½ feet.
22 inch diameter hole drilled from 0 - 201 feet to set casing; 16 inch diameter hole from 201 - 1083 feet;
12¼ inch diameter hole from 1083 - 1108 feet; 8¼ inch diameter hole from 1108 - 1414 feet.
Static water level 46 feet; Temperature 77° Fahrenheit
Test pumped 3000 GPM at 79 feet: Specific capacity is 91 gallons per minute per foot of drawdown.



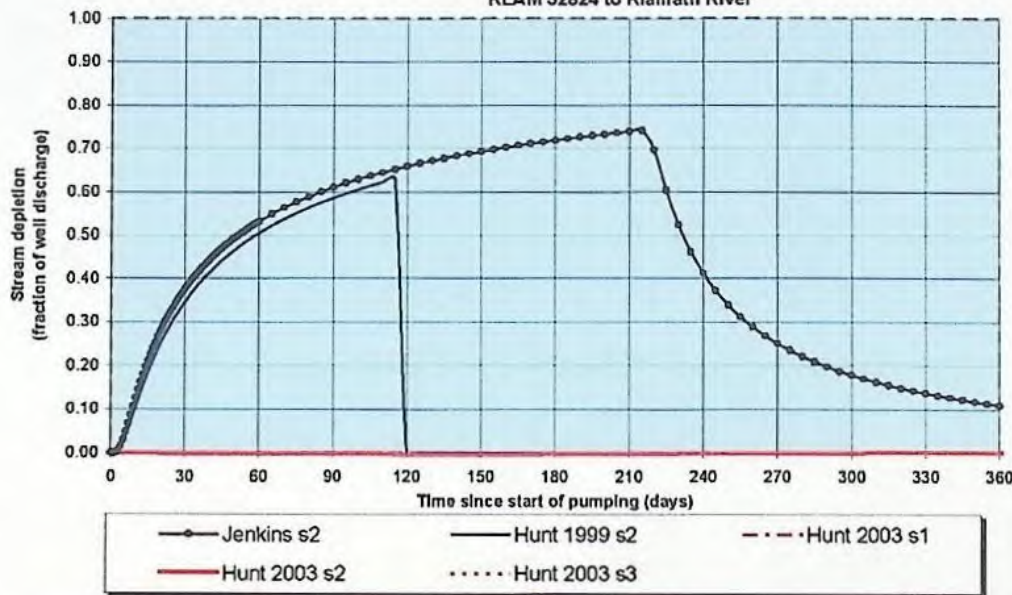
Output for Stream Depletion, Scenario 2 (s2):												Time pump on (pumping duration) = 214 days		
Days	30	60	90	120	150	180	210	240	270	300	330	360		
J SD	85.0%	89.4%	91.3%	92.5%	93.3%	93.9%	94.3%	10.7%	6.0%	4.1%	3.1%	2.5%		
H SD 1999	7.2%	10.7%	13.2%	15.3%	17.0%	18.5%	19.9%	14.5%	12.0%	10.4%	9.3%	8.4%		
H SD 2003	0.2%	0.3%	0.3%	0.4%	0.5%	0.5%	0.6%	0.5%	0.5%	0.5%	0.5%	0.5%		
Qw, cfs	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950		
H SD 99, cfs	0.069	0.102	0.126	0.145	0.162	0.176	0.189	0.138	0.114	0.099	0.088	0.080		
H SD 03, cfs	0.002	0.002	0.003	0.004	0.004	0.005	0.006	0.005	0.005	0.005	0.005	0.005		

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.95	0.95	0.95	cfs
Time pump on (pumping duration)	tpon	214	214	214	days
Perpendicular from well to stream	a	7500	7500	7500	ft
Well depth	d	1414	1414	1414	ft
Aquifer hydraulic conductivity	K	52.6	52.6	52.6	ft/day
Aquifer saturated thickness	b	500	500	500	ft
Aquifer transmissivity	T	26300	26300	26300	ft ² /day
Aquifer storativity or specific yield	S	0.001	0.001	0.001	
Aquitard vertical hydraulic conductivity	Kva	2.09	2.09	2.09	ft/day
Aquitard saturated thickness	ba	1000	1000	1000	ft
Aquitard thickness below stream	babs	950	950	950	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	75	75	75	ft
Streambed conductance (lambda)	sbc	0.165000	0.165000	0.165000	ft/day
Stream depletion factor	sdf	2.138783	2.138783	2.138783	days
Streambed factor	sbf	0.047053	0.047053	0.047053	
input #1 for Hunt's Q_4 function	t'	0.467556	0.467556	0.467556	
input #2 for Hunt's Q_4 function	K'	4.470057	4.470057	4.470057	
input #3 for Hunt's Q_4 function	epsilon'	0.005000	0.005000	0.005000	
input #4 for Hunt's Q_4 function	lamda'	0.047053	0.047053	0.047053	

G_17177_Balin_Spring_Lake_sd_hunt_2003_1.01.xls

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)

KLAM 52824 to Klamath River

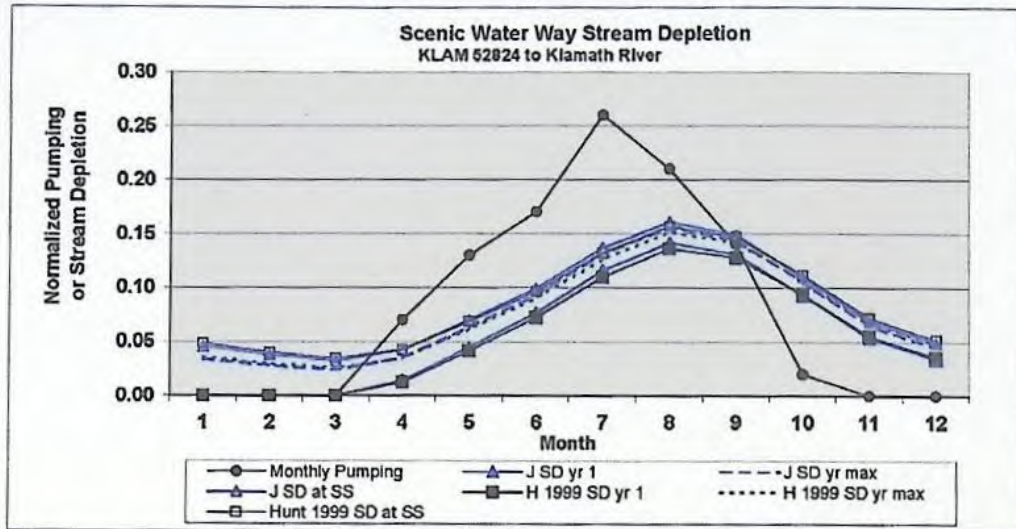


Output for Stream Depletion, Scenario 2 (s2):					Time pump on (pumping duration) = 214 days							
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	37.7%	53.2%	61.0%	65.9%	69.3%	71.8%	73.8%	41.2%	25.1%	17.8%	13.7%	11.0%
H SD 1999	34.8%	50.5%	58.6%	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!
H SD 2003	-0.2%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.3%	-0.1%	0.0%	0.0%	0.0%	0.1%
Qw, cfs	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950	0.950
H SD 99, cfs	0.330	0.480	0.557	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!	#NUM!
H SD 03, cfs	-0.002	-0.003	-0.003	-0.003	-0.003	-0.003	-0.003	-0.001	0.000	0.000	0.000	0.001

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.95	0.95	0.95	cfs
Time pump on (pumping duration)	tpon	214	214	214	days
Perpendicular from well to stream	a	35100	35100	35100	ft
Well depth	d	1414	1414	1414	ft
Aquifer hydraulic conductivity	K	52.6	52.6	52.6	ft/day
Aquifer saturated thickness	b	500	500	500	ft
Aquifer transmissivity	T	26300	26300	26300	ft ² /day
Aquifer storativity or specific yield	S	0.001	0.001	0.001	
Aquitard vertical hydraulic conductivity	Kva	2.09	2.09	2.09	ft/day
Aquitard saturated thickness	ba	100	100	100	ft
Aquitard thickness below stream	babs	75	75	75	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	900	900	900	ft
Streambed conductance (lambda)	sbc	25.080000	25.080000	25.080000	ft/day
Stream depletion factor	sdf	46.844487	46.844487	46.844487	days
Streambed factor	sbf	33.471787	33.471787	33.471787	
input #1 for Hunt's Q ₄ function	t'	0.021347	0.021347	0.021347	
input #2 for Hunt's Q ₄ function	K'	979.049772	979.049772	979.049772	
input #3 for Hunt's Q ₄ function	epsilon'	0.005000	0.005000	0.005000	
input #4 for Hunt's Q ₄ function	lamda'	33.471787	33.471787	33.471787	

