

SAUTER Jerry K

To: balinranches@gmail.com
Subject: permits

J.S. - 10/18/2016

Scott,
It appears that transfer T-11607 will address the issues for Application G-13184 and G-12972 being combined wells. I will place a note in G-13184 stating that waiting for the transfer to be finalized is the solution.
JK

J.K. (Jerry) Sauter | Water Rights Program Analyst
Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph. 503.986.0817 | Fax 503.986.0901
Information Requests may be made to : customerservice@wrdd.state.or.us

CONTINGENCY HOLD - THIS PERMIT MUST BE DEALT WITH AT THE SAME TIME T-11607 IS -

J.S. 2/5/2018

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE 1/4 SW 1/4 AND SE 1/4 OF SECTION 1, AND THE E 1/2 W 1/2 AND E 1/2 OF SECTION 12, ALL IN T41S, R13EWM, KLAMATH COUNTY, OREGON

NOVEMBER 1993

RECEIVED

MAP PREPARED FOR:

--- BALIN RANCH ---

MAP PREPARED FROM:

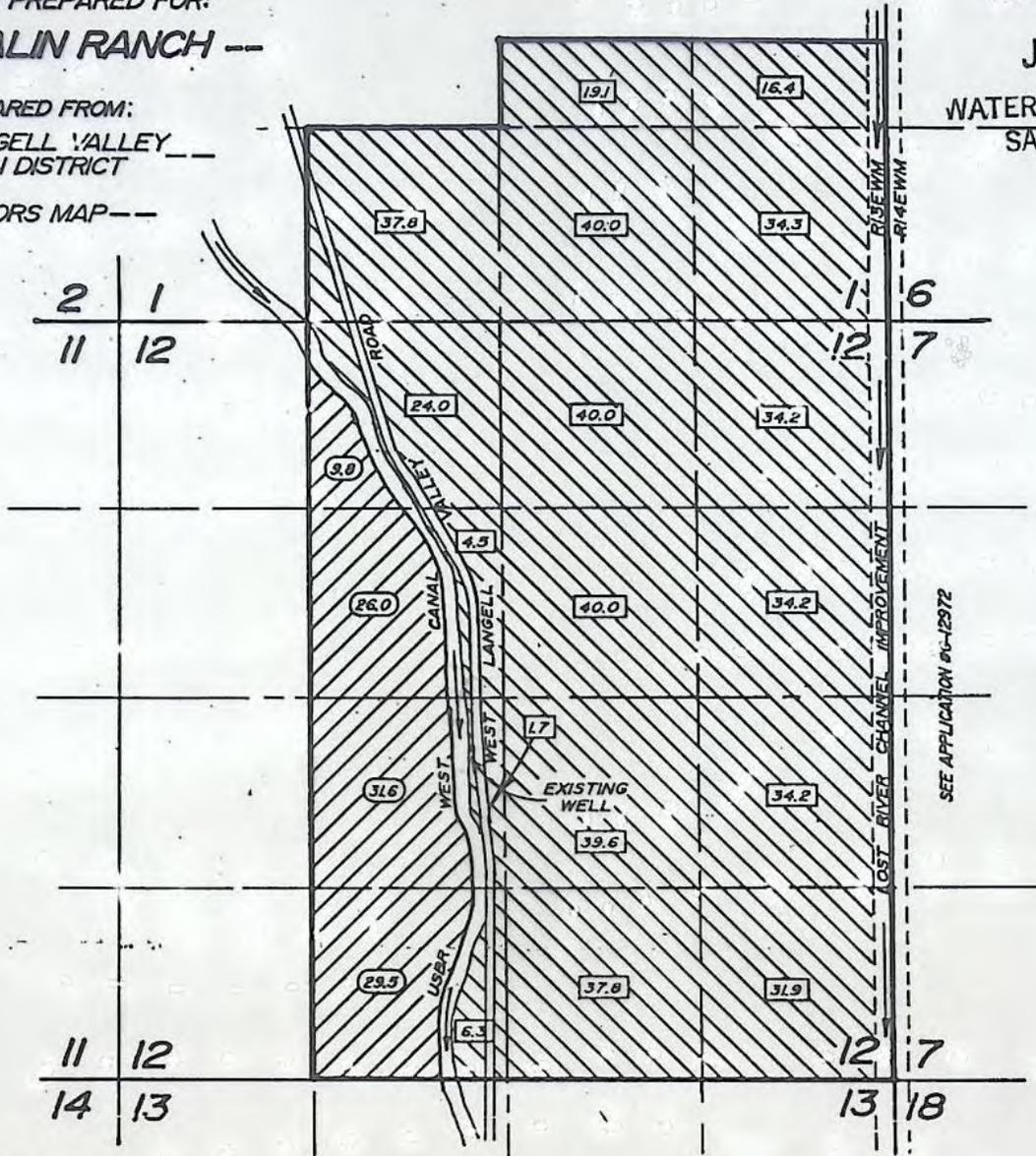
--- MAP OF LANGELL VALLEY IRRIGATION DISTRICT ---

--- ASSESSORS MAP ---

JAN - 7 1994
WATER RESOURCES DEPT.
SALLEM, OREGON



SCALE
1" = 1320'



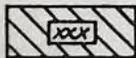
LOCATION OF EXISTING WELL BY OWNER

2280 FEET NORTH AND 2390 FEET EAST OF THE
SOUTHWEST CORNER OF SECTION 12

Application G 13184
permit G12241



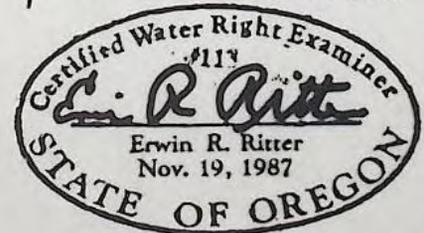
LANDS THIS APPLICATION SUPPLEMENTAL TO
THE LANGELL VALLEY IRRIGATION DISTRICT 476.0 Ac.



PRIMARY LANDS THIS APPLICATION 96.9 Ac.

TOTAL AREA THIS APPLICATION

--- 5729 Ac. ---



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

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

USPS TRACKING #



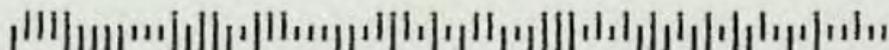
9590 9402 1623 6053 0231 19

**United States
Postal Service**

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

Oregon Water Resources Department
725 Summer St NE, STE A
Salem, OR 97301

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





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

October 4, 2016

Certified mail number 7016 1370 0000 0681 4062
Return receipt requested

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

*HEAD ACTION
INFO 10/18/16
COMBINATION C ANOTHER
PERMIT - J.H. 10/18/16*

Reference: Application G-13184, Permit G-12463

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2006.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2006. The fee for submitting a claim of beneficial use is \$175.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$575.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (December 2, 2016) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$450.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-13184
OWRD Watermaster District 17



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

Balin Farm Trust
 13600 Homedale Rd
 Klamath Falls, OR 97603



9590 9402 2005 6123 9105 20

2. Article Number (Transfer from service label)

7017 0530 0001 1436 3409

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

02/05/18

- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

RECEIVED

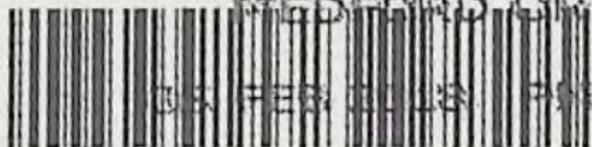
FEB 07 2018

OWRD

3. Service Type

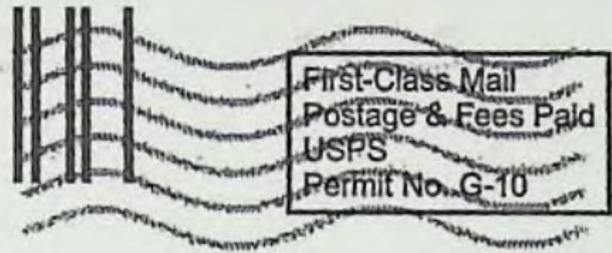
- Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

USPS TRACKING #



MEMPHIS, TN 375

FEB 2018 1 T

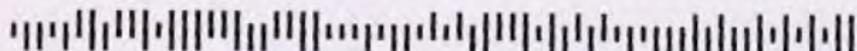


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Permit No. G-10

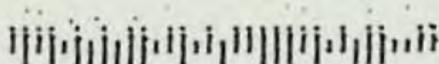
9590 9402 2005 6123 9105 20

**United States
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Oregon Water Resources Department
Water Right Services Division
725 Summer St NE, Suite A
Salem, OR 97301-0825





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

NOTE: For water rights information and useful forms, please see our web site at www.oregon.gov/OWRD

February 1, 2018

Certified mail number 7017 0530 0001 1436 3409

Return receipt requested

BALIN FARM TRUST
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

Reference: Application G-13184, Permit G-12463

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by October 1, 2006.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of October 1, 2006. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (April 2, 2018) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact Corey Courchane by telephone at 503-986-0825, Jeffrey Pierceall by telephone at 503-986-0802, or myself at the address above or by telephone at 503-986-0817.

Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosures (1)

cc: File G-13184

OWRD Watermaster District 17



PERMIT STATUS REVIEW BY Corey Courchane DATE 9-30-16 FILE # G-13184

1. Per Dwight French, **do not** send "C" DATE NOTICE PACKET if: update appropriate db

NO Extension pending _____

NO Assignment is pending _____

NO Cancellation has been requested _____

NO Dept. has already sent a certified 60-Day Compliance letter (date _____, # _____)

Was **60 days notice** allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

NO Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

Send **certified** "C" date notice packet to permit holder.

"C" DATE 10-15-2006 BASIN NUMBER 14 WM # 17

CWRE or AGENT Dennis Endor, Tru-Line Surveying

3. AOI Yes _____ NO If Yes, name of AOI _____

*Send letter
9-30-16
cc*

PERMIT STATUS REVIEW BY Corey Courchane DATE 8/16/17 FILE # G-13184

1. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update appropriate db

no Extension pending _____

no Assignment is pending _____

no Cancellation has been requested _____

yes Dept. has already sent a certified 60-Day Compliance letter (date ^{10/4/16} ~~7/16/17~~ 08/01/16)

Was 60 days notice allowed? Y N If No, How Much Time? _____

Was mail deliverable as addressed? Y N date 10-6-16

If mail returned, online/www check? Y N date _____ successful? Y N

Re-send Cert. Letter? Y N date _____

Send cancellation order Y N

no Claim of beneficial use and final proof map (COBU) have been received by Department
Date information received _____

2. IF NONE OF THE ABOVE APPLY

yes Send certified "C" date notice packet to permit holder,

"C" DATE 10/1/16 BASIN NUMBER 14 WM # 17

CWRE or AGENT None

3. AOI Yes _____ NO If Yes, name of AOI _____

*Re-Send letter
ca
8/16/17*

Jerry Gainey

From: sandencon@centurytel.net
Sent: Tuesday, February 01, 2011 3:05 PM
To: Jerry Gainey
Subject: FINAL PROOF SURVEYS IN PROGRESS

OREGON WATER RESOURCES DEPT.
JERRY GAINEY,

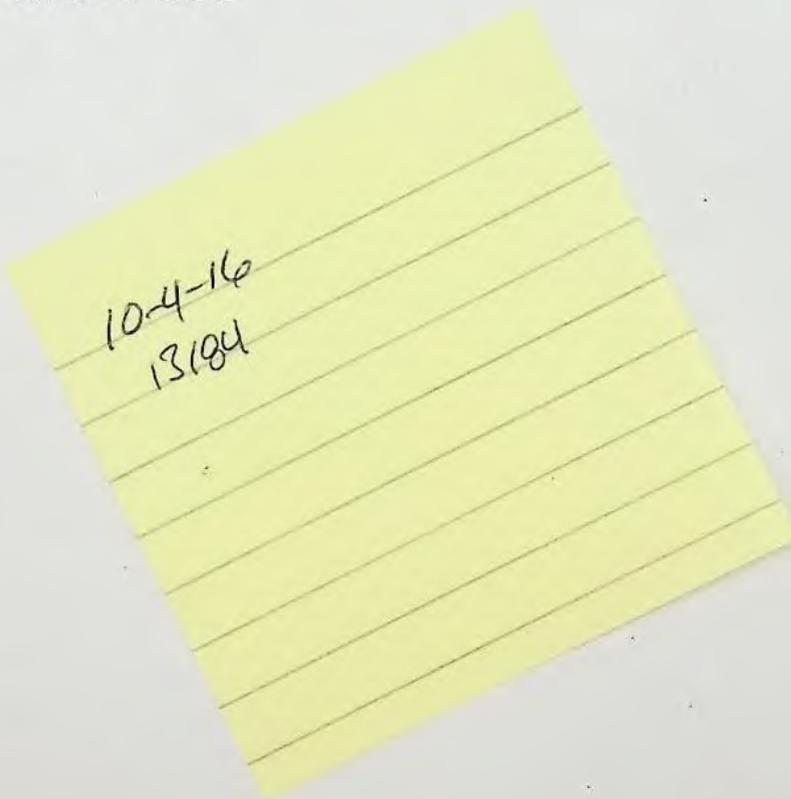
I HAVE BEEN RETAINED TO DO THE FINAL PROOF WORK ON THE FOLLOWING PERMITS.

BALIN FARM TRUST
APPLICATION G-12972 PERMIT G-12458
APPLICATION G-13184 PERMIT G-13184
APPLICATION G-15679 PERMIT G-15333

SCOTT & CINDY BALIN
APPLICATION G-15480 PERMIT G-15224

FRANK & PEGGY WALLACE
APPLICATION G-13535 PERMIT G-12979

DENNIS A. ENSOR
CWRE 271



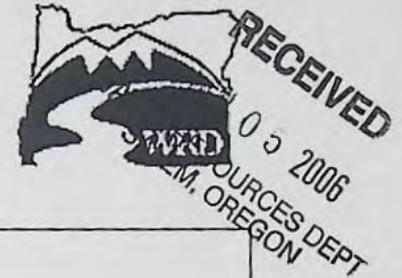


2004

Oregon Water Resources Department
October 2004 through September 2005
Annual Water Use - Monthly Quantities Form

USER-ID 27027

2005



Facility POD-ID	SLR 61351	LWR West 36962	LWR SE 36954	Permit # LWR 6-11430 No
October - 2004	61351 0	36962 0	0	0
November - 2004	0	0	0	0
December - 2004	0	0	0	0
January - 2005	0	0	0	0
February - 2005	0	0	0	0
March - 2005	0	0	0	0
April - 2005	283	100	80	50
May - 2005	283	50	50	50
June - 2005	283	100	50	50
July - 2005	283	30	20	50
August - 2005	283	80	0	30
September - 2005	283	0	0	15
TOTAL *	1203 AF	360 AcFt	200 AcFt	245 AcFt

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: AcFt Meters. If use is irrigation, total number acres irrigated 1800 Acres
I certify this information is true and accurate to the best of my knowledge.

[Signature]
Signature

Manager Balin Farm Trust
Title Reporting Entity

12/29/05
Date

COPY

Scott Balin
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program;
725 Summer Street NE; Suite A, Salem, OR 97301-1271, or Fax 503-986-0902.



Oregon

Theodore R. Kulungoski, 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

COPY

October 18, 2005

SCOTT BALIN,
BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

REFERENCE: USER_ID 27627

Dear Water User:

We have appreciated your cooperation with the Water Use Reporting program in the past. And now, with the loss of the water use coordinator position through budget reductions, we hope you can help us even more. We are requesting all who need to report monthly quantities and have Internet access to report those quantities online through our website. For the time being, the water use reporting database will not be updated with new water right information. If you need to report on a new water right not in the reporting database, you will need to submit a hard copy form. A 2005 monthly quantities form is printed on the reverse you can copy for your use.

To report monthly quantities data online, go to our web page at www.wrd.state.or.us and click on the link 'Water Use Reporting' under 'current topics'. Then, click on 'Submit your water use report data' on the Water Use Reporting page. A logon screen then appears and you use your USER_ID for both the Username and Password. To submit data for a point of diversion, scroll down to the point of diversion and click on 'Insert' to add data for that diversion. Be sure to be careful to choose the correct units, enter the monthly amounts diverted, and then click the 'Update' button. You will then be given the opportunity to review the data for that diversion to make sure it is correct. Please do so, as once data has been submitted by clicking the 'Submit' button, you cannot edit it. Also, please remember to enter zeros if you did not use a diversion. At present, the system can receive data only for the 2005 water year (October 2004 – September 2005). If you wish to submit data for another year, you will need to submit a hard copy. Thank you in advance for your cooperation. The data you provide is valuable for water management in Oregon.

Finally, if you have small water rights (less than 0.1 cfs or 9.2 AF) and do not report monthly quantities for them, we will assume that you have used water according to those rights.

Yours truly,

Gary L. Ball, PE, PLS
Hydrographics/Measurement & Reporting Manager
Voice: 503-986-0831, Fax: 503-986-0902
Gary.L.BALL@ wrd.state.or.us

Water Resources Department

February 16, 1996

MEMO

TO Application G-13184

FROM GW: Michael Zwart
(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

PREPONDERANCE OF EVIDENCE FINDING: (Check box only if statement is true)

At this time the Department is unable to find that there is a preponderance of evidence that the proposed use of ground water 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.

FLOW REDUCTION: (To be filled out only if Preponderance of Evidence box is not checked)

Exercise of this permit is calculated to reduce monthly flows in _____ 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

G13184

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13184

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T41S/R13E-12

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

6-13184

MEMO

TO: FILES

FROM: KYLE GORMAN

SUBJ: ADDITIONAL COMMENTS ON BONANZA GW APPLICATIONS

In and around the town of Bonanza there exists several hundred wells. The driller's reports that do exist for the majority of those wells describe a mixture of volcanic and sedimentary rock units. The shallower unit, being the sedimentary unit, is a composition of volcanically derived material deposited by water, whether alluvial or fluvial. The lithologic characteristics of this rock unit indicates deposition occurring near and in shallow inland seas and their margins during the Pliocene epoch. The lower unit is usually described as rock, lava or cinders. It is assumed that this unit is a single basaltic lava flow or several basaltic lava flows with scoriaceous interflow zones.

The state in which the ground water in this area exists is questionable. It seems that depending on which driller, how deep the well is and what material he encountered would determine the degree of confining of the aquifer. The minority of the well logs, indicate an unconfined system. More recent drillers, one in particular, indicate that upon encountering subsurface water, the SWL in the well remains the same throughout depth. More often than not, drillers report confined conditions. The well reports describe the overlying clay, chalk, diatomite sedimentary unit to be non-water bearing until penetration into the lower lava. On shallow wells this sedimentary unit contains lenses or layer (due to unknown areally extent) of coarser grained material yielding enough water for domestic purposes. It seems that when a well is drilled for domestic purposes the sedimentary unit does contain water but when drilling for an irrigation well it does not.

Based on SWL measurements taken over the last 10 months and continuous recorder monitoring, both data suggests unconfined conditions in the area surrounding the town of Bonanza. Different water bearing zones are probably hydraulically connected indirectly by the intercalated nature of the geology. Leonard and Harris (1974) suggest that near fault zones the rubble produced from faulting provides fracture permeability some distance from fault zones. Unconfined conditions are found and can occur in this type of geologic setting.

In some areas of Langell valley, particularly the south half of T39S and south of there, faulting has created compartmentization of ground water. With this compartmentization of groundwater, upon encountering a well with a swl level significantly different from 4110 ft above mean sea level, it is assumed no direct hydraulic connection with the Lost River exists. One cannot say, however, that this water bearing zone is not hydraulically connected to a spring that may contribute to the flow of the Lost River. *at least 100'*

6-13184

In Yonna Valley Leonard and Harris (1974) conclude that the mineralogic content of the groundwater there is pure enough that the slight groundwater divide that exists between Yonna and Poe valleys is not great enough for stagnation and thereby no significant accumulation of minerals exists. This means that there is enough flow from this area to not qualify it as a closed basin. Groundwater flow from this area exists.

References

Leonard, A. R., and Harris, A. P., 1974, Ground Water in Selected Areas in the Klamath Basin: Oregon State Engineer Ground Water Report No. 21., 104 p.

K. Gorman
Reviewer's Name

**Water Right Conditions
Tracking Slip**

Groundwater/Hydrology Section

FILE ## G-13184

ROUTED TO: Tom Shook

TOWNSHIP/

RANGE-SECTION: T41S R13E Sec 12

APPLICATION ACCEPTED? yes no

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: K. Gorman

re of the proposed POA's is/is not within _____
() and taps a groundwater source hydraulically

ave determined that the proposed groundwater use
ial interference with the nearest surface water
River; or
tect the surface water from interference:
#(s) _____;
dition(s) as indicated in "Remarks" below;
ndicated in item 4 below; or
tect the surface water from substantial interference.

hat groundwater for the proposed use
units requested without injury to prior rights and/or
ource; or

- c. can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 - i. The permit should contain condition #(s) _____;
 - ii. The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. The permit should be conditioned as indicated in item 4 below.

- 4. a. THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
- b. The permit should allow groundwater production from no shallower than _____ ft. below land surface;
- c. The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
- d. Well reconstruction is necessary to accomplish one or more of the above conditions.
- e. One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

G-13184

REMARKS: _____

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application 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) _____

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

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

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

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1993.

(Signature)

(WRFORM8\91)

TO: Water Rights Section
FROM: Groundwater/Hydrology Section
SUBJECT: Application G- 13184

6-17, 1993

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13184

ROUTED TO: Tom Shook

TOWNSHIP/

RANGE-SECTION: T41S R13E Sec 12

APPLICATION ACCEPTED? yes no

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: K. Gorman

1. PER THE _____ Basin rules, _____ feet/mile of a surface water source (_____ connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect
a. will, or _____ have the potential for
b. will not _____ source, namely L
c. _____ will, if properly conditioned, adequately
i. _____ The permit should contain conditions
ii. _____ The permit should contain special
iii. _____ The permit should be conditioned
d. _____ will, with well reconstruction, adequately
3. BASED UPON available data, I have determined
a. _____ will, or _____ likely be available in the
b. will not _____ within the capacity of
c. _____ can, if properly conditioned, avoid injury
i. _____ The permit should contain conditions
ii. _____ The permit should contain special
iii. _____ The permit should be conditioned as indicated in item 4 below.
4. a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

G-13184

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application 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) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ___ was, or constructed according to the standards in effect at the time of
 - b. ___ was not original construction or most recent modification.
 - c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.

_____, 1993.
(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1993.
(Signature)

(WRFORM8\91)

MEMO

TO: FILES

FROM: KYLE GORMAN

SUBJ: ADDITIONAL COMMENTS ON BONANZA GW APPLICATIONS

In and around the town of Bonanza there exists several hundred wells. The driller's reports that do exist for the majority of those wells describe a mixture of volcanic and sedimentary rock units. The shallower unit, being the sedimentary unit, is a composition of volcanically derived material deposited by water, whether alluvial or fluvial. The lithologic characteristics of this rock unit indicates deposition occurring near and in shallow inland seas and their margins during the Pliocene epoch. The lower unit is usually described as rock, lava or cinders. It is assumed that this unit is a single basaltic lava flow or several basaltic lava flows with scoriaceous interflow zones.

The state in which the ground water in this area exists is questionable. It seems that depending on which driller, how deep the well is and what material he encountered would determine the degree of confining of the aquifer. The minority of the well logs, indicate an unconfined system. More recent drillers, one in particular, indicate that upon encountering subsurface water, the SWL in the well remains the same throughout depth. More often than not, drillers report confined conditions. The well reports describe the overlying clay, chalk, diatomite sedimentary unit to be non-water bearing until penetration into the lower lava. On shallow wells this sedimentary unit contains lenses or layer (due to unknown areally extent) of coarser grained material yielding enough water for domestic purposes. It seems that when a well is drilled for domestic purposes the sedimentary unit does contain water but when drilling for an irrigation well it does not.

Based on SWL measurements taken over the last 10 months and continuous recorder monitoring, both data suggests unconfined conditions in the area surrounding the town of Bonanza. Different water bearing zones are probably hydraulically connected indirectly by the intercalated nature of the geology. Leonard and Harris (1974) suggest that near fault zones the rubble produced from faulting provides fracture permeability some distance from fault zones. Unconfined conditions are found and can occur in this type of geologic setting.

In some areas of Langell valley, particularly the south half of T39S and south of there, faulting has created compartmentization of ground water. With this compartmentization of groundwater, upon encountering a well with a swl level significantly different from 4110 ft above mean sea level, it is assumed no direct hydraulic connection with the Lost River exists. One cannot say, however, that this water bearing zone is not hydraulically connected to a spring that may contribute to the flow of the Lost River. *at least 100'*

In Yonna Valley Leonard and Harris (1974) conclude that the mineralogic content of the groundwater there is pure enough that the slight groundwater divide that exists between Yonna and Poe valleys is not great enough for stagnation and thereby no significant accumulation of minerals exists. This means that there is enough flow from this area to not qualify it as a closed basin. Groundwater flow from this area exists.

References

Leonard, A. R., and Harris, A. P., 1974, Ground Water in Selected Areas in the Klamath Basin: Oregon State Engineer Ground Water Report No. 21., 104 p.

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files Date 6-17-93

FROM: K. Gorman

SUBJECT: Groundwater Application G- 13184 Phone: 882-9797

Name: Balin Ranches

Applicant(s) seek 2000 gpm (4.45 cfs) from 1 well(s) in the

Proposed use: Suppl. irrigation Klamath basin
Lost River sub basin
sub basin.

Pertinent 7 1/2 - minute quads Langell Valley

Well 1 WRD# _____ T 41S R 13E S 12 00 NESW County Klamath

Legal Description none

Well is 2750 ft from Lost River (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation 4150 ft. River/stream elevation 4121 ft.

Well elevation - river/stream elevation 29

Well depth Not yet drilled. SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? yes

Potential to cause substantial interference? yes.

Well _____ WRD# _____ T _____ R _____ S _____ 00 County _____

Legal Description _____

Well is _____ ft from _____ (river/stream)

Well is _____ ft from _____ (river/stream)

Well elevation _____ ft. River/stream elevation _____ ft.

Well elevation - river/stream elevation _____

Well depth _____ SWL _____ on _____

Sealed to _____ Depth first water found _____

Cased to _____ Perforations/screens _____

Lined to _____ Perforations/screens _____

Well tests and types _____

Confined or unconfined? _____ Hydraulically connected? _____

Potential to cause substantial interference? _____

Conditioned water rights in area: yes

Other nearby water rights of record: _____

Density of nearby wells of record: sparse to none.

Comments: Well Not drilled, see attached memo

References used: See attached memo

MEMO

TO: GROUNDWATER/HYDROLOGY FILES

FROM: KYLE GORMAN

SUBJ: APPLICATION #G-13184

DATE 6/17/93

In this area the Tcs unit (Sherrod and Pickthorn, 1992) made up of bedded ashy diatomite, sandstone, siltstone and mudstone; conglomerate; and minor tuff and basalt lava flows outcrops between the eastern margin of Bryant Mtn and the Quaternary alluvial sediments of the valley floor. The unit is also interbedded with Sherrod and Pickthorn's (1992) Tb₃ basalt. The Tcs unit underlies the Quaternary sediments and is, based on well log information, ~~is~~ upwards of 800 feet thick and thins to 100 feet on the east side of the valley (Leonard and Harris 1974). This unit is late Miocene to early Pliocene in age (Pickthorn and Sherrod 1990) and has experienced extensive normal faulting. The faulting has created a general discontinuity in the sediments so that predictability of well yields is less than average. To get a large production well it must penetrate sequences of vesicular basalt flows.

The Lost River has been channelized through the middle of upper Langell Valley and in doing so the marshy areas that once occurred there have been drained. I feel that the marshy areas were created by the natural upward leakage through the sand sediments (depicted by an illustration from Leonard and Harris (1974) plate 5 in a stratigraphic column of a well log description located in sec 13ddd T40S R13E). This source of upward leakage occurs from the confined aquifer that exists below the valley floor's Quaternary alluvial sediments. The potentiometric surface elevation was 4141 feet above msl in April 1992. This is approximately 15 feet above land surface on the upper end of Langell Valley.

Upon review of Application G-12901 it became apparent to me that the potentiometric surface of the aquifer varies only a few feet in elevation across upper Langell Valley. Information is provided by swl data at selected wells on plate 5 (Leonard and Harris 1974). The potentiometric surface contours drawn by Leonard and Harris (1974) on plate 5 show a gentle upward slope to the west as the land surface slopes up onto Bryant Mountain. The flow direction of groundwater in this valley follows the general course of the Lost River.

In reviewing the hydrographs of SOW #'s 291 and 295, T39S R12E SEC 35add and T41S R14E SEC 8cca, respectively, show a dramatic decrease in static water levels during the summer of 1992. This is due largely in part to the dramatic increase in pumping that occurred in this valley at this same time. The pumping and swl data have been gathered over the past year and will be available in an open-file report to be finished at the end of June 1993. Since the flow of the Lost River is augmented by

the upward leakage of the confined aquifer and this aquifer experienced a dramatic decrease in artesian pressure, it is likely that the cumulative effect with the addition of this appropriation would have the potential for substantial interference with the Lost River.

See attached memo for additional comments and Open File Report "in press".

References:

Leonard, A. R., and Harris, A. P., 1974, Ground Water in Selected Areas in the Klamath Basin: Oregon State Engineer Ground Water Report No. 21., 104p.

Pickthorn, L. B. G., and Sherrod, D. R., 1990, Potassium-Argon Ages From Klamath Falls Area, South-Central Oregon: Isochron/West, no. 55, April 1990.

Sherrod, D. R., and Pickthorn, L. B. G., 1992, Geologic Map of the West Half of the Klamath Falls 1 x 2 degree Quad., South-Central Oregon: U. S. Geological Survey Miscellaneous Geologic investigations series Map I-2182, Scale 1:250,000.

Final Order
Extension of Time for Permit Number G-12463

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.

Application History

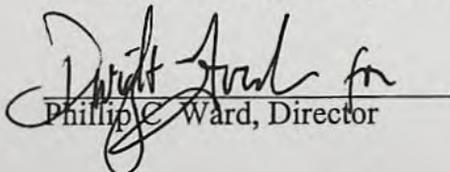
On OCTOBER 19, 2001, BALIN RANCHES submitted an application to the Department for an extension of time for permit number G-12463. The Department issued permit number G-12463 on JULY 31, 1996. The permit called for completion of construction by OCTOBER 1, 1997, and complete application of water to beneficial use by OCTOBER 1, 2000. In accordance with OAR 690-315-0050(2), on SEPTEMBER 27, 2005, the Department issued a Proposed Final Order proposing to extend the time to complete construction of the water development project and the time to fully apply water to beneficial use to OCTOBER 15, 2006. The protest period closed NOVEMBER 11, 2005, in accordance with OAR 690-315-0060(1). No protest was filed.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application Number G-13184, Permit Number G-12463, therefore, is approved. The deadline for completing construction is extended to OCTOBER 15, 2006. The deadline for applying water to full beneficial use is extended to OCTOBER 15, 2006.

DATED: November 17, 2005


Phillip C. Ward, Director

If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503) 986-0808.

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

NOTE: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

Mailing List for Extension FO Copies

Application #G-13184
Permit #G-12463

FO Date: November 17, 2005

Original mailed to:

Balin Ranches
13600 Homedale Road
Klamath Falls, OR 97603

Copies Mailed	
By:	<u>JIS</u> (SUPPORT STAFF)
on:	<u>11/17/05</u> (DATE)

For Extension FO's - Copies sent to:

1. WRD - Appl. File #G-13184 / Permit #G-12463
2. WRD - Watermaster District: #17 - Vern Church, Klamath Falls
3. ODFW - Biologist District: # 9 - Roger Smith, Klamath Falls
4. WRD - Support Staff, Salem...*Permit record update*

Other interested parties:

NONE

CASEWORKER: LJJ

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Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number G-13184

Final Order

Application History

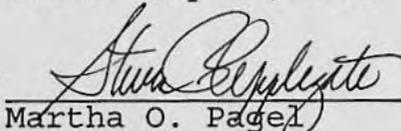
On NOVEMBER 13, 1992, BALIN RANCHES submitted an application to the Department for a water use permit. The Department issued a permit on January 18, 1996.

The Department's continuing evaluation reveals that the permit requires modification to correctly describe the dates for measuring and reporting static water level, beginning and completion of construction, complete application of the water to the use allowed, and water use conditions relating to practical technologies or conservation practices.

Order

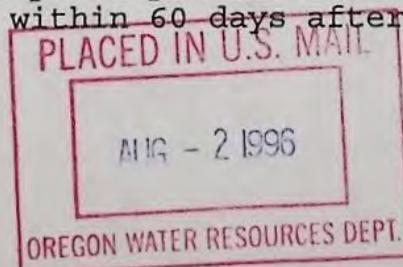
Permit G-12241 is superseded by Permit G-12463 and is of no further force or effect.

DATED July 31, 1996

for 
Martha O. Pagel
Director

Appeal Rights

Under the provisions of ORS 183.484, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served.



STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BALIN RANCHES
13600 HOMEDALE ROAD
KLAMATH FALLS, OREGON

97603

541-882-9797

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

APPLICATION FILE NUMBER: G-13184

SOURCE OF WATER: A WELL IN THE LOST RIVER BASIN

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION OF 572.9 ACRES

RATE OF USE: 7.161 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: APRIL 15 THROUGH OCTOBER 15

DATE OF PRIORITY: NOVEMBER 13, 1992 FOR 4.46 CFS, AND JANUARY 7, 1994 FOR 2.701 CFS

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4 SECTION 12, T41S, R13E, W.M.; 2280 FEET NORTH AND 2390 FEET EAST OF THE SW CORNER OF SECTION 12, TOWNSHIP 41 SOUTH, RANGE 13 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

<u>LOCATION</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 SW 1/4	37.8 ACRES	
NE 1/4 SE 1/4	16.4 ACRES	
NW 1/4 SE 1/4	19.1 ACRES	
SW 1/4 SE 1/4	40.0 ACRES	
SE 1/4 SE 1/4	34.3 ACRES	
Section 1		
NE 1/4 NE 1/4	34.2 ACRES	
NW 1/4 NE 1/4	40.0 ACRES	
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	34.2 ACRES	
NE 1/4 NW 1/4	24.0 ACRES	9.8 ACRES
SE 1/4 NW 1/4	4.5 ACRES	26.0 ACRES
NE 1/4 SW 1/4	1.7 ACRES	31.6 ACRES
SE 1/4 SW 1/4	6.3 ACRES	29.5 ACRES
NE 1/4 SE 1/4	34.2 ACRES	
NW 1/4 SE 1/4	39.6 ACRES	
SW 1/4 SE 1/4	37.8 ACRES	
SE 1/4 SE 1/4	31.9 ACRES	

Section 12

TOWNSHIP 41 SOUTH, RANGE 13 EAST W.M.

Application G-13184 Water Resources Department

PERMIT G-12463

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

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

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually by April 15, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The

works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

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

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

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

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

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

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

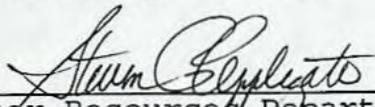
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

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

This permit is issued to correctly describe the dates for measuring and reporting static water level, beginning and completion of construction, complete application of the water to the use allowed herein, and water use conditions relating to practical technologies or conservation practices. Permit G-12241 is superseded by this instrument and is of no further force or effect.

Issued July 31, 1996



for Water Resources Department
Martha O. Pagel
Director

Extension "Final Order" Checklist

Application # G-13184 / Permit # G-12463

Permit Holder's Name Balin Ranches
13600 Homedale Rd., Klamath Falls, OR 97603

This Final Order is processed under: Div. 315 Rules -or- ~~Div. 320 Rules~~

✓ 1. Date Extension Request submitted: 10-19-2001

✓ 2. Date permit was issued: 7-31-1996

✓ 3. Original "B" Date from permit: 10-1-1997
(Date for completion of construction)

✓ 4. Original "C" Date from permit: 10-1-2000
(Date for complete application of water)

✓ 5. Extension PFO Date: 9-27-2005

✓ 6. WRD recommends extending "B" Date to: 10-15-2006
and extending the "C" Date to: 10-15-2006

✓ 7. Any conditions from PFO: No

✓ 8. Protest Deadline Date from PFO: 11-11-2005

✓ 9. Any written Protests or written Comments received within the Protest period? Yes / No

Reviewer's Name: [Signature]

Date: 11-16-05

**Oregon Water Resources Department
Water Rights Division**

Application for Extension of Time

In the Matter of the Application)	
for an Extension of Time for)	
Permit #G-12463, Water Right)	PROPOSED FINAL ORDER
Application #G-13184)	
(Balin Ranches))	

Permit Information

Application File #G-13184 / Permit #G-12463

Basin: #14 - Klamath Basin / Watermaster District: #17

Date of Priority: November 13, 1992 for 4.46 cfs and
January 7, 1994 for 2.701 cfs

Authorized Use of Water

Source of Water:	One Well in the Lost River Basin
Purpose or Use:	Primary and Supplemental Irrigation of 572.9 acres
Maximum Rate:	7.161 cubic feet per second (cfs)

**This Extension of Time request is being processed in accordance
with Oregon Administrative Rule Chapter 690, Division 315.**

Please read this Proposed Final Order in its entirety.

This Proposed Final Order applies only to Permit #G-12463, water right Application #G-13184. A copy of Permit #G-12463 is enclosed as Attachment 1.

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant the extension for complete construction of the water system from October 1, 1997, to October 15, 2006; and
- grant the extension for complete application of water from October 1, 2000, to October 15, 2006.