G_17177_Balin_Spring_Lake_sd_hunt_2003_1.01.xls

Oregon Water Resources Department



Region	18 Steady state stream depletion as a fraction of pumping normalized to crop water use consumption.												
Month	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Resid
Qw	0.00	0.00	0.00	0.07	0.13	0.17	0.26	0.21	0.14	0.02	0.00	0.00	0.00
Jenkins SD													
yr1	0.000	0.000	0.000	0.014	0.045	0.076	0.116	0.141	0.131	0.093	0.053	0.034	0.297
yrmax-1	0.034	0.028	0.024	0.035	0.063	0.093	0.131	0.156	0.144	0.105	0.065	0.045	0.077
yrmax	0.034	0.028	0.024	0.035	0.063	0.093	0.131	0.156	0.144	0.105	0.065	0.045	0.077
yrmax-yr1	0.034	0.028	0.024	0.021	0.019	0.017	0.016	0.014	0.013	0.012	0.012	0.011	0.221
J SD SS	0.045	0.038	0.032	0.042	0.070	0.099	0.137	0.161	0.149	0.110	0.069	0.049	0.000
Hunt SD 1999													
yr 1	0.000	0.000	0.000	0.012	0.041	0.072	0.110	0.136	0.128	0.093	0.055	0.036	0.317
yr max-1	0.036	0.030	0.025	0.035	0.061	0.090	0.126	0.151	0.142	0.107	0.067	0.047	0.082
yr max	0.036	0.030	0.025	0.035	0.061	0.090	0.126	0.151	0.142	0.107	0.067	0.047	0.082
yrmax-yr1	0.036	0.030	0.025	0.022	0.020	0.018	0.017	0.015	0.014	0.013	0.013	0.012	0.236
H99 SD SS	0.048	0.040	0.034	0.042	0.068	0.097	0.132	0.157	0.147	0.111	0.072	0.052	0.000

Parameters:		Values	Units	
Maximum number of years pumped	yrmax	25	years	
Days pumped each month	tpoff	30.4375	days/month	
Perpendicular from well to stream	a	35100	ft	
Well depth	d	1414	ft	
Aquifer hydraulic conductivity	K	52.6	ft/day	
Aquifer saturated thickness	b	500	ft	
Aquifer transmissivity	T_ft	26,300	ft ² /day	= K*b
Aquifer transmissivity	T_gal	196,724	gpd/ft	= K*b
Aquifer storativity or specific yield	S	0.001		
Streambed conductivity (Hunt 1999)	Ks	2.09	ft/day	
Streambed thickness, Hunt 1999	bs	75	ft	
Stream width (Hunt 1999)	ws	900	ft	
Streambed conductance (lambda)	sbc	25.0800	ft/day	= Ks*ws/bs
Stream depletion factor	sdf	46.8445	days	= (a ² *S)/(T)
Streambed factor	sbf	33.4718		= sbc*a/T

S:\groups\water\grandin\areas\klamath\water_rights\G_17177_Balin_Spring_Lake_scenic_stream_depletion_sd_1033_3_30.xls

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-17177

Prior to the issuance of a permit, the Department must receive permit recording fees in the amount of \$300.00. Please include your application number on your check made out to the Oregon Water Resources Department.

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On February 11, 2009, Balin Ranches submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 CUBIC FOOT PER SECOND (CFS)
- Use of Water: SUPPLEMENTAL IRRIGATION OF 76.1 ACRES
- Source of Water: A WELL (KLAM 52824) IN LOST RIVER BASIN
- AREA OF PROPOSED USE: KLAMATH COUNTY WITHIN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

On April 10, 2009, the Department mailed the applicant notice of its Initial Review, determining that "The use of 0.95 CFS of water from a well (KLAM 52824) in Upper Klamath Lake Basin for supplemental irrigation use on 76.1 acres may be allowed during the full period requested, April 1 through October 31." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 14, 2009, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the Proposed Final Order. No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record

- designations of any critical ground water areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Department determined an error was made in the Initial Review. The Initial Review determined A WELL (KLAM 52824) in Upper Klamath Lake Basin. The determinations of the Initial Review are hereby corrected to reflect A WELL (KLAM 52824) in Lost River Basin.

Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of water is restricted as a result of this consideration.

A WELL (KLAM 52824) IN LOST RIVER BASIN is not within or above a State Scenic Waterway.

A WELL (KLAM 52824) IN LOST RIVER BASIN is hydraulically connected to the Klamath River which is a Scenic Waterway.

Ground Water Findings Under OAR 690-009

The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the

- point of appropriation is a horizontal distance less than one mile from the surface water source;
- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. The proposed water use will, if properly conditioned, avoid injury to existing rights and the resource.

The Department finds that no more than 0.95 CFS would be necessary for the proposed use. The amount of water allowed shall be restricted to 0.95 CFS.

The proposed ground water use is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of water is restricted as a result of this consideration.

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED June 2, 2009

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **July 17, 2009**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the Proposed Final Order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this Proposed Final Order would impair or be detrimental to your interest;
- A detailed description of how the Proposed Final Order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the protest fee of \$350 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the Proposed Final Order.

- *If you do not protest this Proposed Final Order and if no substantive changes are made in the Final Order, you will not have an opportunity for judicial review, protest or appeal of the Final Order when it is issued.*

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **July 17, 2009**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and
- A standing fee of \$100.00. If a hearing is scheduled, an additional fee of \$250.00 must be submitted along with a request for intervention.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the

Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

This document was prepared by Joel Plahn. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0815.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF KLAMATH

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

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

APPLICATION FILE NUMBER: G-17177

SOURCE OF WATER: A WELL (KLAM 52824) IN LOST RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 76.1 ACRES

MAXIMUM RATE: 0.95 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 11, 2009

WELL LOCATION: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 13, T40S, R9E, W.M.; 200 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 13

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.1 ACRES
SECTION 11
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.

- B. The permittee shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The well(s) shall be continuously cased and continuously sealed to a minimum depth of 1081 feet below land surface. The well(s) may not be completed in such a manner to allow ground water to be developed from the basin fill materials above the consolidated basalt. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new

well depth and construction specifications will be incorporated into any certificate issued for this permit.

The ground water reference level at Well (KLAM 52824, well tag L 29451) shall be 38.6 feet below land surface.

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

STANDARD CONDITIONS

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

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

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

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

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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

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

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued _____, 2009

DRAFT - THIS IS NOT A PERMIT

for Phillip C. Ward, Director
Water Resources Department

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE E1/2 OF SECTION 11, THE W1/2 E1/2 AND THE W1/2 OF SECTION 12, AND THE NW1/4 OF SECTION 13, T40S, R9EWM, KLAMATH COUNTY, OREGON, FEBRUARY, 2009

MAP PREPARED FOR
--BALIN RANCH--

MAP PREPARED FROM
--ASSESSORS MAP--
--AERIAL PHOTOGRAPH--


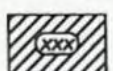

WELL LOCATION
200 FEET SOUTH AND 1320 FEET EAST
OF THE NORTHWEST CORNER OF
SECTION 13

RECEIVED
FEB 05 2009
WATER RESOURCES DEPT
SALEM, OREGON

TAX LOT
40 09 11 - 500



SCALE
1" = 1320'

-  NEW LANDS SUPPLEMENTAL TO KLAMATH IRRIGATION DISTRICT --24.0--
-  NEW LANDS SUPPLEMENTAL TO KLAMATH BASIN IMPROVEMENT DISTRICT --52.1--
-  LANDS SUPPLEMENTAL TO PERMIT # G-15333 AND G-16209

TOTAL AREA THIS APPLICATION
--76.1 AC--

Certified Water Right Examiner
#271
Dennis A. Ensor
Dennis A. Ensor
May 30, 1991
STATE OF OREGON

RECEIVED
FEB 11 2009
WATER RESOURCES DEPT
SALEM, OREGON

TRU SURVEYING INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

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

Mailing List for PFO Copies

Application #G-17177

PFO Date June 2, 2009

Original mailed to applicant:

~~BALIN RANCHES, ATTN: SCOTT BALIN, KLAMATH FALLS, OR 97603~~

Copies sent to:

- ~~1. WRD - File # G-17177~~
- ~~2. Water Availability: Ken Stahr~~

Copies Mailed By: <u>TCB</u> (SUPPORT STAFF) on: <u>5/29/09</u> (DATE)
--

PFO and Map Copies sent to:

- ~~3. WRD - Watermaster # 17~~

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- ~~Dennis Ensor CWRE # 271~~

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : plahnjm



Oregon Water Resources Department Land Use Information Form

G-17177
G-17178

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Barkin Ranches / Great Western Farms Ranches

Mailing Address: 13600 Hamedale Rd / 6062 O'Connor Rd

Klamath Falls OR 97603 Daytime Phone: 541-281-7909

A. Land and Location

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

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
40	9	11		600	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Ag
40	9	11	1200	1300	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Ag
40	9	13		200	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Ag
40	9	13		800/900	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	Ag

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

Klamath

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water-Right Transfer
- Exchange of Water
- Allocation of Conserved Water
- Limited Water Use License
- Permit Amendment of Ground Water Registration Modification

Source of water: Reservoir/Pond Ground Water Surface Water (name)

Estimated quantity of water needed: 0.95 CFS = 6-17177 cubic feet per second 1.1 CFS = 6-17178 gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other _____

Briefly describe:

Property Water is conveyed to Supplemental Permit #17177 #17178

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

Receipt for Request for Land Use Information

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

RECEIVED
APR 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

6-17177
6 17178

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

✓ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): KCLDC Article 54

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

Compliant w/ KCLDC Article 54 and Comprehensive Planning local 3

RECEIVED

APR 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

Name: Alyssa Boles Title: Planner
Signature: Alyssa Boles Phone: 503-883-8121 Date: 4/20/09
Government Entity: Klamath County

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

Receipt for Request for Land Use Information

Applicant Name: _____
City or County: _____ Staff Contact: _____
Signature: _____ Phone: _____ Date: _____

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

G-17177
 BALIN FARM TRUST
 dba BALIN RANCHES
 13600 HOMEDALE RD
 KLAMATH FALLS OR 97603

2. Article Number

(Transfer from service label)

7006 0810 0003 8797 4958

WR

(IR)

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X

 Agent Addressee**B. Received by (Printed Name)****C. Date of Delivery**

5/14/09

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below:

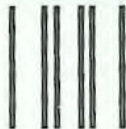
 No

RECEIVED

APR 16 2009

WATER RESOURCES DEPT
SALEM, OREGON**3. Service Type** Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.**4. Restricted Delivery? (Extra Fee)** Yes

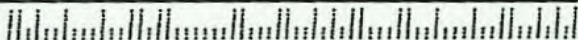
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

◦ Sender: Please print your name, address, and ZIP+4 in this box ◦

WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE SUITE A
SALEM OR 97301-1266





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

**CERTIFIED MAIL
Return Receipt Requested**

BALIN FARM TRUST
DBA BALIN RANCHES
ATTN: SCOTT BALIN
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

April 10, 2009

Reference: File G-17177

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application requested the use of 1.0 cubic foot per second (CFS) of water from a well (KLAM 52824) for supplemental irrigation use on 76.1 acres from April 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of water is restricted as a result of this consideration.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The standard allowable rate for supplemental irrigation use from surface water is 1/80 CFS per acre. Your application requested 1.0 CFS for 76.1 acres. If the application is approved, the rate allowed will be limited to 0.95 CFS.

6. You are encouraged to contact Klamath County as you may need to obtain authorization to cross Homeland Road.
7. A well (KLAM 52824) in Upper Klamath Lake Basin is hydraulically connected to the Klamath River which is a Scenic Waterway.
8. The Department has determined there are deficiencies with the application. Please refer to the **Additional Information Required** section below for specific information.

Summary of Initial Determinations

The use of 0.95 CFS of water from a well (KLAM 52824) in Upper Klamath Lake Basin for supplemental irrigation use on 76.1 acres may be allowed during the full period requested, April 1 through October 31.

Because of the Department's determination, your application can be moved to the next phase of the water-rights application review process, where public interest factors will be evaluated. However, due to #5 above, your application will likely be limited accordingly.

Additional Information Required:

Additional information is required to process your application prior to issuance of any Proposed Final Order that may recommend permit approval. Please provide the following:

- The legal description submitted with the application materials included portions of Section 11, Township 40 South, Range 9 East W.M. However, the Department will need a legal description which includes *all* lands where water will be used, where the well is located, and any lands crossed by a conveyance system.

A legal description is a description of a specific parcel of real estate which often uses one of the following methods; government survey metes and bounds, aliquot parts, subdivision block and lot numbers, or a combination of these. It is often found on a deed, land sales contract, or title insurance policy. OAR 690-310-00040(1)(a)(I) requires the legal description of the property from which the water is to be diverted, any property crossed by the proposed ditch, canal or other work, and any property on which the water is to be used as depicted on the map.

- A completed Land Use Information Form signed and dated by a Klamath County official for the property described as Tax Lot 200, Section 13, Township 40 South, Range 9 East, W.M., Tax Lots 1200 and 1300, Section 12, Township 40 South, Range 9 East, W.M. and Tax Lot 600, Section 11, Township 40 South, Range 9 East, W.M. The application demonstrates land-use approval has been obtained for Tax Lot 500, Section 11, Township 40 South, Range 9 East, W.M. The approval status for the property where the well is located and lands crossed by the conveyance system, is unclear.

Please submit this information no later than Thursday, May 14, 2009. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above or a request for an administrative hold by this date, the Department will likely proceed with a Proposed Final Order recommending denial of the application.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, April 24, 2009**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to

mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

4. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

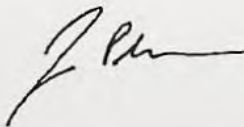
5. The well(s) shall be continuously cased and continuously sealed to a minimum depth of 1081 feet below land surface. The well(s) may not be completed in such a manner to allow ground water to be developed from the basin fill materials above the consolidated basalt. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new well depth and construction specifications will be incorporated into any certificate issued for this permit.
6. The ground water reference level at Well (KLAM 52824 (well tag L 29451)) shall be 38.6 feet below land surface.
7. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0815 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Joel Plahn, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Joel Plahn
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form
G-17177
GW

APPLICATION FACT SHEET

Application File Number: G-17177

Applicant: BALIN FARM TRUST DBA BALIN RANCHES

County: KLAMATH

Watermaster: 17

Priority Date: FEBRUARY 11, 2009

Source: A WELL (KLAM 52824) IN UPPER KLAMATH LAKE BASIN

Use: SUPPLEMENTAL IRRIGATION USE ON 76.1 ACRES

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 1 U KLAMATH L & MISC

Well Location(s): NWNW, SECTION 13, T40S, R9E, W.M.; 200 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 13

Place of Use:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.1 ACRES
SECTION 11
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, April 24, 2009

PUBLIC NOTICE DATE: Tuesday, April 14, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, May 14, 2009

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE E1/2 OF SECTION 11, THE W1/2 E1/2 AND THE W1/2 OF SECTION 12, AND THE NW1/4 OF SECTION 13, T40S, R9EWM, KLAMATH COUNTY, OREGON, FEBRUARY, 2009

MAP PREPARED FOR

--BALIN RANCH--

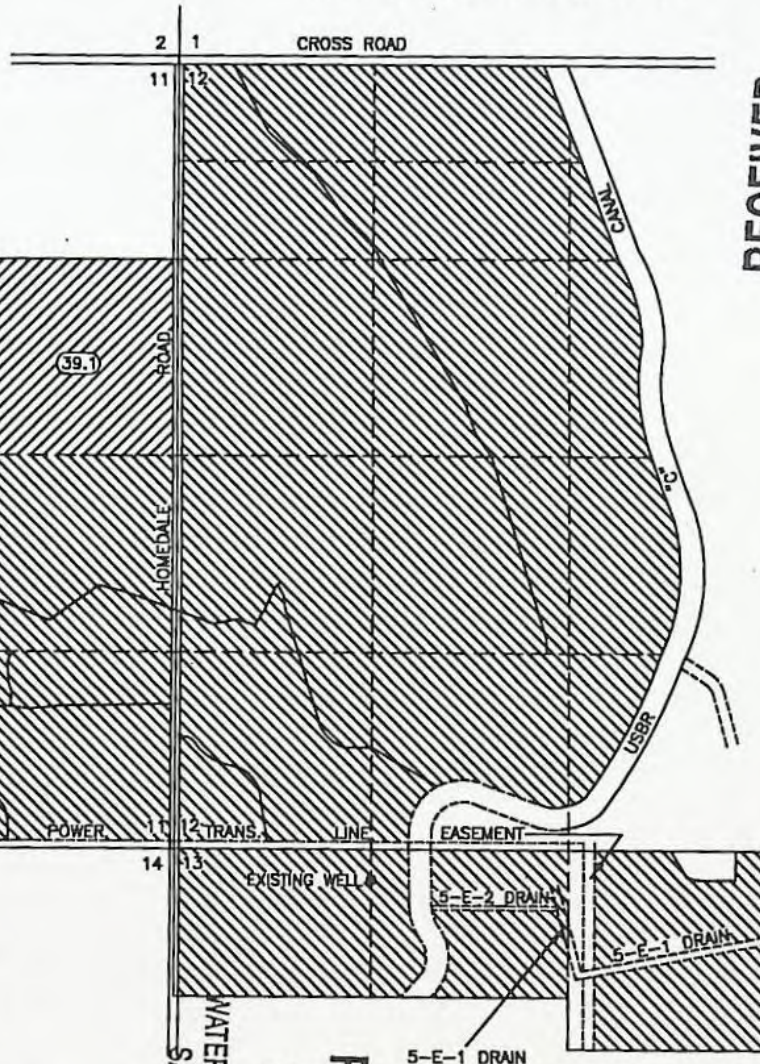
MAP PREPARED FROM

--ASSESSORS MAP--
--AERIAL PHOTOGRAPH--

WELL LOCATION

200 FEET SOUTH AND 1320 FEET EAST OF THE NORTHWEST CORNER OF SECTION 13

TAX LOT
40 09 11 - 500



RECEIVED

FEB 05 2009

WATER RESOURCES DEPT
SALEM, OREGON



NEW LANDS SUPPLEMENTAL TO KLAMATH IRRIGATION DISTRICT --24.0--



NEW LANDS SUPPLEMENTAL TO KLAMATH BASIN IMPROVEMENT DISTRICT --52.1--



LANDS SUPPLEMENTAL TO PERMIT # G-15333 AND G-16209

TOTAL AREA THIS APPLICATION
--76.1 AC--

SCALE
1" = 1320'