AUTHORITY

ORS 537.630(1) provide in pertinent part that the Water Resources Department shall, for good cause shown, order an extension of time within which: irrigation or other works shall be completed; the well or other means of developing and securing ground water shall be completed; or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under ORS 539.010(5) and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit #G-12463 was granted by the Water Resources Department on July 31, 1996. The permit authorizes the use of up to 7.161 cfs of water from one well, within the Lost River Basin, for primary and supplemental irrigation of 572.9 acres. The permit specified that construction of the water system was to be completed by October 1, 1997, and that complete application of water was to be made on or before October 1, 2000.
2. Permit #G-12463 specified that use of water under the permit may expire or be extended five years from issuance of the permit. In addition, the permit also explained that a water right certificate shall be issued at the end of the five year period if the Director finds:
 - A. River stage or Bonanza Big Springs flows are not significantly diminished by use of water under this permit as determined by the Oregon Water Resources Department (OWRD), in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable ground water and hydrologic science that stands up to peer review;
 - B. Within two years of permit issuance for primary use, the permittee/appropriator has submitted a plan to the Department indicating potential economical sources for an alternative long-term water supply;
 - C. Periodic water level reports have been submitted; and
 - D. Excessively declining ground water levels have not occurred due to well use as determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable ground water and hydrologic science that stands up to peer review.
3. The permit holder submitted an "Application for Extension of Time" to the Department on July 20, 2001. The application, however, was not complete until the permit holder submitted a modified extension application along with the \$100 statutory filing fee on October 19, 2001. The extension application requested the time in which to complete construction of the

water system be extended from October 1, 1997, to October 1, 2003, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #G-12463 be extended from October 1, 2000, to October 1, 2003. This is the first permit extension requested for Permit #G-12463.

4. Notification of the permit holder's extension of time request for Permit #G-12463 was published on the Department's Public Notice dated October 30, 2001. No public comment on the extension application was received.
5. The permit holder submitted additional information on January 9, 2002, to supplement the extension of time request for Permit #G-12463.

Review Criteria [OAR 690-315-0040(1)(2)]

As set forth under OAR 690-315-0040(1)(2), the time limits to complete construction and/or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248², 537.630³ and/or 539.010(5)⁴.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

6. Delay in completing the development of this project was caused by the delayed completion of the Oregon Water Resources Department (OWRD) Eastern Lost River Sub-Basin Ground Water Investigation.

Start of Construction [OAR 690-315-0040(1)(b)]

7. Construction of the well and water system began within the time specified in the permit, being January 18, 1997.

¹ ORS 537.230 applies to surface water permits only.

² ORS 537.248 applies to reservoir permits only.

³ ORS 537.630 applies to ground water permits only.

⁴ ORS 539.010(5) applies to surface water and ground water permits.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

8. As of October 19, 2001, the permit holder had invested a total of \$140,000 into the project, consisting of the following: complete construction of the well; installation of a meter; and partial construction of the water distribution system. An additional \$30,000 investment is anticipated for the completion of this project.

Reasonable Diligence and Good Faith of the Appropriator [OAR 690-315-0040(3)]

Reasonable diligence during the permit period constitutes a continuing test of whether and under what conditions to grant an extension [OAR 690-315-0040(3)].

In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction

9. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Prior to October 1, 2000, the permit holder completed construction of the well, installed a meter and partially completed construction of the water distribution system.

Beneficial Use of Water

10. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. As of October 1, 2000, none of the permitted 7.161 cfs of water had been appropriated from the authorized well for beneficial irrigation purposes under Permit #G-12463.
 - b. Delay of full beneficial use of water under Permit #G-12463 was due to the delayed completion of the OWRD Eastern Lost River Sub-Basin Ground Water Investigation. Additionally, the permit holder delayed the investment of any additional money into the project until the final outcome from ground water investigation was determined.

Compliance with Conditions

11. The water right permit holder's conformance with the permit or previous extension conditions.
- a. As of the time the extension application was submitted on October 19, 2001, no water use had occurred under Permit #G-12463. The permit holder, however had installed a suitable measuring device, maintained a record of the non-use of water under Permit #G-12463 and reported the non-use of water to the Department.
 - b. The permit holder submitted a plan to the Department indicating that the well authorized under Permit #G-12463 is their alternative long-term water supply plan, as it is supplemental to water received from the Bureau of Reclamation through the Langell Valley Irrigation District.

Compliance with submittal of an alternative long-term water supply plan, however, did not occur until after the time specified in the permit, being July 31, 1998. Because this condition was not satisfied by July 31, 1998, beneficial use of water under this permit has not yet been demonstrated. Additional time under the permit is necessary to allow the permit holder to comply with the permit conditions within a valid permit development time frame.
 - c. The permit holder has obtained and submitted periodic ground water levels to the Department.

Financial Investments

12. Financial investments made toward developing the beneficial water use.
- a. As of October 19, 2001, the permit holder had invested approximately 83 percent of the total projected cost for complete development of this project. A total of \$140,000 has been invested into the project, consisting of the following: complete construction of the well; installation of a meter; and partial construction of the water distribution system. An additional \$30,000 investment is anticipated for the completion of this project.

The Market and Present Demands for Water [OAR 690-315-0040(4)]

In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

13. The amount of water available to satisfy other affected water rights and scenic waterway flows.
 - a. The Department determined on June 17, 1993, that this use of ground water will have the potential for substantial interference with the nearest surface water source. Conditions were added to Permit #G-12463 to ensure that this use of ground water would protect Bonanza Big Springs flows and avoid injury to existing rights or the ground water resource.
 - b. The permitted point of appropriation, authorized under Permit #G-12463, is not located within or above the designated boundaries of any state scenic waterway.
 - c. The permitted point of appropriation, authorized under Permit #G-12463, is located within the boundaries of the current Eastern Lost River Sub-Basin Ground Water Investigation study area. Some wells within the boundaries of the ground water study area cause a significant negative flow impact on the Lost River and/or the Bonanza Big Springs.
 - d. The Department has quantified the impact of ground water use under this permit to the Lost River and/or Bonanza Big Springs. Using quantifiable ground water and hydrologic science in consultation with the Bureau of Reclamation and the Oregon Department of Fish and Wildlife, the Department determined that river stage or Bonanza Big Springs flows are not significantly diminished and that excessively declining ground water levels have not occurred due to the use of water from the well(s) under this permit.
14. Special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d).
 - a. The permitted point of appropriation, authorized under Permit #G-12463, is located within an area of the Lost River Basin which has been identified by the Oregon Department of Fish and Wildlife as a "low" needs ranking area for streamflow restoration for fish. Additionally, the Lost River has been designated by the Oregon Department of Environmental Quality as a water quality limited stream.

- b. The permitted point of appropriation, authorized under Permit #G-12463, is not located within a designated reach of any federal wild and scenic river.
- 15. The habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife.
 - a. The permitted well is not located within a designated sensitive, threatened or endangered species area for aquatic species utilizing surface water resources, as identified by the Oregon Department of Fish and Wildlife.
- 16. Economic investment in the project to date.
 - a. As of October 19, 2001, the permit holder had invested approximately 83 percent of the total projected cost for complete development of this project. A total of \$140,000 has been invested into the project, consisting of the following: complete construction of the well; installation of a meter; and partial construction of the water distribution system. An additional \$30,000 investment is anticipated for the completion of this project.
- 17. Other economic interests dependent on completion of the project.
 - a. None have been identified.
- 18. Other factors relevant to the determination of the market and present demand for water and power.
 - a. None have been identified.

Fair Return Upon Investment *[OAR 690-315-0040(2)(f)]*

- 19. Use and income from the permitted water development will result in reasonable returns upon the investment made to date.

Duration of Extension [OAR 690-315-0040(1)(c)]

As set forth under OAR 690-315-0040(1)(c), time extensions granted shall be for the reasonable time period necessary to complete construction and application of water to beneficial use.

20. As of October 19, 2001, the remaining work to be completed consists of complete construction of the water system, compliance with permit conditions and complete application of water to beneficial use within valid development time frames of the permit.
21. Other governmental requirements extended the length of time needed to fully develop and perfect the permit, caused mainly by the delayed completion of the OWRD Eastern Lost River Sub-Basin Ground Water Investigation. Additionally, due to the uncertainty surrounding the OWRD Eastern Lost River Sub-Basin Ground Water Investigation, the permit holder delayed the investment of any additional money into the project until the final outcome from ground water investigation was determined.
22. Given the amount of development left to occur, the permittee requested to have until October 1, 2003, to complete construction of the water system and to accomplish the application of water to beneficial use under the terms of Permit #G-12463. Considering the Department's delay in completing the OWRD Eastern Lost River Sub-Basin Ground Water Investigation and that the irrigation season ends on October 15 of each year, the Department has determined that the permittee's request to have until October 1, 2003, to complete construction and accomplish full beneficial use of water under Permit #G-12463 should be extended to October 15, 2006.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630.
2. The applicant has submitted a complete extension application form and the fee specified under ORS 536.050(1)(k), as required by OAR 690-315-0040(1)(a).
3. The applicant demonstrated that actual construction on the project began within the time specified in the permit, as required by OAR 690-315-0040(1)(b).

4. Completion of construction and full application of water to beneficial use can be accomplished by October 15, 2006⁵, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the requirements of other governmental agencies, the financial investment made, the reasonable diligence and good faith of the appropriator, the market and present demands for water and the fair return upon the investment, and has determined that the applicant has shown good cause exists for an extension to complete construction of the water system and to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

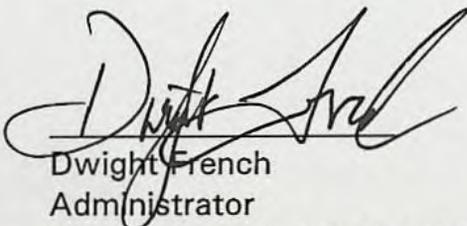
Proposed Order

Based upon the foregoing findings of fact and conclusions of law, the Department proposes to issue an order to:

Extend the time for complete construction of the water system under Permit #G-12463 from October 1, 1997, to October 15, 2006.

Extend the time for complete application of water to beneficial use under Permit #G-12463 from October 1, 2000, to October 15, 2006.

DATED: September 27, 2005



Dwight French
Administrator
Water Rights & Adjudications Division

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

⁵ Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may request a contested case hearing on the proposed final order. Your request for contested case hearing must be in writing and must be received by the Water Resources Department no later than Friday, November 11, 2005, being 45 days from the date of publication of the proposed final order in the Department's weekly public notice.
2. A written request for contested case hearing shall include:
 - a. The name, address and telephone number of the petitioner;
 - b. A description of the petitioner's interest in the final order and if the protestant claims to represent the public interest, a precise statement of the public interest represented;
 - c. A detailed description of how the action proposed in the final order would adversely affect or aggrieve the petitioner's interest;
 - d. A detailed description of how the final order is in error or deficient and how to correct the alleged error or deficiency;
 - e. Any citation of legal authority supporting the petitioner, if known;
 - f. Proof of service of the petition upon the water right permit holder, if petitioner is other than the water right permit holder; and
 - g. The protest fee required under ORS 536.050.
3. Within 60 days after the close of the period for requesting a contested case hearing, the Director shall:
 - a. Issue a final order on the extension request; or
 - b. Schedule a contested case hearing if a request for contested case hearing has been submitted, and:
 - 1) Upon review of the issues, the Director finds there are significant disputes related to the proposed agency action; or
 - 2) The applicant submitted a timely request for a contested case hearing.

If you have any questions about statements contained in this document, please contact Lisa Jaramillo at (503)986-0808.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Mike Reynolds. His telephone number is (503)986-0820.

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

Address any correspondence to:

**Water Rights Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
Fax #: (503)986-0901**

Mailing List for Extension PFO Copies

Application #G-13184
Permit #G-12463

PFO Date: September 27, 2005

Original mailed to:

Applicant: **Balin Ranches**
13600 Homedale Road
Klamath Falls, OR 97603

Copies Mailed
By: <u> JIS </u> (SUPPORT STAFF)
on: <u> 9/26/05 </u> (DATE)

For Extension PFO's - Copies sent to:

1. WRD - Appl. File #G-13184 / Permit #G-12463
2. WRD - Watermaster District: #17 - Vern Church, Klamath Falls
3. ODFW - Dist #9 - Roger Smith, Klamath Falls

Other interested parties:

NONE

CASEWORKER: LJJ

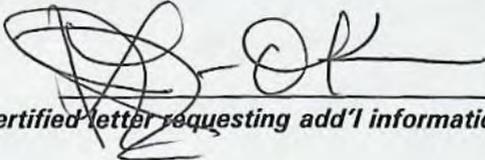
S:\groups\wr\extensions\P F O\Work_315 rules\g13184.wpd

Application # G-13184 / Permit # G-12463

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**
Money Received: \$100.⁰⁰ on 10-19-01

◆ **Lisa Juul...**
Extension Completeness: 
(If **NOT** complete, send certified letter requesting add'l information.)

If Extension Appl complete and \$100 fee submitted, route to...

◆ **Jonnine Fuss...**
Initial 30-day Public Notice: 10-30-01
Update Extension Database: 10-30-01
Files back to filing cabinets: 10-30-01

At the close of the Initial 30-day Comment Period...

◆ **Lisa Juul...**
Pull files for Ext PFO review: _____
Extension PFO completed: _____

Once Extension PFO signed by Dwight French...

◆ **Jonnine Fuss...**
Prepare Ext PFO for mailing to applicant: _____
Mail to those who commented and paid copy fee: _____
Include Ext PFO on weekly Public Notice: _____

Within 60 days after the close of the 45-day PFO Protest Period...
(PFO Protest Period ends 45 days from PFO sign date)...

◆ **Lisa Juul...**
Issue an Extension FO: _____

EXTENSION REVIEW CHECKLIST for PFO... Div. 315 - Regular

Application #: G-13184 / Permit #: G-12463

Permittee's Name: Balin Ranches

Permittee's Mailing Address: 13600 Homedale Rd, Klamath Falls, OR 97603

POD Location: Township 41-S Range 13-E Section 12 $\frac{1}{4}$ $\frac{1}{4}$ NE SW

Drainage Basin: #14 - Klamath County: Klamath Watermaster District #: 17

- ✓ 1. Has the applicant submitted the appropriate fees? Yes / No \$100.⁰⁰ on 10-19-01
 ***If "No"..... STOP. (Extension of Time cannot be processed if insufficient fees submitted.)
 ***(NOTE: Any missing Extension information that is needed before an Extension PFO can be completed???)
- ✓ 2. Has the applicant completely filled out the Extension Application form? Yes / No
 ***If "No"..... List the shortcomings below and send a letter requesting the additional/missing information that is needed before the Extension of Time can be processed.
- ✓ 3. Date Permit was issued: 7-31-96 Priority Date: 11-13-92 for 4.46 cfs
1-7-94 for 2.701 cfs
- ✓ 4. Source: One Well in the Lost River Basin
- ✓ 5. Use: Primary & Supplemental Irrigation of 572.9⁹ Ac
- ✓ 6. "Q": 7.161 cfs
- ✓ 7. Orig "A" Date: 1-18-97 Orig "B" Date: 10-1-97 Orig "C" Date: 10-1-2000
- ✓ 8. Conditions of Permit: _____

Before water use begins.....1. install a meter or other suitable measuring device; and
 2. obtain static water level measurement (SWL) & submit to WRD.

Within two years of permit issuance (for primary uses).....shall submit a plan for alternative long-term water supply.

Each year after water use begins.....

1. shall keep a complete record of monthly water use & report annually by April 15 of each year to WRD; and
2. obtain SWL measurement in March & October of ea yr & report results to WRD by Apr 15 & Nov 15 of ea yr

- ✓ 9. Extension request received: 10-19-01 \$100.⁰⁰ Ext. Appl. both here. Request Number (...1st 2nd, 3rd): 1st
- ✓ 10. Last Authorized "B" Date: 10-1-97 Last Authorized "C" Date: 10-1-2000
- ✓ 11. Proposed "B" Date: 10-1-2003 Proposed C Date: 10-1-2003
- ✓ 12. Amount Invested to date: \$140,000.⁰⁰ Estimated Total Cost: \$170,000.⁰⁰
 (***)Estimated Remaining Cost: \$30,000.⁰⁰

Add'l time needed to comply with cond's within valid timeframes.

Alt. Long-term Water Supply plan submitted with Ext. Appl --- LATE!

13. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit. Yes/No ***If "No"..... What permit terms and/or conditions have not been met?

- "A" Date met... Well constr. began 4-12-93 (See well log - KLAM 10748)
- Mar/Oct SWL measurements obtained & submitted.
- Initial SWL meas. obtained & submitted.
- meter installed - but no use under this permit yet.

14. Work on the water development project completed to date includes:

- Water Use Report & 1-9-2002 Memo by Jerry Sauter indicate no water use ~~per~~ under Permit G-12463 prior to 10-19-2001.
- Well Constructed
- Meter installed
- Appl. indicates ability to apply water to 492.9 AC (being 572.9 ac - 80.0 ac) ← partial construction of water distribution system.

15. The work remaining to be completed consists of:

- Completion of constr.
- Full beneficial use of water
- Compliance with conditions within valid permit timeframes.

16. Progress in perfecting the permit is being held up by:

- Delay in completing GWRD Investigation.
- Permit holder could not justify expenditure of more money because of the uncertainty of the GW Study & whether the permit may expire.

17. Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes/No

Some Factors that may be considered in determining "Reasonable Diligence" [OAR 690-315-040(3)]

- The amount of construction completed within the time allowed in the permit or previous extension;
- The amount of beneficial use made of the water during the permit or previous extension time limits;
- Water right permit holder conformance with the permit or previous extension conditions; and
- Financial investments made toward developing the beneficial water use.

- Permit holder has completed approximately 75% of the construction.
- Permit holder has beneficially used 0% of the total permitted quantity of water.
- Has the permit holder complied with conditions? Yes/No
—If No, reasons why not? Didn't satisfy some of conditions until AFTER "C" date
- Permit holder has invested approximately 83% of the total estimated cost to complete the project. (10-1-2000)
- Other: _____

18. Determination of the market and the present demand for water or power to be supplied:

Some factors to consider in determining the Market and the Present Demand for water or power [OAR 690-315-040(4)]:

- The amount of water available to satisfy other affected water rights and scenic waterway flows;
- Special water use designations established since permit issuance (such as...state scenic waterways, federal wild and scenic rivers, serious water management problem areas, water quality limited sources, etc.);
- The habitat needs of sensitive, threatened or endangered species, in consultation with ODFW;
- Economic investment in the project to date;
- Other economic interests dependent on completion of the project; and
- Other factors relevant to the determination of the market and the present demand for water or power.

Div. 09 review on 6-17-93.. "...will have potential for substantial interference with Lost R."

Is the POD/POA located.....

- If a GW permit, is GW hydraulically connected to SW (see original Div. 09 GW review)? with Lost R. "NO"
- within or above a state scenic waterway? NO
- within a ground water limited/critical area? Within the Eastern Lost R. Subbasin GW Investigation Area
- within or above a segment that has been identified as a federal wild and scenic river? NO
- within an area that ODFW has identified as an ST&E Area? NO
- within an area that ODFW has identified as a "LOW" Needs Ranking Area for streamflow restoration for fish?
- within an area that DEQ has identified as being water quality limited? Lost River - YES
- Other: _____

✓ 19. Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. → Approval of Extension Request

No ... "Good Cause" cannot be found. → Denial of Extension Request

✓ 20. Conditions to be included in Extension PFO (if applicable)? Yes No
(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)

5-year Progress Report Checkpoints

Other: _____

✓ 21. Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

~~COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987~~

~~"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."~~

~~COBU Requirement - Surface Water - post July 9, 1987~~

~~"Pursuant to ORS 537.230(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."~~

COBU Requirement - Ground Water - post July 9, 1987

"Pursuant to ORS 537.630(4), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates

Checklist Last Revised: 7/19/ 2005

Mailing / Issuance Date: _____

WRD Ext. Caseworker: _____

Protest Deadline Date: _____

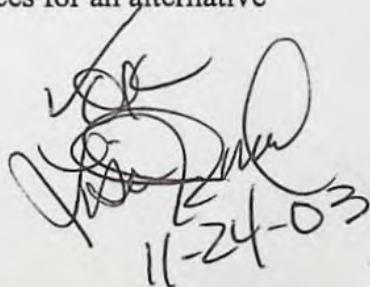
Date: 9-22-05

[Handwritten signature]

Appl G-13184 / Permit G-12463

1. Has a meter or other suitable measuring device, as approved by the Director, been installed yet?
2. Your permit required a static water level measurement to be made and submitted to the Department before any water use commenced from the well(s).
3. Once water use began, your permit required you to obtain a static water level measurement for each well during March and October of each year and report the measurements to the Department. The static water level report for the well(s) is to be submitted by April 15 and November 15, respectively, of each year.
4. You must submit an annual report of the amount of water used each month since water use began under this permit. The annual report is to be submitted to the Department by April 15 of each year.
5. You must submit a plan to the Department indicating potential economical sources for an alternative long-term water supply.

No Use Yet


11-24-03

Appl # G-13184

Permit # G-12463

11-23-2001

Bonanza Ground Water Area Standard Permit Conditions

(NOTE: a check mark in the box next to the condition indicates that the condition has been met)

~~When did use of water begin?~~ No Use Yet

• Before Water Use Begins.....

See 1-9-02 fax from Balin & note from Jerry Sauter.



OK..... No Water Used Yet under this Permit
Shall install a meter or other suitable measuring device; and (only under limited license)

~~- Not clear - no info.~~
Meter installed... see attached ^{static} water level report



Shall obtain a static water level measurement and submit to WRD.
initial SWL meas. taken when well drilled
5-5-93 ----- see attached log.

• Within Two Years of Permit Issuance.....(for Primary Uses Only)



Shall submit a plan indicating potential economical sources for an alternative long-term water supply.
- Plan submitted on 10-5-2001 with Ext. Appl.

• Each Year Once Water Use Begins.....



Shall keep and maintain a complete record of monthly water use and report annually by April 15 of each year to WRD; and
- Submitted 1999/2000 Water Use Report indicates no use of water.



GW SWL Report shows some water use beginning in April 2001. (2001 Water Use Reports Not due yet - 12/11-01)
Shall obtain static water level measurements in March and October of each year and report the results to WRD by April 15 and November 15, respectively, of each year.

- see GW SWL Report ... if use didn't begin until April 2001, it's OK.

No Use yet.

Appl # G-13184
 (Permit # G-12463)
 11-23-2001

WORK COPY

Comprehensive SWL Report

Bonanza Project									
Bonanza ADR Ground Water Permit Water Level Data									
Owner Submitted and Other Data									
Application Number =		G-13184		1 well	KLAM 10748				
Permit Number =		G-12463	G-12241						
Well Owner =		Balin Ranch							
		S. Langell Valley							
Owner	OWRD	Date	Time	Feet	Inches	Measurement	Measured By	Flow Meter	Comment
Well ID	KLAM					(feet)			
	10748	05-May-1993				14.00	D. Storey	no reading	well log
west	10748	05-Aug-1993		16.00	0.00	16.00	unknown	no reading	owner reported
west	10748	15-Nov-1993		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Nov-1994		16.00	0.00	16.00	unknown	no reading	owner reported
west	10748	13-Apr-1996		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Jan-1997		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Dec-1997		14.00	10.00	14.83	unknown	no reading	owner reported
	10748	20-Aug-1998	14:55:00			11.94	Grondin	no reading	OWRD measurement (blsd)
	10748	08-Dec-1998	12:58:00			11.00	Gates	no reading	OWRD measurement (blsd)
west	10748	15-Jan-1999		14.00	10.00	14.83	unknown	no reading	owner reported
	10748	15-Mar-1999	12:07:00			10.08	Norton	no reading	OWRD measurement (blsd)
	10748	26-Oct-1999	13:30:00			12.65	Zwart	no reading	OWRD measurement (blsd)
west	10748	15-Jan-2000		15.00	10.00	15.83	unknown	no reading	owner reported
	10748	01-Mar-2000			135.00	11.25	S. Balin	no reading	owner measurement
	10748	09-Mar-2000			147.00	12.25	S. Balin	no reading	owner measurement
west	10748	01-Apr-2000		14.00	0.00	14.00	unknown	no reading	unknown source
west	10748	15-Oct-2000		15.00	10.00	15.83	unknown	no reading	unknown source
	10748	04-Mar-2001		12.00	6.00	12.50	S. Balin	no reading	owner measurement
west	10748	13-Apr-2001	15:14:00	13.00	7.00	13.58		0.00	owner reported, start meter
west	10748	14-Apr-2001	14:00:00					no reading	owner reported, pumping 3,800 gpm
west	10748	16-Apr-2001	12:00:00					16,895.00	owner reported, pumping 3,700 gpm
west	10748	18-Apr-2001	15:30:00					26,466.00	owner reported, pumping 3,700 gpm
west	10748	19-Apr-2001	16:45:00	106.00	5.00	106.42	Gates	32,137.00	owner reported, pumping 3,700 gpm
west	10748	22-Apr-2001	13:25:00	106.00	5.00	106.42		47,274.00	owner reported, pumping 3,700 gpm

Handwritten initials or signature in the bottom right corner.

RECEIVED

JUN 17 1993

4/5/13E/12K
39927

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

KLAM
10748

WATER RESOURCES DEPARTMENT (CARD) #

(1) OWNER: Well Number #2
Name BALIN RANCHES
Address 13600 HOMEDALE RD
City KLAMATH FALLS State ORE Zip 97601

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 580 ft.
Explosives used Yes No Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
22	0	192	CONCRETE	0	192	200 SCS
12 1/4	192	580				

How was seal placed: Method A B C D E
 Other

Backfill placed from ___ ft. to ___ ft. Material

Gravel placed from ___ ft. to ___ ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
16"	+1	192	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Liner:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 580 FEET

(7) PERFORATIONS/SCREENS:
 Perforations Method
 Screens Type Material

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

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1000		250	1 hr.

Temperature of Water 67°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:

SALEM, OREGON

(9) LOCATION OF WELL by legal description:

County KLAMATH Latitude Longitude

Township 41S N or S. Range 13E E or W. WM

Section 12 SE 1/4 NW 1/4

Tax Lot Lot Block Subdivision

Street Address of Well (or nearest address) WEST LANGRISH

VALLEY RD BONDURTA, OREGON

(10) STATIC WATER LEVEL:

14 ft. below land surface. Date 5/5/93

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found

From	To	Estimated Flow Rate	SW
		INDETERMINATE	

(12) WELL LOG:

Ground elevation

Material	From	To	SV
BROWN SANDY CLAY TOPSOIL	0	2	
BROWN SANDY CLAY & Boulders	2	4	
YELLOW CHALK	4	37	
DECOMPOSED BROWN LAVA & CHALK	37	40	
YELLOW CLAY	40	113	
GREEN CLAY WITH STAINLESS SAND	113	155	
GREEN CLAY	155	177	
HARD BLACK SANDSTONE	177	213	
GREY CLAY	213	352	
HARD BLACK BASALT	352	367	
BROWN BROWN BASALT	367	377	
HARD GREY BASALT	377	416	
BLACK BASALT	416	419	
BROWN BASALT	419	437	
HARD BROWN BLACK BASALT	437	452	
HARD GREY BASALT	452	480	
BLACK BASALT WITH GRY MATH	480	487	
BLACK BASAL	487	512	
HARD GREY BASALT	512	518	
BROWN BLACK BASALT	518	548	
HARD BROWN GRY BASALT	548	560	
BROWN BLACK BASALT	560	580	

Date started 4/12/93 Completed 5/5/93

(unbonded) Water Well Constructor Certification:

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

WWC Number 6

Signed Date 4/5/93

COPY

File # G-13184
(Permit # G-12463)

J. Duval
12-11-01

Gerald H. Grondin

From: Gerald H. Grondin [Gerald.H.GRONDIN@wrd.state.or.us]
Sent: Friday, November 30, 2001 2:47 PM
To: Lisa Juul
Cc: Fred Lissner; Dwight French; Jerry Grondin
Subject: Bonanza Water Use Data

Hi Lisa,

I just finished querying the OWRD water use database (managed by Gary Ball) for water use data related to the Bonanza area 5-year ground water permits.

I found data entered for 18 of 40 permits. I will deliver what I found.

Note 1: OWRD did not send letters to permittees and did not begin entering data related to private irrigation wells until water year 2000. So, data before water year 2000 is not to be expected in the OWRD water use database. However data for 1999, 1998, or 1992 were entered for 3 permits.

Note 2: reporting water use for water year 2001 is generally not due yet nor have letters been sent to private well owners reminding them to submit the data. However, water year 2001 data has been entered for 2 permits.

Note 3: I have already given you water use information found in miscellaneous files.

This should finish answering your request for data.

Contact me if you have any questions.

Jerry

Jerry Grondin
Hydrogeologist

Oregon Water Resources Department
158 12th Street NE
Salem, Oregon 99301-4172

Phone: 503-378-8455 (ext 214)
E-Mail: Gerald.H.Grondin@wrd.state.or.us

Bonanza Project																				
Bonanza ADR Ground Water Permit Water Use Data																				
Research of OWRD Water Use Data Base																				
Owner Submitted Data																				
Research Date = 30 November 2001																				
NOTE: OWRD did not begin requesting and entering water use data related to these wells until water year 2000																				
NOTE: reporting water use for water year 2001 is generally not due or entered yet																				
	Application	Permit 1 (valid)	Permit 2 (cancelled)	Water Use Data Submitted												Well Owner	Well 1	Well 2	Well 3	Comment
				2001	2000	199	1998	1997	1996	1995	1994	1993	1992	1991	1990					
1	G-13013	G-12435	G-12250		X												Johnson	KLAM 10181	KLAM 2373	
2	G-12618	G-12441	G-12218														Haskins	KLAM 12415	no well log (KLAM 999991)	
3	G-12769	G-13178			X	X	X										Ritter	KLAM 12261	no well log (KLAM 999990)	
4	G-13349	G-12634															Watson	KLAM 10712		
5	G-12897	G-12456	G-12234														Gorden	KLAM 13458	no well log (KLAM 999995)	
6	G-12617	G-12440	G-12217														Newman/Uecker	KLAM 13462	no well log (KLAM 999997)	
7	G-12746	G-12445	G-12222		X												Horsley	KLAM 13326	KLAM 10440	
8	G-12735	G-12444	G-12221														Teague	KLAM 10352	KLAM 10357	
9	G-12876	G-12453	G-12231														C. Masten	KLAM 10461		
10	G-12955	G-12457	G-12235														Brock	KLAM 10421		
11	G-12877	G-12454	G-12232														S.C. Masten	KLAM 10475	KLAM 10460	
12	G-12518	G-12469			X												J. Wells	KLAM 10242		
13	G-12814	G-12449	G-12227	X	X												Manning	KLAM 10416		
14	G-12766	G-12446	G-12223		X												Hill & Buscher	no well log (KLAM 999976)		
15	G-12507	G-12439	G-12128														Babson	KLAM 13403		
16	G-12732	G-12443	G-12220		X												Wiersma	KLAM 10378		
17	G-12768	G-12447	G-12224														A. DeJong	KLAM 10431	KLAM 10432	
18	G-12874	G-12452	G-12230														K. Masten	KLAM 10498		
19	G-12869	G-12451	G-12229														Babson	KLAM 51920		
20	G-12493	G-12624															Randall	KLAM 13556		
21	G-13387	G-12465	G-12244		X												W. DeJong	KLAM 10526		
22	G-13101	G-12461	G-12028														Barrett	KLAM 10634	KLAM 10608	
23	G-13135	G-12973												X			U.S. BLM	KLAM 13602		5-year ADR permit?
24	G-13136	G-12974												X			U.S. BLM	KLAM 13601		5-year ADR permit?
25	G-13134	G-12710															U.S. BLM	KLAM 13609		5-year ADR permit?
26	G-12842	G-13506			X												R. Smith	KLAM 10364		5-year ADR permit?
27	G-12772	G-12448	G-12226		X												Gibson	KLAM 10699		
28	G-13198	G-12497			X												Gallup	KLAM 14864		
29	G-12885	G-12455	G-12233														Biaggi	KLAM 14873		
30	G-13011	G-12459	G-12237		X												Hammerich	KLAM 10641	KLAM 10495	KLAM 10764
31	G-12901	G-13743	G-11498		X												R. Smith	KLAM 10458		
32	G-13514	G-13775															Randall	KLAM 10473		
33	G-13184	G-12463	G-12241		X												Balin Ranch	KLAM 10748		
34	G-13106	G-12462	G-12240		X												P. Grohs	KLAM 10575		
35	G-12494	G-140297															Randall	KLAM 15113		certificate?
36	G-13508	G-12857															Allison	KLAM 10803		
37	G-12972	G-12458	G-12236		X												Balin Ranch	KLAM 10642		
38	G-13430	G-12787															Lorenz	KLAM 12230		
39	G-12644	G-12442	G-12219		X												Kennedy	KLAM 10252	KLAM 10292	
40	G-13019	G-12460	G-12239	X	X												D. Wells	KLAM 50623	not drilled	

* - See Attached "Water Use Database" Info.

[Signature]
12-11-01

app_char	G	permit_char	G
app_num	13184	permit_num	12463
USER_ID	27627		
POD_ID	36594		
WATER_YEAR	2000		
OCT	0	APR	0
NOV	0	MAY	0
DEC	0	JUN	0
JAN	0	JUL	0
FEB	0	AUG	0
MAR	0	SEP	0
UNITS			

app_char	G	permit_char	G
app_num	13184	permit_num	12463
USER_ID	27627		
POD_ID	36962		
WATER_YEAR	2000		
OCT	0	APR	0
NOV	0	MAY	0
DEC	0	JUN	0
JAN	0	JUL	0
FEB	0	AUG	0
MAR	0	SEP	0
UNITS			

Water Use Report

SCOTT BALIN
BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

Pod Id	Facility	Cert	Permit	Appl	Claim	Priority	Township	Range	Sctn	Use	Rate	Acre Feet	Source	Tributary To
36954			G 12458	G 12972		06/05/1992	41.0S	14.0E	18	IC	3.5		A WELL	LOST R
36954			G 12458	G 12972		12/23/1992	41.0S	14.0E	18	IC	3.5		A WELL	LOST R

Water Year	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
2004	AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Pod Id	Facility	Cert	Permit	Appl	Claim	Priority	Township	Range	Sctn	Use	Rate	Acre Feet	Source	Tributary To
36962	LVR-W		G 12463	G 13184		11/13/1992	41.0S	13.0E	12	IC	4.46		A WELL	LOST R
36962	LVR-W		G 12463	G 13184		01/07/1994	41.0S	13.0E	12	IC	2.701		A WELL	LOST R

Water Year	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
2004	AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2002	AFT	489.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2000	AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Pod Id	Facility	Cert	Permit	Appl	Claim	Priority	Township	Range	Sctn	Use	Rate	Acre Feet	Source	Tributary To
61351			G 15333	G 15679		01/07/2002	40.0S	9.0E	13	IS	7.44		A WELL	LOST R

Water Year	Unit	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
2004	AFT	0.0	0.0	0.0	0.0	0.0	0.0	283.83	283.83	283.83	283.83	283.83	283.83

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **49119**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Balin Ranches
BY: _____

APPLICATION	<u>513184</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 24-22 OTHER: (IDENTIFY)

TOTAL REC'D \$ 200.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$ _____
VOUCHER # _____

PCA AND OBJECT CLASS

0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$

EXAM FEE
\$
\$
\$
EXAM FEE
\$

RECORD FEE
\$
\$
\$
LICENSE FEE
\$
\$

0240 OTHER (IDENTIFY) Ext. of time \$ +100.00

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

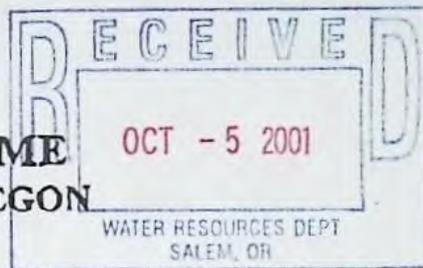
1302 LOTTERY PROCEEDS \$ _____

0467 HYDRO ACTIVITY

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

RECEIPT # **49119**

DATED: 10/19/01 BY: C. Vance



**APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON**

NAME Scott Baker % Baker Ranches

ADDRESS 13600 Hammond Rd CITY Washouak Falls STATE OR ZIP 97143 PHONE 541 882-9797
 Cell 541 891-7909

owner of record, or duly authorized agent, of Application No. 13184, Permit No. 12463, do hereby request that the time in which to:

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2000, be extended to October 1, 2002.

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2000, be extended to October 1, 2002.

NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

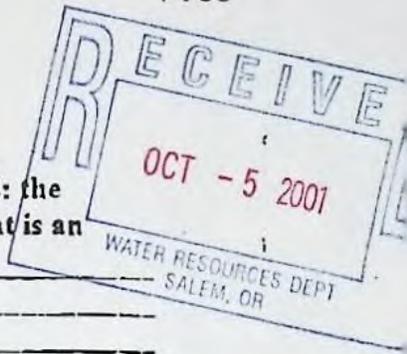
Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1-Did water system construction/well drilling begin within the time specified in the permit yes/no]?

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit yes/no]?

96 10/30/01



A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

Plan Attached

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

We have complied with all required conditions, Except irrigation system on 80 Acres.

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

N/A

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

Will Have All requirement met with this extension

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

Able now to irrigate all lands on permit except 80 acres that still need completed

4 Cost of project to date \$140,000 Estimated remaining cost to complete the project 30,000.

5 Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

The time period allowed was not long enough to justify purchasing additional equipment because of financial uncertainty. And current ground water study to use wells if primary source isn't available.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

We had to borrow money to finish all development to date, however more financing is needed to develop 50 Acres.