Certified Water Right Examiner
271
Dennis A. Ensor
Dennis A. Ensor
May 30, 1991
STATE OF OREGON

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

WATER RESOURCES DEPT
SALEM, OREGON

FEB 11 2009

RECEIVED

TRU SURVEYING INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603

Mailing List for IR Copies

Application #G-17177

IR Date : April 10, 2009

Original mailed to applicant:

~~BALIN FARM TRUST DBA BALIN RANCHES, ATTN: SCOTT BALIN, 13600 HOMEDALE RD KLAMATH FALLS, OR 97603~~

Copies sent to:

- ~~1. WRD - File # G-17177~~
- ~~2. WRD - Water Availability: Ken Stahr~~

Copies Mailed By: <u>MB</u> (SUPPORT STAFF) on: <u>4/10/09</u> (DATE)

IR, Map, and Fact Sheet Copies sent to:

- ~~3. WRD - Watermaster # 17~~
- ~~4. Department of Agriculture~~
- ~~5. ODFW-Bill Tinniswood~~
- ~~6. DEQ- Eric Nigg~~
- ~~7. STATE PARKS~~

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

~~Klamath County Road Department 2121 Washburn Way Klamath Falls, OR 97603~~

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

~~Dennis Ensor CWRE # 271~~

COPYSHT.IR

Caseworker: Joel Plahn



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Balm Farm Trust
 Mailing Address: 13600 Homedale Rd
 City: Klamath Falls State: OR Zip: 97603 Day Phone: 541-281-7909

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
40	09	11		500	EFU-C	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Ag
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. _____

B. Description of Proposed Use

RECEIVED

FEB 11 2009

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water Water-Right Transfer Exchange of Water
 Allocation of Conserved Water Limited Water Use License
 Permit Amendment or Ground Water Registration Modification

WATER RESOURCES DEPT
SALEM, OREGON

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 1.0 CFS cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other _____

Briefly describe: _____

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

Receipt for Request for Land Use Information

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

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): KCLOC Article 54

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Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

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

RECEIVED

FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

Name: Alyssa Boles Title: Planner
 Signature: Alyssa Boles Phone: 885-5521 Date: 2/10/09
 Government Entity: Klamath County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

11081845-KR

G-17177



THIS SPACE R

2008-004708
Klamath County, Oregon



03/31/2008 03:37:03 PM

Fee: \$21.00

After recording return to:
Balin Family Trust Farm Trust
13600 Homedale Road
Klamath Falls, OR 97603

Until a change is requested all tax statements shall be sent to the following address:
Balin Family Trust Farm Trust
13600 Homedale Road
Klamath Falls, OR 97603

Escrow No. MT81845-KR
Title No. 0081845
SWD

RECEIVED

FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

STATUTORY WARRANTY DEED

Beverly J. Cheyne, Grantor(s) hereby convey and warrant to ~~Harold E. Balin and Joan L. Staunton, Trustees for the Balin Family Trust, dated October 21, 1988,~~ ^{see continued below*} Grantee(s) the following described real property in the County of KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:

The S1/2 of the NE1/4 of Section 11 in Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

SAVING AND EXCEPTING that portion lying within Homedale Road.

*Grantee continued - Harold E. Balin, Trustee of the Balin Farm Trust under Trust Agreement dated 10/21/1988 and Joan L. Staunton, Trustee of the Balin Farm Trust under Trust Agreement dated 10/21/1988
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance [REDACTED]

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

Dated this 27th day of March, 2008.

Beverly J. Cheyne

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on March 27, 2008 by Beverly J. Cheyne.

(Notary Public for Oregon)



My commission expires 11/16/2011

HMT

1.12 81845-KR

Gr-17177

THIS SPACE R

2008-004708

Klamath County, Oregon



03/31/2008 03:37:03 PM

Fee: \$21.00

After recording return to:

Balin Family Trust Farm Trust

13600 Homedale Road

Klamath Falls, OR 97603

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

Balin Family Trust Farm Trust

13600 Homedale Road

Klamath Falls, OR 97603

Escrow No. MT81845-KR

Title No. 0081845

SWD

RECEIVED

FEB 11 2009

WATER RESOURCES DEPT SALEM, OREGON

STATUTORY WARRANTY DEED

Beverly J. Cheyne, Grantor(s) hereby convey and warrant to Harold E. Balin and Joan L. Staunton, Trustees for the Balin Family Trust, dated October 21, 1988, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:

The S1/2 of the NE1/4 of Section 11 in Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

SAVING AND EXCEPTING that portion lying within Homedale Road.

*Grantee continued - Harold E. Balin, Trustee of the Balin Farm Trust under Trust Agreement dated 10/21/1988 and Joan L. Staunton, Trustee of the Balin Farm Trust under Trust Agreement dated 10/21/1988

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

The true and actual consideration for this conveyance [redacted]

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

Dated this 27th day of March, 2008.

[Signature of Beverly J. Cheyne]

State of Oregon

County of KLAMATH

This instrument was acknowledged before me on March 27, 2008 by Beverly J. Cheyne.

[Signature of Kristi L. Redd]

(Notary Public for Oregon)



My commission expires 11/16/2011



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Balin Farm Trust dba Balin Ranches
First Last
 Mailing address: 13600 Homedale Rd
Klamath Falls, OR 97603
City State Zip
 Phone: 541-281-7909
Home Work Other
 *Fax: _____ *E-Mail address: _____

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B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of organization: Balin Farm Trust
 Name and title of person applying: Scott Balin Manager/Share Owner
 Mailing address of organization: Same As Above
City State Zip
 Phone: Same As Above
Day Evening
 *Fax: _____ *E-Mail address: _____

* Optional information

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SALEM, OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

Yes (Please check appropriate box below then skip to section 3 ("Ground water Development"))

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Almonath Lake 15-20 miles

Distance from well(s) to nearest stream or lake: 1) 15-20 miles

2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) _____

2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by: Already Constructed 01'

Address: 6/20/01 KILAM 52824

Adding bordering Acres supplemental use

Completion date: 6/20/2001

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
		<i>See Well Drill Data Log</i>							

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

NA

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4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1.0 CFS
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: April - October
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 7876.1
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type): 100hp Turbine
- Other means (describe): _____

B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):
Width _____ Depth _____
Is the ditch or canal to be lined? Yes No
- Pipe (give diameter and total length):
Diameter 12" Length 1/4 Mile
- Other (describe) _____

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? 150Hp Pump
Pressure Station - Supplied by Well

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe _____

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

D. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Well Has Frequency Drive which
will pump on demand only - closed
system no open discharges

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: Completed

Proposed date construction will be completed: Completed

Proposed date beneficial water use will begin: April 1st 2009

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

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8. MAP REQUIREMENTS

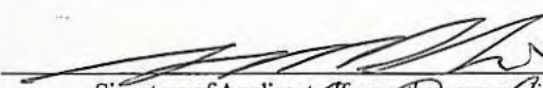
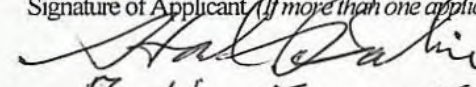
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

 Scott Balm 1/30/09
Signature of Applicant (If more than one applicant, all must sign.) Date
 Hal Balm Trustee 2/10/09
Balm Farm Trust

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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Oregon Water Resources Department

FORM I
FOR IRRIGATION WATER USE
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1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

 Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: _____ Acres

 Secondary: 76 Acres

76.1

List the permit or certificate number of the primary water right:

No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- Supplemental To Primary Right Project
Bureau of Reclamation Klamath Project*
- | | | |
|-------------------|---|--|
| 1. <u>Potato</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>April to Oct</u>) |
| 2. <u>Alfalfa</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>April to Oct</u>) |
| 3. <u>Grain</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: <u>April to Oct</u>) |
| 4. _____ | <input type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

3.0 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Daily during daytime hours | <input checked="" type="checkbox"/> Daily during nighttime hours |
| <input type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours | <input type="checkbox"/> Weekly, during nighttime hours |
| <input type="checkbox"/> Other, explain: _____ | |

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 WATER RESOURCES DEPT
 SALEM, OREGON

G-17177

KLAM 52824

STOREY DRILLING SERVICES

P.O. Box 98 • MIDLAND, OREGON 97634
(541) 884-3980 • (800) 245-8122
Fax #: (530) 528-2562

22560 ADOBE ROAD • RED BLUFF, CALIFORNIA 96080
CONTRACTOR'S LICENSES:
OR #601 • CA #583153 • NV #38199

Balin Ranches
13600 Homedale Road
Klamath Falls, Oregon 97603



START: June 20, 2001
FINISH: July 20, 2001

WELL LOCATION: ¼ mile North of the O'Connor RD. & Homedale Rd. intersection; ¼ mile east of Homedale Rd.
SW¼ SW¼ S12 T40S R9E