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

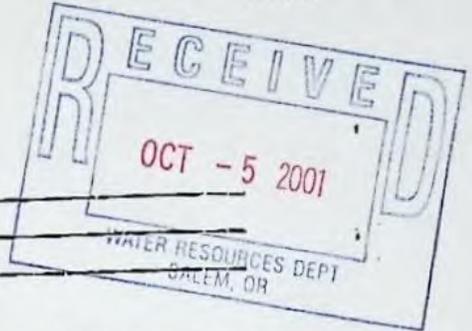
We attempted to finish projects but state and government requirements or regulations, has prevented justifying to finish project. We used alternative sources of water because of Droughts and ESA Regulations.

D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

Big Springs Bonanza ground water study and Drought

6 Please identify the economic market or markets to which beneficial use of water under the permit is responding.

Well will provide an alternative source of water to our primary right to irrigate pasture to support beef herd.



A) Has there been any change in this market since the permit was issued?

Yes, Increase Demand of Quality American Beet Products.

B) Have these changes, if any, affected the economic feasibility of your project?

The economic feasibility looks better now than 2 years ago. So supplemental water right is a very valuable asset to continue business.

7-Are there other present competing demands for water in your community?

ESA Sucker Species in Tulelake, CA Refuge and Klamath Water Shed for Primary Right

A) Has there been any change in these demands for water since the permit was issued?

Yes, ESA Law Act Requirements based on sketchy science

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands?

#1 Wells #2 Banding King Dam for increase water storage to satisfy new demands

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? No

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes, Land Value and alternative source of water due to government & state regulation protecting endangered species.

9-If the extension request is denied, is the current level of water use economically feasible?

No, Not Reliable shut-downs any-time during growing year because of government reg's on EPA. Our only source is well water if our primary right is taken away. The State understands better the value of water to humans than Government does.

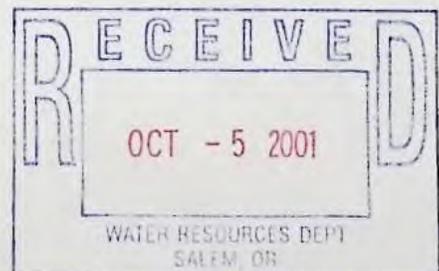
I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

[Handwritten Signature]
Signature

7/19/01
Date

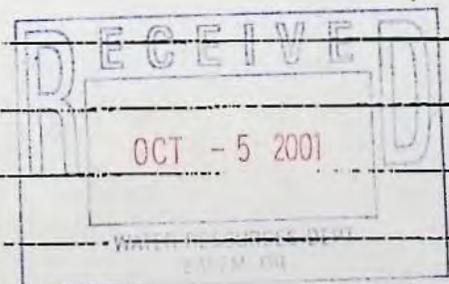
MAIL COMPLETE) APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



Permit 6-12468

This well is our alternative water management plan because it is supplemental to our primary source. Our primary source is BOR project water which is delivered through Longell Valley Irrigation district. With federal regulation to the uncertain supply of our water primary source is questionable. The ESA has prompt us to ~~construct~~ and use an irrigation well as our alternative supplemental source. The irrigation well was constructed and all requirements on the permit condition have been met. The well is our only long term alternative water supply that we can apply economically. This plan is for the security of our future in the Longell Valley area to continue to farm when our long term primary source of water is threatened.





FAX COVER SHEET

Date 10/5/01

This Fax is directed to: Lisa Jewel

Please notify this person that they have been sent a fax.

URGENT YES NO

Department: OWRD Permit Extension

Company: _____

Business Phone: _____ Fax Phone: 503-378-6203

Number of pages including this cover sheet: 13

Special Instructions _____

FEEES	
1st sheet	\$3.00
Each additional Sheet	\$1.00
Receiving	\$1.00

THIS FAX HAS BEEN SENT BY:

Scott Balin
c/o Balin Ranches
Department: _____

Company: Balin Ranches

Phone: 541-891-7909

TOTAL _____

PAID _____

BALIN'S TOWER DRUG & GIFTS PUBLIC FAX SERVICE

Please call us if you have any problems receiving or if there are any pages missing.
We can receive and transmit FAX'S 9:00 am to 5 pm 6 days a week.

Balin's TOWER DRUG & GIFTS
1791 Washburn Way,
Klamath Falls, OR 97603
Phone (541) 884-1347

FAX: (541) 884-2019



APPLICATION
TO THE WATER RESOURCES DEPARTMENT

NAME
OREGON

I, Scott Balin %
NAME

13600 Homedak
ADDRESS

owner of record, or duly authorized agent
hereby request that the time in which to:

Dwight Please
Pull Funds From
Credit From
Cancel Emerg.
Drought Permit To
Tulelake, CA

97603
NE
(541) 891-7909
do 582-9797
6-12463

Superseded
by Ext
Appl.
Rec'd
10-5-01

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2000, be extended to October 1, 2002,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2000, be extended to October 1, 2002.

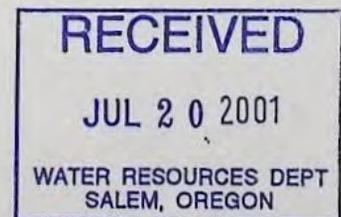
NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1-Did water system construction/well drilling begin within the time specified in the permit yes/no)?

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit yes/no)?



APPLICATION FOR EXTENSION OF TIME
TO THE WATER RESOURCES DIRECTOR OF OREGON

Superseded
by
Appl. Ext.
Rcvd.
10-5-01.

I, Scott Balin % Balin Ranches
NAME

13600 Homedale Rd Klamath Falls, OR 97603
ADDRESS CITY STATE ZIP PHONE

owner of record, or duly authorized agent, of Application No. ~~6-12473~~ Permit No. ~~6-12458~~, do hereby request that the time in which to:

(541) 891-7909
" 882-9797
6-13184 6-12463

complete the construction of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 2000, be extended to October 1, 2002,

and/or the time in which to:

accomplish beneficial use of water to the full extent under the terms of the permit, which time now expires on October 1, 2000, be extended to October 1, 2002.

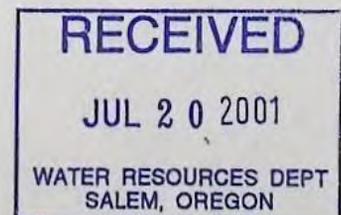
NOTE: The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

Attached is an instruction sheet to assist you in completing the information on the permit extensions application form. Oregon Water Law and Administrative Rules requires this information to be considered by the Water Resources Department when reviewing a permit extension. All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information that would aid us in making our decision. Please use additional sheets of paper as needed to fully respond to the questions.

After reviewing the application form and the instruction sheet, if you have any questions, please contact the Department at 1-800-624-3199, or locally in the Salem vicinity at (503) 378-3739, and request assistance from the Water Rights Division, permit extensions personnel.

1-Did water system construction/well drilling begin within the time specified in the permit yes/no)? _____

2-Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit yes/no)? _____



A) Please describe how you have complied with each applicable permit condition (NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review).

Plan is attached

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

We have complied

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

Yes, within the past year installed equipment to apply to lands.

Pump, Column, Bowls, Mainline, Meter, Motor
Diversions Equipment

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:

NA

C) I have accomplished beneficial use of water under the permit to the extent of (amount of water used or acres irrigated):

Yes, able to apply to all land for beneficial use

4-Cost of project to date \$100,000. Estimated remaining cost to complete the project \$30,000.

5-Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified.

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.

Two more year will able us to modify any of system to meet best economiz plan to apply water.

B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

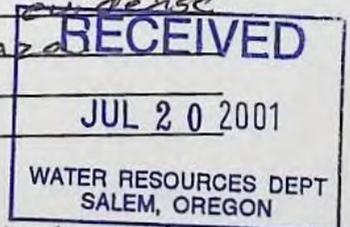
The need to finish project within the past year, pump, mainline, etc was the threat of shutting down our primary right. Financing to finish project has been limited since economy and status of water markets have been uncertain.

C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

We have made good faith attempts to comply with OWRD requirements on this well but with the current ground water study future of a dependable source of water has been uncertain to finish all requirements.

D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

The Big Springs aquifer has been the main player at unforeseen event. In south loggell valley there has been no supporting evidence that ties this well in with the Borraza grand water problem.



6-Please identify the economic market or markets to which beneficial use of water under the permit is responding.

The use of this well will continue to deliver quality Beet off the grass we pasture under this permit. And potential at developing speciality markets for future (Oregon Food Alliance) Example of future marketing

A) Has there been any change in this market since the permit was issued? Yes, with the continued European and World Wide concern of Beet, The markets overseas have strengthened our markets here and maybe open new ones with current uncertainty for overseas markets.

B) Have these changes, if any, affected the economic feasibility of your project? Yes, if we can pay off debt encountered in previous soft markets we will be able to improve applying efficient water use management.

7-Are there other present competing demands for water in your community? Yes, Endangered Species currently existing in primary water right sources.

A) Has there been any change in these demands for water since the permit was issued? Yes, Endangered Species in the lower Monmouth Basin

B) Are you aware of alternative sources of water that may be able to satisfy the competing demands? Yes, build more storage "Boundary Line Dams" In South Long M Valley Between Clear Lake Dam & Malone Reservoir

C) Are you aware of any adverse affects on your source of water that may have been caused by recent changes in use of water in your community? No

8-Will the income or use from the water development project authorized by this permit provide reasonable returns against the investment in the project?

Yes, If we have the permit to use the water when our primary right is shut off due to the ESA we will notice the well as a huge asset to help pay off our debt to build. Increase land value for alternative source of water

9-If the extension request is denied, is the current level of water use economically feasible?

No, We know how much water we can apply to land beneficially from wells. ~~data~~ Our current use is based on any biological data generated ~~for~~ for the ESA. The wells are based on the State of Oregon which seems to know the value of water on land better than the US Government. Thus making the wells the ^{best economically feasible}

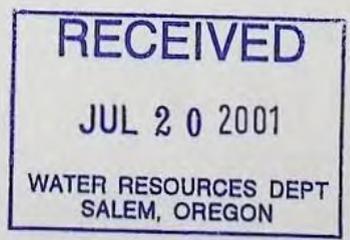
I am the permittee, or have authorization from the permittee, to apply for an extension of time under way to this permit. I understand that false or misleading statements in this extension application are grounds ^{continue.} for the Department to suspend processing of the request and/or reason to deny the extension.

[Signature]
Signature

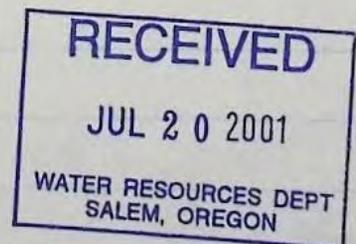
7/19/01
Date

MAIL COMPLETED APPLICATION AND STATUTORY FEE OF \$ 100 TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES
158 12TH ST NE
SALEM, OREGON 97310



The plan to meet all criteria of the conditions will be completed by Oct 1, 2002. The well has already been constructed and is able to apply water to acres supplemental to BOR project water. Final proof survey is completed or has been completed for some time now. We can prove we can apply water to lands permitted for beneficial use now. We ~~can~~ deliver water to same distribution location with the well using underground pipe line from well to headgates in district (Longell Valley Irrigation District). Under the plan we depend on water deliveries from BOR from a storage source of Clear Lake. This has been the best economical source of water from BOR and district. Now the best alternative source and only one is having a well that can supplement our previous rights, that are now threatened by the ESA.



1-09-2002

LISA,

I SPOKE WITH HAL & SCOTT BALIN TODAY. THEY ARE CONCERNED ABOUT WHAT THE CERTIFIED LETTER MEANS. I CAN ANSWER SOME OF YOUR QUESTIONS ABOUT THE EXTENSION INFORMATION, NOW THAT I HAVE PROBLEM WITH THEM. SCOTT WAS NOT SURE IF YOU RECEIVED THE PUMP INFO HE FAXED RECENTLY SO HE WILL FAX IT AGAIN. HAL ALSO EXPLAINED WHY IT MAY LOOK LIKE THE WELL HAS BEEN USED, WHEN THEY CANNOT DEVELOP THE PERMIT. THE WELL WAS USED UNDER FEDERAL CONTRACT (B.O.P.) FOR FLOW AUGMENTATION, BUT NOT FOR IRR. [&] Suppl. IRR. DUE TO RESTRICTIONS IN THE AREA. THEY COULD NOT JUSTIFY FURTHER EXPENDITURE UNTILL THEY KNEW IF THE DEPT. WOULD EXTEND OR CERTIFY PERMITS. THEY ARE READY TO COMPLETE THIS PERMIT AND EXERCISE IT BUT THEY NEED THE EXTENSION. THEY HAVE A METER ON THE WELL. IT IS READY TO IRRIGATE.

IF I CAN HELP OR TALK 2 BALINS FOR YOU, JUST LET US KNOW AND I'LL BE GLAD TO HELP

Jerry

* Verified by Jerry Sauter, based on his telephone conversation with the Balins ...

1. Meter installed on both wells (permits G-12458 & G-12463) --- See Also Water Level Data Report attached
2. No beneficial use of water has occurred under either permit (permits G-12458 & G-12463)
3. Irrig. systems not yet constructed ... because they were waiting to know what the outcome of the Bonanza GW Study will be.

? - see Ext appl.

from Jerry
1-

... See Also → attached info from permittee.

1-09-2002

LISA,

I SPOKE WITH HAL & SCOTT BALIN TODAY. THEY ARE CONCERNED ABOUT WHAT THE CERTIFIED LETTER MEANS. I CAN ANSWER SOME OF YOUR QUESTIONS ABOUT THE EXTENSION INFORMATION, NOW THAT I HAVE SPOKEN WITH THEM. SCOTT WAS NOT SURE IF YOU RECEIVED THE PUMP INFO HE FAXED RECENTLY SO HE WILL FAX IT AGAIN. HAL ALSO EXPLAINED WHY IT MAY LOOK LIKE THE WELL HAS BEEN USED, WHEN THEY CANNOT DEVELOP THE PERMIT. THE WELL WAS USED UNDER FEDERAL CONTRACT (B.O.R.) FOR FLOW AUGMENTATION, BUT NOT FOR IRR. [&] Suppl. IRR. DUE TO RESTRICTIONS IN THE AREA. THEY COULD NOT JUSTIFY FURTHER EXPENDITURE UNTILL THEY KNEW IF THE DEPT. WOULD EXTEND OR CERTIFY PERMITS. THEY ARE READY TO COMPLETE THIS PERMIT AND EXERCISE IT BUT THEY NEED THE EXTENSION. THEY HAVE A METER ON THE WELL. IT IS READY TO IRRIGATE.

IF I CAN HELP OR TALK 2 BALINS FOR YOU, JUST LET US KNOW AND I'LL BE GLAD TO HELP

Jerry

* Verified by Jerry Sauter, based on his telephone conversation with the Balins ...

1. Meter installed on both wells (Permits G-12458 & G-12463)
--- See Also Water Level Data Report attached
2. No beneficial use of water has occurred under either permit (Permits G-12458 & G-12463)
3. Irrig. systems not yet constructed ... because they were waiting to know what the outcome of the Bonanza GW Study will be.

→ from Jerry Sauter
1-9-2002

... See Also → attached info from permittee.

File G-13184

To: OWRD

Attn: Jerry

Fax # 503-378-6203

Pages: 6

From: Balin Ranches (Scott Balin)

541-891-7909 541-882-0747
Please Call Any QuestionsSubject: Langell Valley, Oregon
Supplemental License Condition
Information. Irrigation Wells

Note: Permit G-12458 ; Permit G-12463

are both under same conditions
under permit's requirements. These wells
are in 2 miles of each other. Is
it possible mailings or information
about these could be sent in one package

No Beneficial Use was used from both
these wells. Only Limited Lic. Under
Emergency Permits From April 2001 → Oct 2001.

Thank You. Scott Balin



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

CERTIFIED LETTER Return Receipt Requested

January 4, 2002

Balin Ranch
Attn: Scott Balin
13600 Homedale Road
Klamath Falls, Oregon 97603

Reference: File #G-12972 (Permit #G-12458)

Dear Ground Water Permit Holder:

The Department is currently reviewing your permit extension request. As part of this review, the Department must determine whether or not you have complied with condition(s) contained in your permit. Please review the permit conditions listed below and explain how you have complied with the condition(s) and/or provide any data or evidence that may substantiate compliance with the condition(s).

Condition #1:

Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.

- ▶ Has a water meter been installed on the permitted well yet? If so, please indicate the date when the water meter was installed.

Yes, April Limited Lic. Pumping Only

Condition #2:

The permittee shall keep a complete record of the amount of water used each month and shall submit an annual report which includes the recorded water use measurements to the Department by April 15 of each year.

- ▶ Has any beneficial use of water been made under this permit? If so, please indicate the date when the beneficial water use under Permit #G-12458 first began.

No Only Limited Lic. Emergency Permit

- ▶ The Department has received water use reporting data from you for the period October 1999 through September 2000. The data indicates that no water was beneficially used under this permit during that time.

*Limited Lic. Emergency Permit
No*

If any water has been used under this permit prior to or after the period October 1999 through September 2000, please complete an "Annual Water Use/Monthly Quantities Form" for each water year (October through September) in which you have used water. Water use records for any given year should be reported in the same fashion as the 2000/2001 water year form enclosed for your reference.

Condition #3:

Once water use begins, the permittee shall obtain a static water level measurement for each well during March and October of each year and report the measurements to the Department. The water user shall report the static water level(s) in the well(s) by April 15 and November 15, respectively, of each year.

- Enclosed for your review, please find the Department's report showing all static water level measurement data received by the Department for this permit. If you notice any missing or incorrect data on this report, please submit the information to the Department as soon as possible. We will then enter the data into the Department's ground water level tracking database.

Please submit this information by **Monday, February 4, 2002**. Failure to submit the requested information by this deadline may result in the proposed rejection of your extension request.

If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.

If you have questions about the extension of time, you may contact me at (503) 378-8455, extension 272. If you have questions concerning the Bonanza ground water study area, please contact Jerry Grondin at the same telephone number, extension 214.

Sincerely,

Dwight French
268

Lisa J. Juul Ext. 272
Water Rights Specialist
Water Rights Section

enclosures: Static Water Level Data Report
Annual Water Use/ Monthly Quantities Form

cc: File #G-12972 (Permit #G-12458)
Del Sparks, Watermaster Dist #17

Oregon Water Resources Department PERMIT CONDITION WATER-LEVEL REPORTING FORM

RE: Required Water Level Report for a Well on Permit G 12458 Certificate 0 Pod 1 Application G 12972
 based on water right as: A WELL. Well log ID (if any, in our records): KLAM 10642 Priority date: 12/23/1992
 Location: In the SE quarter of the NW quarter of Section 18, Township 41S, Range 14E
 150 FEET NORTH & 640 FEET WEST FROM C1/4 CORNER, SECTION 18

SCOTT BALIN
BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT (Complete one form for each well)

Well Identification (provide as much of the following information as possible):
 Original owner of well (owner name on well log): Balin Ranches
 Owner's well name or number (if any): _____
 Well ID (number on tag attached to casing, if present): _____
 Well log startcard number (if listed on well log): _____
 Well depth: _____ Casing diameter: _____
 Date drilled: _____ Driller: _____

When did water use begin under this permit from this well? Date: Month/Yr. 5/15/01 End 10/31/01
 Show all water rights listing this well:
 Application number(s): Limited Licenses Water Augmentation To Klamath River
 Permit number(s): United States Government
 Certificate number(s): _____

Date of measurement: 11/15/01
 Description of measuring point (e.g. 1 1/4" port pipe on north side): Pump Base Port Hole ~~2 1/4"~~ 1 1/4"
 Static water level above / below (circle one) measuring point: 20.6" feet, or airline pressure _____ psi
 Measuring point distance above / below (circle one) land surface: 17" feet, or airline length _____ feet
 Static water level above / below (circle one) land surface: _____ feet
 Shut-in pressure (if flowing artesian well): 19.6" psi

Method of measurement: E-tape Airline _____ Other(specify): _____
 Water-level status when measured: Static _____ Pumping _____ Recovering _____ Flowing _____
 Length of time well was idle before measurement: _____
 Calculation / comments (show all work; use back or extra sheet if necessary):
Calibrated Resistance Conductor Wire

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer
 Person making measurement (print): Scott Balin
 Signature of measurer: _____
 Company: Balin Ranches
 License number (CWRE, RG, PE, WWC, Pump Installer): _____
 Daytime phone number: 541-891-7909 Email address: _____

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503- 378-8455 ext. 289, or toll free (within Oregon only) at 1-800-624-3199. Return this Form to 158 12th St. NE, Salem, OR 97310-4172.

**Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

RF: Required Water Level Report for a Well on Permit G 12463 Certificate 0 Pod 1 Application G 13184
 Listed on water right as: A WELL Well log ID (if any, in our records): KLAM 10748 Priority date: 1/7/1994
 Location: In the NE quarter of the SW quarter of Section 12, Township 41S, Range 13E
 2280 FEET NORTH & 2390 FEET EAST FROM SW CORNER, SECTION 12

**SCOTT BALIN
 BALIN RANCH
 13600 HOMEDALE RD
 KLAMATH FALLS OR 97603**

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT

(Complete one form for each well)

Well Identification (provide as much of the following information as possible):

Original owner of well (owner name on well log): Balin Ranch
 Owner's well name or number (if any): _____
 Well ID (number on tag attached to casing, if present): _____
 Well log startcard number (if listed on well log): _____
 Well depth: _____ Casing diameter: _____
 Date drilled: _____ Driller: _____

When did water use begin under this permit from this well? Date: Month/Yr. 5/15/01 To 10/31/01

Show all water rights listing this well:

Application number(s): various licenses, Water Augmentation To Klamath Riv
 Permit number(s): FOR United States Government
 Certificate number(s): _____

Date of measurement: 11/15/01

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1 1/4" Port Hole on

Pump Base

Static water level above / below (circle one) measuring point: 18.4 1/2 feet, or airline pressure _____ psi

Measuring point distance above / below (circle one) land surface: 12 1/2 feet, or airline length _____ feet

Static water level above / below (circle one) land surface: 17.4 1/2 feet

Shut-in pressure (if flowing artesian well): _____ psi

Method of measurement: E-tape Airline _____ Other(specify): _____

Water-level status when measured: Static _____ Pumping _____ Recovering _____ Flowing _____

Length of time well was idle before measurement: _____

Calculation / comments (show all work; use back or extra sheet if necessary):

Calibrated on Pt. Resistance Conductor Wire

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Scott Balin

Signature of measurer: _____

Company: Balin Ranch

License number (CWRF, RG, PE, WWC, Pump Installer): _____

Daytime phone number: 541-591-7909 Email address: _____

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503-378-8455 ext. 219, or toll free (within Oregon only) at 1-800-624-3199. Return this Form to 158 12th St. NE, Salem, OR 97310-4172.

Bonanza Project									
Bonanza ADR Ground Water Permit Water Level Data									
Owner Submitted and Other Data									
Application Number =	G-12972		1 well	KLAN 10642					
Permit Number =	G-12458		G-12236						
Well Owner =	Balin Ranch S. Langell Valley								
Owner Well ID	OWRD KLAM	Date	Time	Feet	Inches	Measurement (feet)	Measured By	Flow Meter	Comment
	10642	23-Oct-1992				15.00	D. Storey	no reading	well log
	10642	05-Aug-1993		9.00	10.00	9.83	unknown	no reading	owner reported
	10642	15-Dec-1993		9.00	10.00	9.83	unknown	no reading	owner reported
	10642	13-Apr-1996		9.00	10.00	9.83	Balin Ranch	no reading	owner measurement
	10642	15-Oct-1996		10.00	0.00	10.00	unknown	no reading	owner reported
	10642	15-Aug-1997		9.00	10.00	9.83	unknown	no reading	owner reported
	10642	20-Aug-1998	11:05:00			7.17	Grondin	no reading	OWRD measurement (blsd)
	10642	15-Dec-1998		9.00	10.00	9.83	unknown	no reading	owner reported
	10642	15-Mar-1999	09:20:00			5.54	Norton	no reading	OWRD measurement (blsd)
	10642	26-Oct-1999	12:50:00			8.67	Zwart	no reading	OWRD measurement (blsd)
	10642	01-Mar-2000			84.00	7.00	S. Balin	no reading	owner measurement
	10642	09-Mar-2000			96.00	8.00	S. Balin	no reading	owner measurement
	10642	01-Apr-2000		9.00	1.00	9.08	Balin Ranch	no reading	owner measurement
	10642	15-Aug-2000		9.00	10.00	9.83	unknown	no reading	owner reported
	10642	15-Oct-2000		9.00	10.00	9.83	Balin Ranch	no reading	owner measurement
	10642	04-Mar-2001				8.00	S. Balin	no reading	owner measurement
	10642	04-Mar-2001		9.00	0.00	9.00	unknown	no reading	owner reported
	10642	14-Apr-2001	14:00:00	9.00	10.00	9.83	unknown	0.00	owner reported, start pumping 1,400 gpm
	10642	16-Apr-2001	12:30:00				unknown	4,000.00	owner reported, pumping 1,350 gpm
	10642	18-Apr-2001	15:45:00				unknown	7,551.00	owner reported, pumping 1,350 gpm
	10642	19-Apr-2001	17:30:00	124.00	6.00	124.50	Gates	9,667.00	owner reported, pumping 1,350 gpm
	10642	22-Apr-2001	14:30:00	124.00	6.00	124.50	unknown	15,260.00	owner reported, pumping 1,350 gpm

JAN-09-02 01:57 PM

Non Beneficial
Limited Lic.
Pumping Only
Under Emergency
Permit

Oct 31-2001 → Finish Pumping BOR
Nov. 15 01 20.6" static Limited Lic



Oregon

Theodore R. Kulongoski, Governor
November 22, 2004

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

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

REFERENCE: Water Right Application #G-13184 (Permit #G-12463)

Dear Permit Holder:

As you may know, your Permit #G-12463 contains the following special Alternative Dispute Resolution (ADR) conditions for the Department to determine whether the permit may expire, be extended or be certificated.

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

- A. River stage or Bonanza Big Springs flows are not significantly diminished by use of water under this permit as determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review;
- B. Within two years of permit issuance for primary use, the permittee/appropriator has submitted a plan to the Department indicating potential economic sources for an alternative long-term water supply;
- C. Periodic water level reports have been submitted; and
- D. Excessively declining ground water levels have not occurred due to well use and determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review.

The Department recently completed the eastern Lost River sub-basin ground water investigation and report directed to address permit conditions A and D. The report executive summary was mailed to you a few weeks ago.

The ground water investigation results allow the Department to make a positive finding that using ground water under Permit #G-12463 will not significantly diminish river stage or Bonanza Big Springs flows. Additionally, the Department finds no excessively declining ground water levels. These findings mean the Department may issue a certificate.

Oregon Water Resources Department records indicate that an application for extension of time for Permit #G-12463 has been submitted. At this time, it is important for you to determine whether you truly need an extension of time or if you are in a position now to submit the materials necessary for certification of the permit. The materials are a claim of beneficial use report and survey map.

November 22, 2004
BALIN RANCHES

It is recommended that you review your permit and consider your diligence in developing your permit (including compliance with all permit conditions) as you decide whether you need or want to proceed with an extension of time for this permit. You do not need an extension of time if:

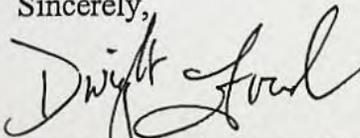
1. You completed development within the terms and conditions of your permit by October 1, 2000; and
2. Any permit conditions requiring completion before water use began (such as installation of a meter) were satisfied. In that regard, you will need to demonstrate:
 - a. Each condition was satisfied prior to the development deadline specified in the permit, being October 1, 2000;
 - b. Beneficial water use was made after the condition(s) were satisfied; and
 - c. You were finished developing the water use under the permit by October 1, 2000.

If you decide to withdraw your extension of time application and request a refund of fees paid toward the extension, please complete the enclosed extension of time withdrawal request form and mail it to the Department in the enclosed stamped envelope by **December 22, 2004**.

If you seek a certificate, and an extension of time is truly not needed, and you decide to withdraw your extension application, please begin the process of certifying your permit by submitting a claim of beneficial use report and survey map (COBU) prepared by a certified water rights examiner pursuant to ORS 537.630(3) by October 1, 2005. A list of certified water rights examiners is included for your reference. After October 1, 2005, the Department will consider your COBU late.

If you have any questions regarding the extension of time application or the process to certify your permit, please contact Lisa Juul at (503) 986-0808. If you have any other questions, please feel free to contact me at (503) 986-0819.

Sincerely,



Dwight French, Water Rights Section Manager
Water Rights and Adjudication Division

enclosures: Extension of Time Withdrawal Request
 Self-Addressed Stamped Envelope
 Certified Water Rights Examiner List

cc: Appl #G-13184 (Permit #G-12463)
 Watermaster District #17



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

PLEASE NOTE OUR NEW ADDRESS AS SHOWN ABOVE

November 25, 2003

SCOTT BALIN
BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

Application G-13184, Permit G12463

Dear Permit Holder,

You are receiving this letter because Oregon Water Resources Department records indicate that you are the holder of a water right permit that contains several special conditions. The special conditions are included with this letter, along with contact information that I hope will be useful to you. This letter is intended to provide you with an update on the status of your permit with regard to its special conditions.

The status of your permit with regard to its special conditions is as follows:

You have filed an extension of time for your permit because the study was not completed within the development deadline (October 1, 2000) noted in your permit. Your extension application is awaiting action by the Department. After the report is final, the Department will take action on your extension request by issuing a proposed final order. Issuance of the proposed final order will be followed by a 45-day protest period.

In 1996, the Department began a study of the ground water resources of your area to aid the Director in determining whether your permit should receive a certificate or be canceled. The study is nearing completion. As required by the conditions of the study, a peer review is underway. After the peer review comments are received and considered, the Department intends to finalize the study with a report by January, 2004.

If you have questions regarding the ground water study, please contact Jerry Grondin. For questions regarding your extension of time, please contact Lisa Juul. Please feel free to contact me with any other questions you may have.

Sincerely,

Dwight French
Water Rights Section Manager

cc: Application Number G13184
Del Sparks, Watermaster District 17



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

SPECIAL PERMIT CONDITIONS:

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

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

CONTACT LIST FOR BONANZA AREA PERMIT HOLDERS:

<u>contact and e-mail</u>	<u>phone</u>	<u>fax</u>
Jerry Grondin Gerald.H.Grondin@wrd.state.or.us	503-986-0848	503-986-0902
Lisa Juul Lisa.J.Juul@wrd.state.or.us	503-986-0808	503-986-0901
Dwight French Dwight.W.French@wrd.state.or.us	503-986-0847	503-986-0901

November 25, 2003

File # G-13184

Balin Ranches
13600 Homedale Rd.
Klamath Falls, OR 97603

November 4, 2001

RECEIVED

NOV 15 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Paul Cleary, Director
Oregon Water Resources Department
158 12th Street NE
Salem, OR 97310

Dear Mr. Cleary:

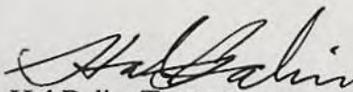
I am writing in regard's of the requirment for sending \$200 extension fees for well permits #G-12972 and #G-13184 for our ranch wells in Langell Valley. These funds were sent to the OWR Department on October 18th of this year.

As we all know the ability to use the wells has been in question for several years. It has been our opinion that spending any more development money would be unwise until in fact we knew we would be able to use the wells in the future. It now appears we can proceed with this development. If this is the case, we will need the extension time to complete our development project.

The requirment of more fees for this extension does not seem appropriate as most of our original development time was used by the state in studying feasibility of using the wells and the associated aquifer. In this regard it is our hope that you will reconsider the fee requirement and possible refund our \$200 payment.

Our one permit, application #G-12972, has been completed for some time and will supply water to its supplemental water acreage.

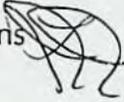
Thank you for your consideration in this matter.



Hal Balin, Trustee
Balin Ranches

File #G-13184

MEMORANDUM

Date: January 14, 2002
To: Jerry Grondin, Ground Water Hydrology Section
From: Lisa Juul, Permit Extensions 
Subject: SWL Measurement Data
CC: Application #G-13184 / Permit #G-12463

The attached pump static water level measurement data was submitted as part of a response to the certified letter I recently sent out concerning ground water permit extensions in the Bonanza GW study area.

The attached information provides SWL data that was not represented on the Ground Water Level Data Report you provided me in mid-November 2001. The permit holder provided this information.

Thank you.

**Oregon Water Resources Department
PERMIT CONDITION WATER-LEVEL REPORTING FORM**

RF: Required Water Level Report for a Well on Permit G 12463 Certificate 0 Pod 1 Application G 13184

Listed on water right as: A WELL Well log ID (if any, in our records): KLAM 10748 Priority date: 1/7/1994
 Location: In the NE quarter of the SW quarter of Section 12, Township 41S, Range 13E
 2280 FEET NORTH & 2390 FEET EAST FROM SW CORNER, SECTION 12

**SCOTT BALIN
BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS OR 97603**

Our records indicate that you are the holder of a groundwater permit that requires that you periodically measure and report static water levels in your well(s). If you are no longer the holder of this permit or no longer have an interest in it, please contact our department. Consult your permit to determine the required times for measuring and reporting, as well as any requirements regarding who may make the measurements. We recommend that you keep a copy of all measurement reports for your records. All measurements should be made to at least the nearest tenth of a foot or the nearest inch (e.g. 10.2 feet or 10 feet 3 inches).

MEASUREMENT REPORT

(Complete one form for each well)

Well Identification (provide as much of the following information as possible):

Original owner of well (owner name on well log): Balin Ranch
 Owner's well name or number (if any): _____
 Well ID (number on tag attached to casing, if present): _____
 Well log startcard number (if listed on well log): _____
 Well depth: _____ Casing diameter: _____
 Date drilled: _____ Driller: _____

When did water use begin under this permit from this well? Date: Month/Yr. 5/15/01 To 10/31/01

Show all water rights listing this well:

Application number(s): Wanted License Water Augmentation To Klamath Rvr
 Permit number(s): For United States Government
 Certificate number(s): _____

Date of measurement: 11/15/01

Description of measuring point (e.g. 1 1/4" port pipe on north side): 1 1/4" Port Hole on

Pump Base

Static water level above / below (circle one) measuring point: 18.4 1/2 feet, or airline pressure _____ psi

Measuring point distance above / below (circle one) land surface: 12.5 feet, or airline length _____ feet

Static water level above / below (circle one) land surface: 17.4 1/2 feet

Shut-in pressure (if flowing artesian well): _____ psi

Method of measurement: E-tape Airline _____ Other(specify): _____

Water-level status when measured: Static _____ Pumping _____ Recovering _____ Flowing _____

Length of time well was idle before measurement: _____

Calculation / comments (show all work; use back or extra sheet if necessary):

Calibrated on Pt. Resistance Conductor Wire

I hereby certify that, to the best of my ability, the information on this report is accurate and, at the time of measurement, representative of the static water level in the aquifer.

Person making measurement (print): Scott Balin

Signature of measurer: _____

Company: Balin Ranch

License number (CWRP, RG, PE, WWC, Pump Installer): _____

Daytime phone number: 541-891-7909 Email address: _____

If you have any questions about this notice, please call the Ground Water/Hydrology Section of the Department at 503-378-8455 ext. 219, or toll free (within Oregon only) at 1-800-624-3199. Return this Form to 158 12th St. NE, Salem, OR 97310-4172.

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-13184

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

Lisa J

2. Article Number (Copy from service label)

*6424 2858***COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

NANCY BALIN

B. Date of Delivery

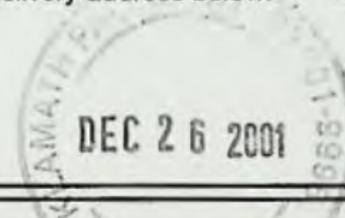
C. Signature

Nancy Balin Agent Addressee

D. Is delivery address different from item 1?

 Yes

If YES, enter delivery address below:

 No

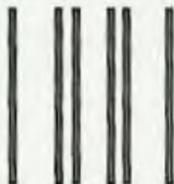
3. Service Type

 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 •

OREGON WATER RESOURCES
158 12th ST NE
SALEM OR 97301-4172

RECEIVED
DEC 27 2001
WATER RESOURCES DEPT.
SALEM, OREGON



Oregon

John A. Kitzhaber, M.D., Governor

CERTIFIED LETTER
Return Receipt Requested

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

December 17, 2001

Balin Ranches
Attn: Scott Balin
13600 Homedale Road
Klamath Falls, Oregon 97603

Reference: File #G-13184 (Permit #G-12463)

Dear Ground Water Permit Holder:

The Department is currently reviewing your permit extension request. As part of this review, the Department must determine whether or not you have complied with condition(s) contained in your permit. Please review the permit conditions listed below and explain how you have complied with the condition(s) and/or provide any data or evidence that may substantiate compliance with the condition(s).

Condition #1:

Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.

- ▶ Please indicate the date when beneficial use of water under this permit began.
- ▶ Has a water meter been installed on the well authorized under this permit. If yes, please indicate the date it was installed.

Condition #2:

Once water use begins, the permittee shall obtain a static water level measurement for each well during March and October of each year and report the measurements to the Department. The water user shall report the static water level(s) in the well(s) by April 15 and November 15, respectively, of each year.

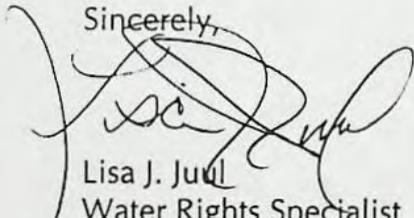
- ▶ Enclosed for your review, please find the Department's report showing all static water level measurement data received by the Department for this permit. If you notice any missing or incorrect data on this report, please submit the information to the Department as soon as possible. We will then enter the data into the Department's ground water level tracking database.