LOG

0 - 3	Brown top soil
3 - 9	Brown shale & hard pan
9 - 12	Hard pan with brown clay & fine gravel
12 - 19	Brown shale
19 - 32	Sandy yellow clay
32 - 98	Brown sandstone
98 - 138	Brown sandy clay
138 - 1070	Gray clay
1070 - 1076	Decomposed black lava with streaks black clay
1076 - 1114	Black basalt
1114 - 1116	Gray basalt
1116 - 1142	Black basalt
1142 - 1145	Gray basalt
1145 - 1146	Black basalt
1146 - 1147	Hard broken black basalt
1147 - 1160	Black basalt
1160 - 1177	Gray basalt
1177 - 1180	Black basalt
1180 - 1187	Hard gray basalt
1187 - 1201	Black basalt
1201 - 1208	Hard gray basalt
1208 - 1210	Hard broken gray basalt
1210 - 1216	Hard gray basalt
1216 - 1221	Black basalt
1221 - 1224	Hard gray basalt
1224 - 1231	Hard broken gray basalt
1231 - 1236	Black basalt
1236 - 1238	Gray basalt
1238 - 1248	Brown basalt
1248 - 1249	Hard black basalt
1249 - 1259	Black basalt
1259 - 1269	Gray basalt
1269 - 1278	Brown basalt with bubbly black basalt
1278 - 1292	Hard gray basalt
1292 - 1295	Broken gray basalt

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SALEM, OREGON

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JUL 31 2001

WATER RESOURCES DEPT
SALEM, OREGON

KLAM 52824

STOREY DRILLING SERVICES

P.O. Box 98 • MIDLAND, OREGON 97634
(541) 884-3990 • (800) 245-8122
Fax #: (530) 528-2562

22560 ADOBE ROAD • RED BLUFF, CALIFORNIA 96080
CONTRACTOR'S LICENSES:
OR #601 • CA #583153 • NV #38199

Balin Ranches
13600 Homedale Road
Klamath Falls, Oregon 97603



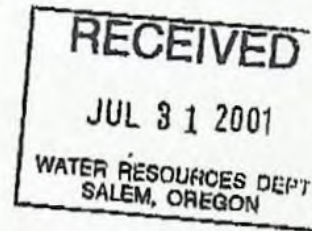
START: June 20, 2001
FINISH: July 20, 2001

WELL LOCATION: ¼ mile North of the O'Connor RD. & Homedale Rd. intersection; ¼ mile east of Homedale Rd.
SW¼ SW¼ S12 T40S R9E

LOG

(Continued from page 1)

1295 - 1299	Brown lava
1299 - 1302	Black basalt
1302 - 1331	Brown Ash rock
1331 - 1335	Gray basalt
1335 - 1359	Brown ash rock
1359 - 1364	Broken gray basalt
1364 - 1369	Black basalt
1369 - 1376	Hard gray basalt
1376 - 1380	Black basalt
1380 - 1384	Gray basalt
1384 - 1398	Black basalt
1398 - 1414	Brown & black basalt



202 feet 6 inches of 16 inch O. D. x .250 wall steel casing set and cemented at 201½ feet.
22 inch diameter hole drilled from 0 - 201 feet to set casing; 16 inch diameter hole from 201 - 1083 feet;
12¼ inch diameter hole from 1083 - 1108 feet; 8¼ inch diameter hole from 1108 - 1414 feet.
Static water level 46 feet; Temperature 77° Fahrenheit
Test pumped 3000 GPM at 79 feet: Specific capacity is 91 gallons per minute per foot of drawdown.

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APR 21 2009

Klamath County Planning Department

Land Use Compatibility Statement (LUCS)

305 Main, Klamath Falls, OR 97601 (541) 883-5121

LUCS Number:	LUCS09-0204	Date:	4/20/2009
Applicant Name:	BALIN FARMS		
Street Address:	13600 HOMEDALE		
City, State, Zip:	KLAMATH FALLS	OR	97603
Phone:	(541) 281-7909		
Street Address:	13600 HOMEDALE RD	Owner:	BALIN FARMS
Township: 40	Range: 09	Section: 01100	Taxlot: 00600 Block: SEC 11 Lot:
Legal Description:	TWP 40 RNGE 9, BLOCK SEC 11, TRACT SE4, ACRES 158.18, POTENTIAL ADDITIONAL TAX LIA		
Zone:	EFU-C	Minimum Setbacks:	Front 25 Side .25 Rear 25
Proposed Use	WATER RESOURCE DEPT LUCS SIGNOFF		
Zoning Clearance:	Initial: <u>AB</u>	Date:	<u>4/20/09</u>
Required Conditions:	COMPLIANT WITH KCLDC ARTICLE 54		

Regarding Access and Easements: This LUCS is issued with the express intent that the County in no way assumes a liability or obligation and that the applicant releases the County from any liability or obligation in regard to access and easements to the property. If you have concerns over your access and easements, you should contact a title company (Article 41 KCLDC).

IMPORTANT: The permittee is responsible for minimum setback compliance. A string line identifying the property boundary must be clearly visible at the time of foundation preparation and inspection. No pour or foundation placement will be authorized without setback verification. DO NOT POUR CONCRETE OR PLACE OTHER FOUNDATION SYSTEMS UNTIL THE BUILDING INSPECTOR APPROVES SETBACKS.

Regarding Setbacks: The setback of a structure or building is the horizontal distance measured to any part of the structure, including features such as decks over 30" height above grade, roof eaves or cornices, from the property line (KCLDC Sec. 62.030 D).

Regarding Utility or Access Easements: No structure shall be placed in a utility or access easement. When an easement conflicts with the allowable setback, a structure or building shall be set back an additional two feet from easement (KCLDC Sec. 62.050 E).

Regarding Expiration: This clearance shall expire and become null and void if the building or work authorized is not commenced within 180 days from the date indicated above (UBC Sec. 106.4.4). A fee will be charged for any renewal.

Regarding Suspension or Revocation: The County may, in writing, suspend or revoke a permit whenever the permit is issued in error, or on the basis of incorrect information supplied (UBC Sec. 106.4.5).



KLAMATH COUNTY TITLE COMPANY

17177

K-44987

STATUTORY WARRANTY DEED (Individual or Corporation)

HAROLD E. BALIN AND JOAN L. BALIN STAUNTON

Grantee: HAROLD E. BALIN AND JOAN L. BALIN STAUNTON, Initial Trustees of the BALIN FARM TRUST, an Oregon Business Trust, dated October 21, 1988

Township 40 South, Range 9 E.W.M.

Section 11: SE1
Section 12: SW1NW1, NW1SW1, SW1SW1, portion of the SE1SW1 lying North of the canal and that portion of the SE1SW1 lying South of Canal.
Section 13: NW1NE1 and Beginning at the Northwest corner of the NW1NW1 of Section 13; thence South along the West line of said Section 13, 990 feet; thence East 2640 feet to a point 990 feet South of the Northeast corner of the NE1NW1 of Section 13; thence North 990 feet; thence West 2640 feet to the point of beginning, being 60 acres off the North side of the N1NW1 of Section 13, Township 40 South, Range 9 E.W.M.

SAVING AND EXCEPTING any portion lying within Homedale Road.

Application No. G-15679
Permit No.

This property is free of liens and encumbrances, EXCEPT:

Subject to reservations and restrictions of record, rights of way, and easements of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

The true consideration for this conveyance is \$ 0-00-00 (here comply with the requirements of ORS 91.030).

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

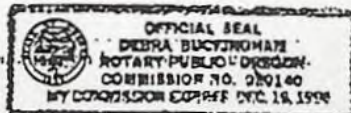
DATED this 31st day of March 19 93 If a corporate grantor, it has caused its name to be signed by resolution of its board of directors.

Signature of Harold E. Balin
HAROLD E. BALIN

Signature of Joan L. Balin Staunton
JOAN L. BALIN STAUNTON

STATE OF OREGON, County of Klamath ss. The foregoing instrument was acknowledged before me this 31st day of March 19 93 by Harold E. Balin and Joan L. Balin Staunton

CORPORATE ACKNOWLEDGEMENT
STATE OF OREGON, County of ss. The foregoing instrument was acknowledged before me this day of 19 and by of



Signature of Debra Bucyrhman
Notary Public for Oregon
My Commission expires 12-19-98

STATE OF OREGON, County of Klamath ss.

Filed for record at request of:

Klamath County Title
on this 7th day of April A.D. 19 93
at 9:57 o'clock A.M. and duly recorded
in Vol. M93 of Deeds Page 7031

Evelyn Biehn County Clerk
By [Signature] Deputy

Fee. \$30.00

Balin Farm Trust
13131 Homedale Rd.
Klamath Falls, Oregon 97603

Balin Farm Trust
13131 Homedale Rd.
Klamath Falls, Oregon 97603



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

February 6, 2009

Balin Ranches
Attn: Scott Balin
13600 Homedale Road
Klamath Falls, Oregon 97603

Dear Scott Balin:

The Water Resources Department has received your application to use water. At this time however, we are unable to accept your application, because the minimum filing requirements are not met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are hereby returning the incomplete application and the fees submitted. Please return the application, the required information, and this checklist, so the Department may begin processing your application in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact Herb Mosgar at the address above or by telephone at 503-986-0804.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Cc: OWRD Fiscal

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SALEM, OREGON

Application Checklist

- Enclosed Supplemental Form for each proposed use.
 - Form I (Irrigation) *Number of acres on form must match acres shown on map.*
- All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature. Is this Scott Balins's signature?*
- You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.
- A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature. A form is enclosed for your use.*
- The map must meet all the minimum requirements of OAR 690-310-0050.
 - Location of each diversion point well or dam by reference to a recognized public land survey corner
 - Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture
 - Other Acres on map must match application total
 - Each point of diversion coordinate

- Fees: Amount of water requested 1 cfs

Base Fee \$ 500

1st CFS/AF \$ 200

___ Addtn'l CFS/ AF @ ___ = ___

___ Addtn' POD @ ___ = ___

Reviewed by: Herb Mosgar

Total Exam Fee \$ 700

Total Paid \$ 700

Amount Returned \$ 700

Date: February 6, 2009

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- Resource Protection Section (Page 6, Section 5).
- Project schedule (If system is already completed, indicate "existing").
- For reservoir applications ~~storing more than 9.2 acre feet, and a dam height of more than 10 feet,~~ preliminary plans and specifications for dam and impoundment are required.
- If the above is statement is checked, the map ~~must be prepared by a CWRE.~~

- All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature.*
NEED LETTER OF AUTHORIZATION SHOWING SIGNATURE. POSSIBLY PROVIDE A BUSINESS CARD TO REVEAL SIGNATURE.
- You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill. *NOT SUBMITTED*
- A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature.* *NOT SUBMITTED*
- The map must meet all the minimum requirements of OAR 690-310-0050.

- | | |
|---|--|
| <input type="radio"/> Township, Range, Section | <input type="radio"/> Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU) |
| <input type="radio"/> Place of use, 1/4, 1/4's and tax lot clearly identified | <input type="radio"/> Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.) |
| <input type="radio"/> Location of each diversion point well or dam by reference to a recognized public land survey corner | <input type="radio"/> North Directional Symbol |
| <input checked="" type="checkbox"/> Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture | <input type="radio"/> Other <u>IS TOTAL ACRES OF 78 ACRES TO BE SHOWN ON MAP?</u> |
| <input type="radio"/> Reference corner on map | |

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FEB 11 2009
WATER RESOURCES DEPT
SALEM, OREGON

76.1

- Each point of diversion coordinate *NO WELL COORDINATES*
- o Fees: Amount of water requested 10 cfs

Base Fee \$ _____	Additional Use @ _____ = _____
1st CFS/AF _____	Total Exam Fees \$ _____
Addn'l CFS/ AF @ _____ = _____	Total Paid \$ _____
Addn' POD @ _____ = _____	Amount Due \$ _____

Reviewed by: HERB MOSGAR Date: FEB 6 2009
503 986 0804

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

RETURNED

Application _____ Township _____
Priority Date _____ Range _____
Use(s) _____ Section _____
Rate _____ POD Loc _____
County _____ POU Loc _____
W.M. _____ Caseworker _____

Applicant/Organization Name, Mailing Address and Telephone Number.

Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) *NOTE: A surface water application cannot be filled at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).*

The proposed source **is** or **is not** (circle one) withdrawn from further appropriation, or Division 538. If it is, return application and fees.

Property ownership indicated.

If applicant does not own all the land, the affected landowner's name and mailing address must be listed.

If applicant does not own all the land, a statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

Groundwater development section (Page 3 and 4, Section B) or a well log report.

Proposed use of water. If supplemental, list primary water right acreage if applicable.

Enclosed Supplemental Form for each proposed use.

^{78 Acres} Form I (Irrigation)

Form M (Municipal or Quasi-Municipal)

Form R (Mining)

Form Q (Commercial or Industrial)

Spring Description Sheet

Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)

Period of use

Water management section (Please estimate if the water system has not been designed).

ALL 78 ACRES
ARE NOT SHOWN
ON MAP.

G-17177

NEW APPLICATIONS (GROUND WATER, RESERVOIR, & SURFACE) ROUTE SLIP



RECEIPTING
POST CARD SENT

WATER RIGHTS SUPPORT

Caseworker:

Brook Geffen	503-986-0808	<input type="checkbox"/>
Jeana Eastman	503-986-0859	<input type="checkbox"/>
Joel Plahn	503-986-0815	<input type="checkbox"/>
Kerry Kavanagh	503-986-0816	<input type="checkbox"/>
Michele McAleer	503-986-0853	<input type="checkbox"/>



M.S.

ATTN: WATER RIGHTS SUPPORT....

>>>>> Mark contents of file with application number; Update WRIS, and route file to caseworker.

BALIN RANCHES

4604

Oregon Water Resources Dept.

2/4/2009

Cheyne Acr-Grd Water App Base Fee
1 CFS for 76.1 Acr (Cheyne Place)

500.00
200.00

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FEB 11 2009

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

FEB 05 2009

WATER RESOURCES DEPT
SALEM, OREGON

Checking-USB 293

700.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **95603**

INVOICE # _____

RECEIVED FROM: Balin Ranches

APPLICATION 6-17177

BY: _____

PERMIT _____

CASH: CHECK:# 4604 OTHER: (IDENTIFY)

TRANSFER _____

TOTAL REC'D \$ 700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46111 \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 RECORD FEE \$ _____

0203 GROUND WATER \$ 700.00 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 LICENSE FEE \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **95603**

DATED: 2/11/09 BY: X. Bell

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

RESAR OF A RETURN

Application G-17177 Township 40 S
Priority Date FEB 11 2009 Range 9 E
SURF 76.10
Use(s) IRRIG ACRES Section 11 12 13
Rate ONE CFS POA Loc 13 SEE MAP
County KLAM POU Loc 11 SEE MAP
W.M. DIST # 17 Caseworker JOEL P

Applicant/Organization Name, Mailing Address and Telephone Number.

Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) NOTE: A surface water application cannot be filled at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).

The proposed source is or is not (circle one) withdrawn from further appropriation, or Division 538. If it is, return application and fees.

Property ownership indicated. STATES YES!

If applicant does not own all the land, the affected landowner's name and mailing address must be listed.

If applicant does not own all the land, a statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

Groundwater development section (Page 3 and 4, Section B) or a well log report.

Proposed use of water. If supplemental, list primary water right acreage if applicable.

Enclosed Supplemental Form for each proposed use.

Form I (Irrigation)

Form M (Municipal or Quasi-Municipal)

Form R (Mining)

Form Q (Commercial or Industrial)

Spring Description Sheet

Amount of water from each source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)

Period of use

Water management section (Please estimate if the water system has not been designed).

Resource Protection Section (Page 6, Section 5).

Project schedule (If system is already completed, indicate "existing").

For reservoir applications storing more than 9.2 acre feet, and a dam height of more than 10 feet, preliminary plans and specifications for dam and impoundment are required.

If the above is statement is checked, the map must be prepared by a CWRE.

All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature.* **REPAIRED**

You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.

A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature.* **REPAIRED**

The map must meet all the minimum requirements of OAR 690-310-0050.

Township, Range, Section

Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)

Place of use, 1/4, 1/4's and tax lot clearly identified

Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)

Location of each diversion point well or dam by reference to a recognized public land survey corner

North Directional Symbol

Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture

Other CWRE # 271
DENNIS ENSOR

Reference corner on map

Each point of diversion coordinate

Fees: Amount of water requested ONE CFS

Base Fee \$ 500

Additional Use @

1st CFS/AF 200

Total Exam Fees \$ 700

~~Addn'l CFS/AF @~~

Total Paid \$ 700

~~Addn' POD @~~

Amount Due \$ REC. FEE DUE

Reviewed by: ATM

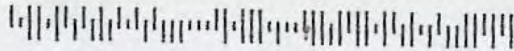
Date: FEB 11 2009

Oregon

725 Summer St 1st Suite A
Salem, OR 97301-1266

ADJ & WR

ADDRESS SERVICE REQUESTED



UNITED STATES POSTAGE
FIVEY BOWES

02 1M \$ 01.00⁰
0004253445 APR 10 2009
MAILED FROM ZIP CODE 97301



NO MAIL
RECEPTACLE

NMR

FILE G-17177 & G-17378

KLAMATH COUNTY ROAD DEPT
2121 WASHBURN WAY
KLAMATH FALLS OR 97603

RECEIVED

APR 21 2009

WATER RESOURCES DEPT
SALEM, OREGON

NMR



Oregon

Theodore R. Kulongoski, Governor

Klamath Co.
Road Dept.