Please submit this information by **Wednesday, January 16, 2002**. Failure to submit the requested information by this deadline **may** result in the proposed rejection of your extension request.

If you need to request additional time to submit the information requested above, a written request must be received in the Salem office of the Department by the deadline above. The Department will evaluate timely requests and determine whether or not the request may be granted.

If you have questions about the extension of time, you may contact me at (503) 378-8455, extension 272. If you have questions concerning the Bonanza ground water study area, please contact Jerry Grondin at the same telephone number, extension 214.

Sincerely,



Lisa J. Juul
Water Rights Specialist
Water Rights Section

enclosure: Static Water Level Data Report

cc: File #G-13184 (Permit #G-12463)
Del Sparks, Watermaster Dist #17

Bonanza Project									
Bonanza ADR Ground Water Permit Water Level Data									
Owner Submitted and Other Data									
Application Number =	G-13184			1 well	KLAM 10748				
Permit Number =	G-12463	G-12241							
Well Owner =	Balin Ranch								
	S. Langell Valley								
Owner	OWRD	Date	Time	Feet	Inches	Measurement	Measured By	Flow Meter	Comment
Well ID	KLAM					(feet)			
	10748	05-May-1993				14.00	D. Storey	no reading	well log
west	10748	05-Aug-1993		16.00	0.00	16.00	unknown	no reading	owner reported
west	10748	15-Nov-1993		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Nov-1994		16.00	0.00	16.00	unknown	no reading	owner reported
west	10748	13-Apr-1996		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Jan-1997		15.00	10.00	15.83	unknown	no reading	owner reported
west	10748	15-Dec-1997		14.00	10.00	14.83	unknown	no reading	owner reported
	10748	20-Aug-1998	14:55:00			11.94	Grondin	no reading	OWRD measurement (blsd)
	10748	08-Dec-1998	12:58:00			11.00	Gates	no reading	OWRD measurement (blsd)
west	10748	15-Jan-1999		14.00	10.00	14.83	unknown	no reading	owner reported
	10748	15-Mar-1999	12:07:00			10.08	Norton	no reading	OWRD measurement (blsd)
	10748	26-Oct-1999	13:30:00			12.65	Zwart	no reading	OWRD measurement (blsd)
west	10748	15-Jan-2000		15.00	10.00	15.83	unknown	no reading	owner reported
	10748	01-Mar-2000			135.00	11.25	S. Balin	no reading	owner measurement
	10748	09-Mar-2000			147.00	12.25	S. Balin	no reading	owner measurement
west	10748	01-Apr-2000		14.00	0.00	14.00	unknown	no reading	unknown source
west	10748	15-Oct-2000		15.00	10.00	15.83	unknown	no reading	unknown source
	10748	04-Mar-2001		12.00	6.00	12.50	S. Balin	no reading	owner measurement
west	10748	13-Apr-2001	15:14:00	13.00	7.00	13.58		0.00	owner reported, start meter
west	10748	14-Apr-2001	14:00:00					no reading	owner reported, pumping 3,800 gpm
west	10748	16-Apr-2001	12:00:00					16,895.00	owner reported, pumping 3,700 gpm
west	10748	18-Apr-2001	15:30:00					26,466.00	owner reported, pumping 3,700 gpm
west	10748	19-Apr-2001	16:45:00	106.00	5.00	106.42	Gates	32,137.00	owner reported, pumping 3,700 gpm
west	10748	22-Apr-2001	13:25:00	106.00	5.00	106.42		47,274.00	owner reported, pumping 3,700 gpm



Oregon

June 22, 2001. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

BALIN RANCH
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

RE: Application G-13184, Permit G12463

Dear Ground Water Permit Holder:

On July 31, 1996, the Oregon Water Resources Department (Department) issued approximately 40 ground water permits for irrigation in the greater Bonanza area. Included is a copy of your permit for your review.

The permit provides that it may expire, be extended, or be certificated five years from the date of issuance. Five years from the date of issuance is July 31, 2001. The permit also provides that before a water right certificate may be issued, the Director of the Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, must find that river stage or Bonanza Big Springs flows are not significantly diminished by use of water under the permit. The Director's decision must be based on quantifiable ground water and hydrologic science that stands up to peer review.

As you may know, the Department is conducting a study of the ground water resources of the Bonanza area. The Department will use the study results to help determine the final disposition of the permits, such as yours, that include the above condition. The study is not yet complete, and no certificates may be issued before the study is complete.

If you are interested in maintaining your permit, you will need to apply for an extension. The date for completing development under the permit passed on October 1, 2000. Filing for an extension will give you additional time to develop your permit, including additional time to comply with any permit conditions that you have not satisfied. I recommend that you request an extension until December 31, 2002. This will allow time for the study to be completed, allow you an opportunity to complete development under the permit and allow you to use water under the permit at least through the 2002 irrigation season. I have included an extension form with instructions for your use.

Once the ground water study is complete and peer-reviewed, the Director will propose findings that will indicate whether you will be able to receive a certificate and continue to use water under your permit beyond December 31, 2002, assuming that you request and receive an extension through December 31, 2002. The findings most likely will put your permit into one of the following two categories:

4. If the finding is favorable to you, and if you have completed development under the terms and conditions of your permit, you will be required to hire a Certified Water Rights Examiner to help you prepare and submit a claim of beneficial use and final proof map.

June 22, 2001 - page two
BALIN RANCH

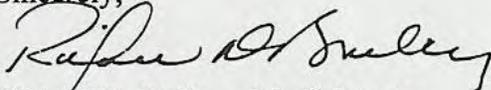
This information will need to arrive at the Water Resources Department in Salem no later than December 31, 2003, assuming that you request and receive an extension through December 31, 2002. Oregon law requires that the claim of beneficial use and map be received by the Department no later than one year after the completion deadline date, as that date may be extended.

5. If the finding is not favorable to you, the Department will take action to cancel your permit as provided under ORS 537.260. Notice of the Department's intent to cancel would be sent to you by certified mail.

I strongly urge you to read your permit carefully and make sure that you are complying with all permit conditions, and to apply for an extension if you are interested in maintaining your permit.

If you have questions, please contact Water Rights Section Manager Dwight French who will be available after July 2. His telephone number is 1-503-378-8455, extension 268. If you have questions regarding the ground water study in the Bonanza area, please contact Jerry Grondin at the same telephone number, extension 214. Thank you for your interest and assistance.

Sincerely,



Richard D. Bailey, Administrator
Water Rights/Adjudication Division

cc: Del Sparks, Watermaster, Oregon Water Resources Department
Bob Main, South Central Region Manager, Oregon Water Resources Department
Dwight French and Jerry Grondin, Oregon Water Resources Department
Rick Kepler and Roger Smith, Oregon Department of Fish and Wildlife
Jerry Townsend, Jim Bryant, Karl Wirkus and Eric Glover, Bureau of Reclamation
Karen Russell, WaterWatch of Oregon

enclosures: extension form and instructions
copy of your permit

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BALIN RANCHES
13600 HOMEDALE ROAD
KLAMATH FALLS, OREGON

97603

541-882-9797

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

APPLICATION FILE NUMBER: G-13184

SOURCE OF WATER: A WELL IN THE LOST RIVER BASIN

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION OF 572.9 ACRES

RATE OF USE: 7.161 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: APRIL 15 THROUGH OCTOBER 15

DATE OF PRIORITY: NOVEMBER 13, 1992 FOR 4.46 CFS, AND JANUARY 7, 1994 FOR 2.701 CFS

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4 SECTION 12, T41S, R13E, W.M.; 2280 FEET NORTH AND 2390 FEET EAST OF THE SW CORNER OF SECTION 12, TOWNSHIP 41 SOUTH, RANGE 13 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

<u>LOCATION</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 SW 1/4	37.8 ACRES	
NE 1/4 SE 1/4	16.4 ACRES	
NW 1/4 SE 1/4	19.1 ACRES	
SW 1/4 SE 1/4	40.0 ACRES	
SE 1/4 SE 1/4	34.3 ACRES	
Section 1		
NE 1/4 NE 1/4	34.2 ACRES	
NW 1/4 NE 1/4	40.0 ACRES	
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	34.2 ACRES	
NE 1/4 NW 1/4	24.0 ACRES	9.8 ACRES
SE 1/4 NW 1/4	4.5 ACRES	26.0 ACRES
NE 1/4 SW 1/4	1.7 ACRES	31.6 ACRES
SE 1/4 SW 1/4	6.3 ACRES	29.5 ACRES
NE 1/4 SE 1/4	34.2 ACRES	
NW 1/4 SE 1/4	39.6 ACRES	
SW 1/4 SE 1/4	37.8 ACRES	
SE 1/4 SE 1/4	31.9 ACRES	

Section 12

TOWNSHIP 41 SOUTH, RANGE 13 EAST W.M.

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

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

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

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually by April 15, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The

works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

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

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

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

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

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

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

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

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

This permit is issued to correctly describe the dates for measuring and reporting static water level, beginning and completion of construction, complete application of the water to the use allowed herein, and water use conditions relating to practical technologies or conservation practices. Permit G-12241 is superseded by this instrument and is of no further force or effect.

Issued July 31, 1996



for Water Resources Department
Martha O. Pagel
Director



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

September 13, 2001

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

RE: Application **G-13184**, Permit G-12463

Dear Ground Water Permit Holder:

On June 22, 2001, the Department notified you that your ground water permit for irrigation in the greater Bonanza area was subject to expiration, extension, or certification by July 31, 2001.

If you have not yet completed an extension of time for your permit, I encourage you do so now. In order to maintain your permit, an extension of time to develop your permit, including additional time to comply with any permit conditions still requiring completion is recommended. You may request a completion date of up to December 31, 2002.

I realize that many of the questions on the extension form may be confusing to you. For this reason, I have enclosed a form that is partially filled out that may be of some assistance to you. This form is marked as Attachment A. This example form will be especially helpful to you if you have completed your development and are awaiting the results of the groundwater study. If you additional acres to develop under this permit, you will need to adjust your answers accordingly. A blank extension form with our normal set of instructions is also enclosed for your use.

If you have previously submitted your extension of time, please disregard this letter.

I strongly urge you to read your permit carefully and make sure that you are complying with all permit conditions. In order to maintain your permit, you *must* apply for an extension of time.

If you have any questions about the extension of time, you may contact Dwight French, Water Rights Division Manager at (503)378-8455, extension 268. If you have questions about the Bonanza ground water study area, please contact Jerry Grondin at the same telephone number, extension 214.

Sincerely,

Dwight French, Water Rights Section Manager
Water Rights/Adjudication Division

cc: Del Sparks, Watermaster District 17
Manager, South Central Region
Rick Kepler and Roger Smith, Oregon Department of Fish and Wildlife
Jerry Townsend, Jim Bryant, Karl Wirkus, Eric Glover; Bureau of Reclamation
Karen Russell, WaterWatch of Oregon

enclosures: extension form
Attachments A



RECEIVED

DEC 28 2000

WATER RESOURCES DEP. SALEM, OREGON

9 12972, 613184

USER-ID 27627

on Water Resources Department October 1999 through September 2000 Annual Water Use - Monthly Quantities Form

2000



12241

12463
12236
12458
11430
11570

Facility POD-ID	6-12236	6-12241	Artesian	36594 ic	36962 ic
October - 1999	0	0	0	0	0
November - 1999	0	0	0		
December - 1999	0	0	0		
January - 2000	0	0	0		
February - 2000	0	0	0		
March - 2000	0	0	0		
April - 2000	0 9'11"	11'0" 0	0		
May - 2000	0	0	0		
June - 2000	0	0	0		
July - 2000	0	0	0		
August - 2000	0	0	0		
September - 2000	0 9'10"	15'10" 0	0		
TOTAL *	Dec 2000 9'11" 0	12'9" 0	08'11" Head		

* Describe the units of measure as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe method of measuring the water used: NA. If use is irrigation, total number acres irrigated 0

I certify this information is true and accurate to the best of my knowledge.

[Signature] Signature Manager Title Balin Farm Trust Reporting Entity 12/1/00 Date

Scott Balin % Balin Farm Trust
Name - Please Print

Please complete and mail to: Water Resources Department; Water Use Reporting Program; 158 12th Street NE; Salem, OR 97310-0210

August 7, 1997

WATER
RESOURCES
DEPARTMENT

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS OR 97603

RE: File *G13184* Permit *G12463*

Dear Permittee:

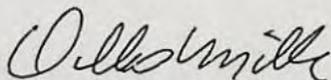
The groundwater permit issued to you on July 31, 1996 contains a condition that complete application of water should be made by October 1, 2000. Under normal circumstances you would be required to submit a Claim of Beneficial Use and Final Proof Report within one year of complete application of water.

As you are aware, five years after permit issuance the permit may expire or be extended. A water right certificate will be issued if the Director finds that the conditions and criteria in your permit have been met.

This letter is to inform you that it will *not* be necessary to submit a Claim of Beneficial Use and Final Proof Report until the Department determines that the permit can be extended or that a certificate of water right can be issued. The Department will notify you if and when it is necessary to submit the Claim of Beneficial Use and Final Proof Report.

If you have questions please contact me at the address below or phone (503)378-3739 ext. 272.

Sincerely,



Dallas Miller
Natural Resource Specialist 2

cc: Del Sparks, Watermaster



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

MAP TO ACCOMPANY GROUND WATER APPLICATION

SITUATED IN THE SE 1/4 SW 1/4 AND SE 1/4 OF SECTION 1, AND THE E 1/2 W 1/2 AND E 1/2 OF SECTION 12, ALL IN T41S, R13EWM, KLAMATH COUNTY, OREGON

NOVEMBER 1993

RECEIVED

MAP PREPARED FOR:

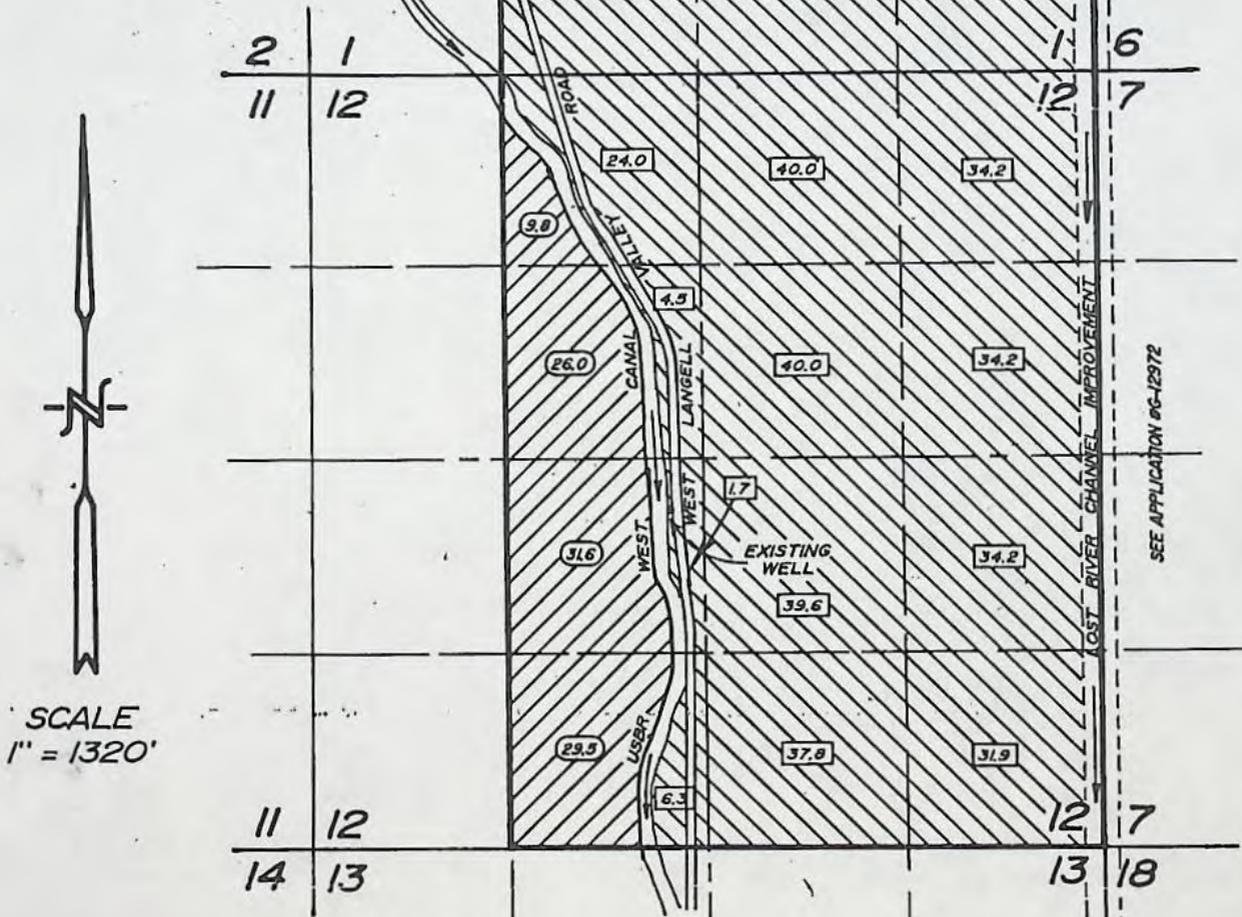
-- BALIN RANCH --

MAP PREPARED FROM:

MAP OF LANGELL VALLEY IRRIGATION DISTRICT

-- ASSESSORS MAP --

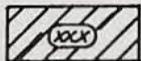
JAN - 7 1994
WATER RESOURCES DEPT.
SALEM, OREGON



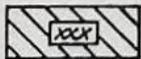
LOCATION OF EXISTING WELL BY OWNER

2280 FEET NORTH AND 2390 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 12

Application G 13184
permit G12241



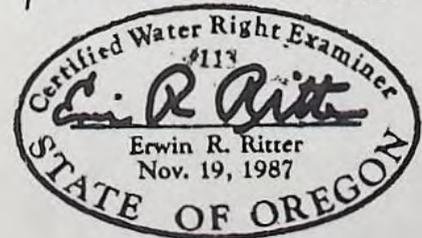
LANDS THIS APPLICATION SUPPLEMENTAL TO THE LANGELL VALLEY IRRIGATION DISTRICT 476.0 Ac.



PRIMARY LANDS THIS APPLICATION 96.9 Ac.