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

CERTIFIED MAIL
Return Receipt Requested

BALIN FARM TRUST
DBA BALIN RANCHES
ATTN: SCOTT BALIN
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

April 10, 2009

Reference: File G-17177

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application requested the use of 1.0 cubic foot per second (CFS) of water from a well (KLAM 52824) for supplemental irrigation use on 76.1 acres from April 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of water is restricted as a result of this consideration.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The standard allowable rate for supplemental irrigation use from surface water is 1/80 CFS per acre. Your application requested 1.0 CFS for 76.1 acres. If the application is approved, the rate allowed will be limited to 0.95 CFS.

6. You are encouraged to contact Klamath County as you may need to obtain authorization to cross Homeland Road.
7. A well (KLAM 52824) in Upper Klamath Lake Basin is hydraulically connected to the Klamath River which is a Scenic Waterway.
8. The Department has determined there are deficiencies with the application. Please refer to the **Additional Information Required** section below for specific information.

Summary of Initial Determinations

The use of 0.95 CFS of water from a well (KLAM 52824) in Upper Klamath Lake Basin for supplemental irrigation use on 76.1 acres may be allowed during the full period requested, April 1 through October 31.

Because of the Department's determination, your application can be moved to the next phase of the water-rights application review process, where public interest factors will be evaluated. However, due to #5 above, your application will likely be limited accordingly.

Additional Information Required:

Additional information is required to process your application prior to issuance of any Proposed Final Order that may recommend permit approval. Please provide the following:

- The legal description submitted with the application materials included portions of Section 11, Township 40 South, Range 9 East W.M. However, the Department will need a legal description which includes *all* lands where water will be used, where the well is located, and any lands crossed by a conveyance system.

A legal description is a description of a specific parcel of real estate which often uses one of the following methods; government survey metes and bounds, aliquot parts, subdivision block and lot numbers, or a combination of these. It is often found on a deed, land sales contract, or title insurance policy. OAR 690-310-00040(1)(a)(I) requires the legal description of the property from which the water is to be diverted, any property crossed by the proposed ditch, canal or other work, and any property on which the water is to be used as depicted on the map.

- A completed Land Use Information Form signed and dated by a Klamath County official for the property described as Tax Lot 200, Section 13, Township 40 South, Range 9 East, W.M., Tax Lots 1200 and 1300, Section 12, Township 40 South, Range 9 East, W.M. and Tax Lot 600, Section 11, Township 40 South, Range 9 East, W.M. The application demonstrates land-use approval has been obtained for Tax Lot 500, Section 11, Township 40 South, Range 9 East, W.M. The approval status for the property where the well is located and lands crossed by the conveyance system, is unclear.

Please submit this information no later than Thursday, May 14, 2009. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above or a request for an administrative hold by this date, the Department will likely proceed with a Proposed Final Order recommending denial of the application.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, April 24, 2009**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to

mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

4. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

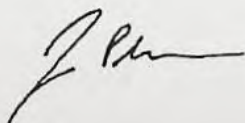
5. The well(s) shall be continuously cased and continuously sealed to a minimum depth of 1081 feet below land surface. The well(s) may not be completed in such a manner to allow ground water to be developed from the basin fill materials above the consolidated basalt. If during well construction, it becomes apparent that the well can be constructed to eliminate interference with nearby shallow wells or hydraulically connected streams in a manner other than specified in this permit, the permittee can contact the Department Hydrogeologist for this permit or the Ground Water/Hydrology Section Manager to request approval of such construction. The request shall be in writing, and shall include a rough well log and a proposed construction design for approval by the Department. The request can be approved only if it is received and reviewed prior to placement of any permanent casing and sealing material. If the well is constructed first and then the request made, the requested modification will not be approved. If approved, the new well depth and construction specifications will be incorporated into any certificate issued for this permit.
6. The ground water reference level at Well (KLAM 52824 (well tag L 29451)) shall be 38.6 feet below land surface.
7. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0815 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Joel Plahn, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Joel Plahn
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form
G-17177
GW

APPLICATION FACT SHEET

Application File Number: G-17177

Applicant: BALIN FARM TRUST DBA BALIN RANCHES

County: KLAMATH

Watermaster: 17

Priority Date: FEBRUARY 11, 2009

Source: A WELL (KLAM 52824) IN UPPER KLAMATH LAKE BASIN

Use: SUPPLEMENTAL IRRIGATION USE ON 76.1 ACRES

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 1 U KLAMATH L & MISC

Well Location(s): NWNW, SECTION 13, T40S, R9E, W.M.; 200 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 13

Place of Use:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.1 ACRES
SECTION 11
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, April 24, 2009

PUBLIC NOTICE DATE: Tuesday, April 14, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, May 14, 2009

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE E1/2 OF SECTION 11, THE W1/2 E1/2 AND THE W1/2 OF SECTION 12, AND THE NW1/4 OF SECTION 13, T40S, R9EWM, KLAMATH COUNTY, OREGON, FEBRUARY, 2009

TAX LOT
40 09 11 - 500

MAP PREPARED FOR
--BALIN RANCH--

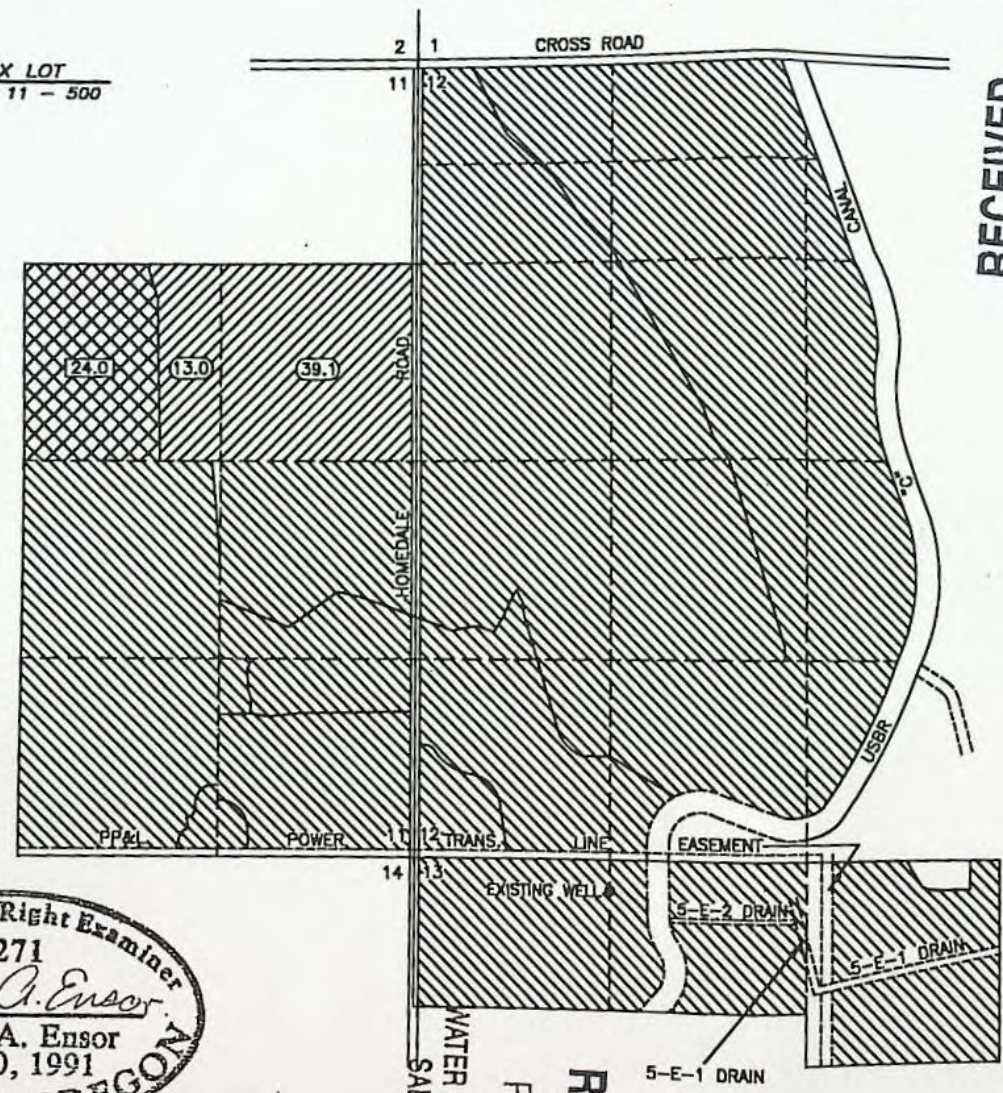
MAP PREPARED FROM
--ASSESSORS MAP--
--AERIAL PHOTOGRAPH--




WELL LOCATION
200 FEET SOUTH AND 1320 FEET EAST
OF THE NORTHWEST CORNER OF
SECTION 13

RECEIVED

FEB 05 2009

WATER RESOURCES DEPT
SALEM, OREGON



-  NEW LANDS SUPPLEMENTAL TO KLAMATH IRRIGATION DISTRICT --24.0--
-  NEW LANDS SUPPLEMENTAL TO KLAMATH BASIN IMPROVEMENT DISTRICT --52.1--
-  LANDS SUPPLEMENTAL TO PERMIT # G-15333 AND G-16209

TOTAL AREA THIS APPLICATION
--76.1 AC--

Certified Water Right Examiner
#271
Dennis A. Ensor
Dennis A. Ensor
May 30, 1991
STATE OF OREGON

WATER RESOURCES DEPT
SALEM, OREGON

FEB 11 2009

RECEIVED

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

TRU SURVEYING INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603



Oregon

Theodore R. Kulongoski, Governor

*Klamath County
Road Dept.*

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

**CERTIFIED MAIL
Return Receipt Requested**

GREAT WESTERN FARM AND RANCHES LLC
ATTN: SCOTT AND CINDY BALIN
6062 OCONNOR RD
KLAMATH FALLS, OR 97603

April 10, 2009

Reference: File G-17178

Dear Applicants:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application requested the use of 500.0 gallons per minute, which is 1.11 cubic feet per second (CFS) of water from a well (KLAM 52797) for supplemental irrigation use on 88.2 acres from April 1 through October 31 of each year.
2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. Under ORS 536.340(1)(a), the Water Resources Commission may establish a basin program to classify sources of water supply as to the highest and best use and quantities of use, and that classification of sources of water supply has the effect of restricting the use and quantities of use thereof to the uses and quantities of uses specified in the classification. The Commission has not established a basin program for the Klamath River basin. Therefore, neither the proposed use nor the quantity of water is restricted as a result of this consideration.
4. If properly conditioned, the proposed use of ground water will avoid injury to existing ground water rights and the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. The standard allowable rate for irrigation use from surface water is 1/80 CFS per acre. Your application requested 1.11 CFS for 88.2 acres. If the application is approved, the rate allowed will be limited to 1.1 CFS.

6. You are encouraged to contact Klamath County as you may need to obtain authorization to cross O'Conner Road.
7. A well (KLAM 52797) in Upper Klamath Lake Basin is hydraulically connected to the Klamath River which is a Scenic Waterway.
8. The Department has determined there are deficiencies with the application. Please refer to the **Additional Information Required** section below for specific information.

Summary of Initial Determinations

The use of 1.1 CFS of water from a well (KLAM 52797) in Upper Klamath Lake Basin for supplemental irrigation use on 88.2 acres may be allowed during the full period requested, April 1 through October 31.

Because of the Department's determination, your application can be moved to the next phase of the water-rights application review process, where public interest factors will be evaluated. However, due to #5 above, your application will likely be limited accordingly.

Additional Information Required:

Additional information is required to process your application prior to issuance of any Proposed Final Order that may recommend permit approval. Please provide the following:

- A completed Land Use Information Form signed and dated by a Klamath County official for the property described as Tax Lots 900, and 800, Section 13, Township 40 South, Range 9 East, W.M. The application demonstrates land-use approval has been obtained for Tax Lot 300, Section 13, Township 40 South, Range 9 East, W.M. The approval status for the property where the well is located and lands crossed by the conveyance system, is unclear.

Please submit this information no later than Thursday, May 14, 2009. If you are unable to submit the information listed above, you may request an administrative hold for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If an administrative hold is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$150 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, April 24, 2009**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.
4. Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.
5. The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a

reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

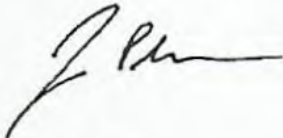
6. The ground water reference level at well (KLAM 52797 (well tag L 29452)) shall be 38.2 feet below land surface.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0815 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Joel Plahn, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Plahn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joel Plahn
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17178
GW

APPLICATION FACT SHEET

Application File Number: G-17178

Applicant: GREAT WESTERN FARM AND RANCHES LLC ATTN: SCOTT AND CINDY BALIN

County: KLAMATH

Watermaster: 17

Priority Date: FEBRUARY 11, 2009

Source: WELL 1 (KLAM 52797) IN UPPER KLAMATH LAKE BASIN

Use: SUPPLEMENTAL IRRIGATION USE ON 88.2 ACRES

Quantity: 1.11 CUBIC FEET PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 1 U KLAMATH L & MISC

Well Location(s): SESW, SECTION 13, T40S, R9E, W.M.; 200 FEET NORTH AND 1900 FEET EAST FROM SW CORNER, SECTION 13

Place of Use:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.2 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.2 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 31.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.0 ACRES
SECTION 13
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, April 24, 2009

PUBLIC NOTICE DATE: Tuesday, April 14, 2009

30 DAY COMMENT DEADLINE DATE: Thursday, May 14, 2009

G-17178

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE W1/2 OF SECTION 13, T40S,
R9EWM, KLAMATH COUNTY, OREGON
FEBRUARY, 2009

MAP PREPARED FOR
--GREAT WESTERN, LLC--

RECEIVED

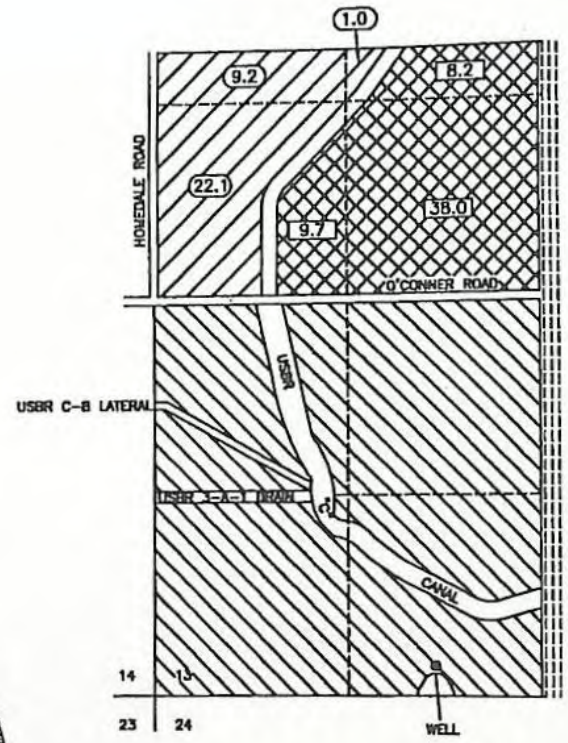
FEB 05 2009




WATER RESOURCES DEPT
SALEM, OREGON

MAP PREPARED FROM
--ASSESSORS MAP--

TAX LOTS
40 09 13 - 300

WELL LOCATION
200 FEET NORTH AND 1900 FEET EAST OF
THE SOUTHWEST CORNER OF SECTION 13



-  NEW LANDS SUPPLEMENTAL TO KLAMATH IRRIGATION DISTRICT --55.9--
-  NEW LANDS SUPPLEMENTAL TO KLAMATH BASIN IMPROVEMENT DISTRICT --32.3--
-  LANDS SUPPLEMENTAL TO PERMIT # G-15224 AND G-16209

TOTAL AREA THIS APPLICATION
--88.2 AC--

TRU SURVEYING INC. LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603



SCALE
1" = 1320'

Certified Water Right Examiner
271
Dennis A. Ensor
Dennis A. Ensor
May 30, 1991
STATE OF OREGON

WATER RESOURCES DEPT
SALEM, OREGON

FEB 11 2009

RECEIVED

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



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

NOTICE OF INITIAL REVIEW - AFFECTED LANDOWNER

This is to notify you that the Water Resources Department (Department) has issued an Initial Review (IR) for a water right application(s) which may interest you as you were identified as an affected landowner. An IR is the Department's preliminary response to a request for water use. The IR is based on the proposed use, water availability and compliance with relevant basin-specific rules.

Opportunities For Public Involvement

If you are concerned with the Department's preliminary determinations, or would like to provide additional information or comments, please provide such within 34 days of the date of the IR. If you would like to receive a copy of the Proposed Final Order and Final Order when they are issued, send your written request referencing the application number along with \$10 for each application.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **123466**

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

INVOICE # _____

RECEIVED FROM: Balin Ranches
BY: _____

APPLICATION	<u>C17177</u>
PERMIT	
TRANSFER	

CASH: CHECK:# 10506 OTHER: (IDENTIFY) _____

TOTAL REC'D: \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0208 OTHER (IDENTIFY) COBO \$ 175.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **123466** DATED: 5/19/17 BY: [Signature]

BALIN RANCHES

10506

OREGON Water Resources Dept.

5/16/2017

Claim of Beneficial Use Permit

175.00

RECEIVED BY OWRD

MAY 19 2017

SALEM, OR

Checking-USB 2935

Application #G-17177 Permit #G-16554

175.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT # **96705**

INVOICE # _____

RECEIVED FROM: Balin Ranches
BY: _____

APPLICATION	6-17177
PERMIT	
TRANSFER	

CASH: CHECK:# 4824 OTHER: (IDENTIFY)

TOTAL REC'D \$ 300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46111 \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ <u>300.00</u>
0205 TRANSFER	\$ _____		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____

0231 HYDRO LICENSE FEE (FWWRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **96705**

DATED: 6/8/09 BY: L Bell

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Sens de chargement



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d'instruction

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G-17177
BALIN FARM TRUST
dba BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

G-17177
BALIN FARM TRUST
dba BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS OR 97603