TOTAL AREA THIS APPLICATION

-- 572.9 Ac --



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

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

Water Watch

RIVERS NEED WATER

RECEIVED

AUG - 9 1996

WATER RESOURCES DEP
SALEM, OREGON

August 6, 1996

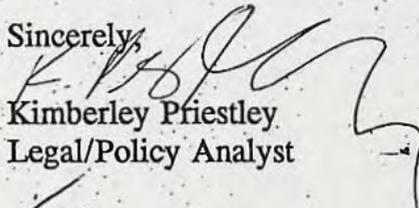
Steve Applegate
Water Rights Section
Water Resources Department
158 12th Street NE
Salem, OR 97310

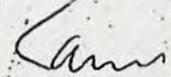
RE: Lost River Groundwater Permits, including (application numbers) G-12493, G-12494, G-13198, G-12777, G-12860, G-12808, G-13041, G-13013, G-12772, G-12735, G-12617, G-12768, G-12748, G-13101, G-12618, G-12567, G-12518, G-12644, G-12507, G-12979, G-13732, G-12766, G-13012, G-12935, G-12814, G-12897, G-12885, G-12876, G-12869, G-12874, G-12877, G-12972, G-12955, G-13019, G-13011, G-13106, **G-13184**, G-13214, G-13387, G-12811

Dear Steve:

As parties to the alternative dispute settlement proceedings and as protestants, WaterWatch is clearly an interested party to the proceedings relating to the "temporary permits" in the Lost River Basin. We intend to participate in the 5-year review of these temporary permits and to submit comments. ~~At this time we are requesting the timelines for the review process.~~ At the very least the Department should give parties to the proceedings 60 days notice prior to the intended date for the final decision. Moreover, the timelines should anticipate additional discussions on the information submitted to the Department. We also request copies of all information submitted to the Department regarding these applications.

Sincerely,


Kimberley Priestley
Legal/Policy Analyst


Karen Russell
Assistant Director

see attached response

August 15, 1996

Kimberly Priestly and Karen Russell
WaterWatch
213 SW Ash, Suite 208
Portland OR 97204

RE: Lost River Groundwater Permits

Dear Kimberly and Karen,

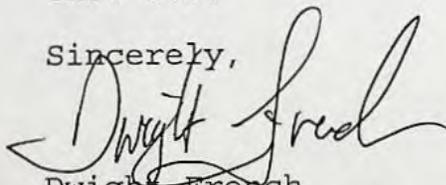
This is in response to your letter of August 6, 1996.

The Department's Groundwater Section is conducting a groundwater investigation in the Bonanza area. The primary focus of the investigation is to determine the effects of groundwater use on Lost River and senior surface water rights. This will include the affect upon Big Spring flows at Bonanza. Please contact Jerry Grondin directly at extension 214 if you would like further information regarding the timelines of the investigation.

You may submit comments to the files at any time relating to the review process. However, the decision of whether to extend the permits, issue certificates or allow the permits to expire will be determined by the Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife.

If you have any questions, please feel free to give me a call. I can be reached toll free from within Oregon at 1 (800) 624-3199 ext. 268.

Sincerely,



Dwight French
Water Rights Section Manager

cc: files on August 6, 1996 letter
Jerry Grondin (with letter of August 6, 1996)
Bill Kennedy (with letter of August 6, 1996)
Glen Barrett (with letter of August 6, 1996)



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

July 31, 1996

Karen Russell
WaterWatch of Oregon
213 SW Ash St., Suite 208
Portland, OR 97204

WATER
RESOURCES
DEPARTMENT

RE: Lost River Basin Groundwater Permits

Dear Karen:

This is to confirm our July 22, 1996, conversation on the above subject, and to respond to Kimberley's letter of April 26, 1996.

As we discussed, the Department made some errors when the permits were issued. Pursuant to a request from the applicants, the permits are being reissued to be consistent with the agreement between the applicants, Oregon Department of Fish and Wildlife and the Bureau of Reclamation.

Your letter lists five concerns:

Period of use- The period of use described in the new permits will be April 15 through October 15, consistent with the agreement.

Supplemental versus primary irrigation- This condition was not a part of the agreement and is being removed from the permits.

Habitat impacts- This issue is not specifically referred to in the agreement, and thus is not in reissued permits. The permits do contain a condition limiting the use to five years if significant impacts to the flows of Lost River or the Bonanza springs are identified.

Notice & Opportunity for Comment- The department must "consult" with BOR and ODFW at the end of the 5-year use period, and comments from others would also certainly be considered as part of that process. It will be incumbent on you to submit your comments as that time approaches. Public notice of the 5-year review is not contemplated at this time.



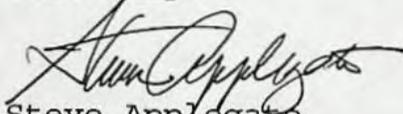
Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Hydrologic Connection- We believe that the final order does reflect the fact that some degree of connection exists between the wells and the Lost River. The entire agreement reflects the understanding, however, that the degree of connection and thus the potential impact to surface water is unknown. This will be further determined during the ensuing 5-year period through monitoring and data collection.

You asked whether the permit language might preclude a permittee from being granted an extension of time at the end of the 5-year period. We think not. At the end of 5 years, consultation will occur to determine whether the permits will expire, or whether the use will be allowed to continue. If the decision is the latter, and a permit holder has not completed all of the use contemplated in the permit by then, I believe they could request a time extension rather than a certificate.

As we also discussed, we will send copies of the superseding permits to you once they are completed. Please contact me or Dwight French if you have further questions on this issue.

Sincerely,



Steve Applegate
Acting Administrator, Water Rights Division

cc: Martha Pagel
Dwight French
Glen Barrett
Bill Kennedy
Bureau of Reclamation, Klamath Project
Roger Smith, ODFW

SPA:dpc.368

G	12768	- Filed 2/3/1992 -	Els0 and Arie DeJong	a
G	12493	4/22/91	CIRCLE FIVE RANCH INC.	a
G	12494	4/22/91	CIRCLE FIVE RANCH INC.	a
G	12507	4/26/91	BABSON (see G-12869)	a
G	12617	7/22/91	UECKER	a
G	12618	7/22/91	HASKINS AND CO. INC.	a
G	12644	8/23/91	LOST RIVER RANCH	b
G	12732	12/12/91	WIERSMA	a
G	12735	12/19/91	TEAGUE	a
G	12746	12/31/91	HORSLEY	a
G	12766	1/24/92	HILL	a
G	12769	4/7/95	RITTER	c
G	12772	2/05/92	GIBSON	a
G	12814	3/09/92	MANNING	a
G	12860	4/03/92	WEYERHAEUSER CO.	b
G	12869	4/10/92	BABSON	a
G	12874	4/14/92	MASTEN	a
G	12876	4/15/92	MASTEN	a
G	12877	4/15/92	MASTEN	a
G	12885	4/20/92	WILLIAMS*	a
G	12897	4/30/92	GORDEN	a
G	12955	6/05/92	BENNETT	a
G	12972	6/05/92	BALIN RANCH	a
G	12994	6/19/92	CHEYNE**	a
G	13011	6/29/92	HAMMERICH	a
G	13019	7/06/92	WELLS	b
G	13096	8/27/92	STASTNY JR	b
G	13101	8/31/92	BARRETT LIVESTOCK	b
G	13106	9/08/92	GROHS RANCH	a
G	13184	11/13/92	BALIN RANCHES	a
G	13198	11/25/92	GALLUP	a
G	13387	5/03/93	DEJONG	a

*Bonanza
Appls.*

*Assigned to Biaggi, no notice of the protest was given to the applicant.

** Application withdrawn by letter

Lost River Ranch LLC

#363

25400 North Poe Valley Road
Klamath Falls, Oregon 97603
(503) 884-7963

RECEIVED

MAR 18 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Martha O. Pagel
Water Resource Department
Commerce Building
158 12th Street N.E.
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

March 15, 1996

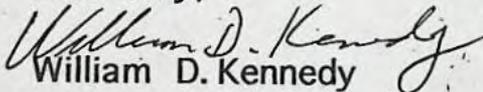
Dear Martha

I am responding to some concerns of several groundwater applicants that have taken part in the Bonanza ADR process and have received their final orders on their applications.

After your conversation this morning with Glenn Barrett we have reviewed our final orders and find similar concerns.

Please accept these comments on behalf of myself and in the interest of the other groundwater applicants in the Bonanza area.

Sincerely,


William D. Kennedy

cc

Steve Applegate
Dwight French

Lost River Ranch LLC

25400 North Poe Valley Road
Klamath Falls, Oregon 97603
(503) 884-7963

RECEIVED

MAR 18 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Martha O. Pagel
Water Resource Department
Commerce Building
158 12th Street N.E.
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

March 15, 1996

Dear Martha

In reviewing the final orders for G-12644 I find several variances from the ADR conditions agreed upon.

1. Period of allowed use in ADR conditions is April 15 through October 15. This was to mitigate concerns from BOR and ODFW relative to potential benefit to listed fish.
2. Duty of water is not consistent throughout permits. Is it 2.5 af or 3.0 af?
3. Dates for static water level measurement is not consistent. ADR dates are March and October, with reports due April 15 and November 15.
4. ADR condition # 13. does not include language regarding new regulations and best practical technologies.
5. I am not clear on the language of Findings of Fact and Conclusions of Law, number three. Please explain issue of total quantity diverted.....

It is imperative that these issues be resolved so that the permit conditions are consistent with the conditions agreed to, and signed by the participants in the ADR process.

Sincerely,


William D. Kennedy via Fax

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13184

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: T41S/R13E-12

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Michael Zwart

Water Right Conditions
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-13184

ROUTED TO: Tom Shook

TOWNSHIP/

RANGE-SECTION: T41S R13E Sec 12

APPLICATION ACCEPTED? yes no

CONDITIONS ATTACHED? yes no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: K. Gorman

TO: Water Rights Section 6-17, 1993
FROM: Groundwater/Hydrology Section K. Gorman
SUBJECT: Application G- 13184
Reviewer's Name

1. PER THE _____ Basin rules, one or more of the proposed POA's is/is not within _____ feet/mile of a surface water source (_____) and taps a groundwater source hydraulically connected to the surface water.

2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. will, or _____ have the potential for substantial interference with the nearest surface water
 - b. will not _____ source, namely Last River; or
 - c. _____ will, if properly conditioned, adequately protect the surface water from interference:
 - i. _____ The permit should contain condition #(s) _____;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below; or
 - d. _____ will, with well reconstruction, adequately protect the surface water from substantial interference.

3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. _____ will, or _____ likely be available in the amounts requested without injury to prior rights and/or
 - b. will not _____ within the capacity of the resource; or
 - c. _____ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 - i. _____ The permit should contain condition #(s) _____;
 - ii. _____ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. _____ The permit should be conditioned as indicated in item 4 below.

4.
 - a. _____ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. _____ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. _____ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. _____ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. _____ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS: _____

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application 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) _____
6. THE WELL construction deficiency:
- a. ___ constitutes a health threat under Division 200 rules;
 - b. ___ commingles water from more than one groundwater reservoir;
 - c. ___ permits the loss of artesian head;
 - d. ___ permits the de-watering of one or more groundwater reservoirs;
 - e. ___ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL a. ___ was, or constructed according to the standards in effect at the time of
b. ___ was not original construction or most recent modification.
c. ___ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ___ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ___ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ___ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

(Signature)

_____, 1993.

(WRF0891)

COPY CHECK-OFF SHEET FOR TECHNICAL REVIEWS

CC: FILE # G13184

WATERWATCH

ODF&W

WATERMASTER # Del Sparks # 17

REGIONAL MANAGER - Bob Main

CWRE - none

OTHER ADDRESSES:

(See next sheet 4)

Ken Stahr

CASEWORKER

KC

ORIGINAL TO APPLICANT 7/29/93

TR's sent to the following 9/22/93 ~~8/11/93~~

KLAMATH COMPACT NOTICES NAMES AND ADDRESSES

Melinda Badgley
Water Adjudication Project
The Klamath Tribe
PO Box 957
Chiloquin, OR 97624

①

Den Finlayson
California Department of Water Resources
Northern District
PO Box 607 ~~2440~~ Main Street
Red Bluff, CA 96080

②

Klamath River Compact Commission
280 Main Street
Klamath Falls, OR 97601

③

Bureau of Reclamation
Regional Director
2800 Cottage Way
Sacramento, CA 95825

④

Water Resources Control Board
PO Box 100
Sacramento, CA 98501

AT THE TOP OF THE NOTICE IT SHOULD READ:

Notice Sent To: Water Adjudication Project, The Klamath Tribe
California Department of Water Resources
Klamath River Compact Commission
Bureau of Reclamation-Sacramento
Water Resources Control Board-Sacramento

AFTER TYPING THE NOTICE ON A PRE-PRINTED FORM, RETURN TYPED COPY TO EXAMINER FOR HIS APPROVAL & INITIALS IN BOTTOM RIGHT-HAND CORNER. IF NOTICE IS SENT TO MORE THAN ONE INDIVIDUAL SUCH AS THIS ONE IS, SEND A COPY OF IT TO EACH INDIVIDUAL & KEEP THE ORIGINAL IN THE FILE. IF NOTICE IS ONLY TO BE SENT TO ONE INDIVIDUAL THEN SEND THE ORIGINAL BUT KEEP A COPY OF IT IN THE FILE. ON NOTICE TO BE SENT OUT, HIGHLIGHT THE NAME IN THE COLUMN OF NAMES THAT THE NOTICE IS SENT TO.

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

KLAM
10748

RECEIVED

JUN 17 1993

4/5/13E/12bd

WATER RESOURCES DEPARTMENT CARD # **39927**

(1) OWNER: Well Number **#2**
Name **BALIN RANCHES**
Address **13600 HOMEDALE RD**
City **KLAMATH FALLS** State **ORE** Zip **97601**

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

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

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

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well **580** ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From	To	Material	sacks or pounds
22	0	192	CONCRETE	200 SCS
12 1/4	192	580		

How was seal placed: Method A B C D E
 Other

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
16"	71	192	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Liner: _____

Final location of shoe(s) **580 FEET**

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type _____ Material _____

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

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1000		250	1 hr.

Temperature of Water **67°F** Depth Artesian Flow Found _____

Was a water analysis done? Yes No By whom _____

Did any strata contain water, not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____

Depth of strata: _____

SALEM, OREGON
(9) LOCATION OF WELL by legal description:
County **KLAMATH** Latitude _____ Longitude _____
Township **41S** N or S. Range **13E** E or W. WM. _____
Section **12** **SE** 1/4 **NW** 1/4 _____
Tax Lot _____ Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) **WEST LANSBELL VALLEY RD BONSVEN, OREGON**

(10) STATIC WATER LEVEL:
14 ft. below land surface. Date **5/5/93**
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
		INDETERMINATE	

(12) WELL LOG:
Ground elevation _____

Material	From	To	SWL
BROWN SANDY CLAY TOPSOIL	0	2	
BROWN SANDY CLAY & BOWLENS	2	4	
YELLOW CHALK	4	37	
DECOMPOSED BROWN LOAM & CHALK	37	40	
YELLOW CLAY	40	113	
GREEN CLAY WITH STABLE SAND	113	155	
GREEN CLAY	155	177	
HARD BLACK SANDSTONE	177	213	
GREY CLAY	213	352	
HARD BLACK BASALT	352	367	
BROWN BROWN BASALT	367	377	
HARD GREY BASALT	377	416	
BLACK BASALT	416	419	
BROWN BASALT	419	437	
HARD BROWN BLACK BASALT	437	452	
HARD GREY BASALT	452	480	
BLACK BASALT WITH GREY MATH	480	487	
BLACK BASALT	487	512	
HARD GREY BASALT	512	518	
BROWN BLACK BASALT	518	548	
HARD BROWN GREY BASALT	548	560	
BROWN BLACK BASALT	560	580	

Date started **4/12/93** Completed **5/5/93**

(unbonded) Water Well Constructor Certification:

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

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 well construction standards. This report is true to the best of my knowledge and belief.

WWC Number **601**
Signed **David M. [Signature]** Date **4/5/93**

SUPERSEDED

STATE OF OREGON
COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BALIN RANCHES
13600 HOMEDALE ROAD
KLAMATH FALLS, OREGON

Phone No. 541-882-9797

97603

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

APPLICATION FILE NUMBER: G-13184

SOURCE OF WATER: A WELL IN THE LOST RIVER BASIN

PURPOSE OR USE: Primary and supplemental irrigation of 572.9 acres.

Rate of use: 7.161 CUBIC FEET PER SECOND

Period of allowed use: MARCH 1 THROUGH SEPTEMBER 30 OF EACH YEAR.

DATE OF PRIORITY: NOVEMBER 13, 1992 FOR 4.46 CFS, AND JANUARY 7, 1994 FOR 2.701 CFS

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4 SECTION 12, T41S, R13E, W.M.; 2280 FEET NORTH AND 2390 FEET EAST OF THE SW CORNER OF SECTION 12, TOWNSHIP 41 SOUTH, RANGE 13 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

<u>LOCATION</u>	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 SW 1/4	37.8 ACRES	
NE 1/4 SE 1/4	16.4 ACRES	
NW 1/4 SE 1/4	19.1 ACRES	
SW 1/4 SE 1/4	40.0 ACRES	
SE 1/4 SE 1/4	34.3 ACRES	
	Section 1	

SEE NEXT PAGE

NE 1/4 NE 1/4	34.2 ACRES	
NW 1/4 NE 1/4	40.0 ACRES	
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	34.2 ACRES	
NE 1/4 NW 1/4	24.0 ACRES	9.8 ACRES
SE 1/4 NW 1/4	4.5 ACRES	26.0 ACRES
NE 1/4 SW 1/4	1.7 ACRES	31.6 ACRES
SE 1/4 SW 1/4	6.3 ACRES	29.5 ACRES
NE 1/4 SE 1/4	34.2 ACRES	
NW 1/4 SE 1/4	39.6 ACRES	
SW 1/4 SE 1/4	37.8 ACRES	
SE 1/4 SE 1/4	31.9 ACRES	

Section 12

TOWNSHIP 41 SOUTH, RANGE 13 EAST W.M.

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

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

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

SEE NEXT PAGE

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually by April 15, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

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

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

SEE NEXT PAGE

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

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

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

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

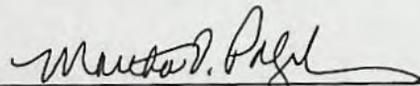
Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

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

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

Issued January 18, 1996



Water Resources Department
Martha O. Pagel
Director

STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department (Department)

Marion County

In the matter of)
Groundwater Application) FINAL
G-13184 submitted by) ORDER
BALIN RANCHES)

BACKGROUND

Application G-13184 in the name of BALIN RANCHES was received in the office of the Water Resources Director on NOVEMBER 13, 1992. The application proposes the use of 7.161 cubic feet per second of groundwater from the Klamath Basin for irrigation purposes. The Director now makes the following Findings of Fact, Conclusions of Law and Order with respect to said Application G-13184:

Water Use Request

BALIN RANCHES requested use of 7.161 cubic feet per second of groundwater from a well for primary irrigation of 96.9 acres and supplemental irrigation of 476.0 acres within the Klamath Basin.

The area of proposed use is in Klamath County within Sections 1 and 12, Township 41 South, Range 13 East, W.M.

The water delivery system is described by the applicant as an open ditch and pipe delivering water to flood irrigate the pasture.

Affected Waters

The proposed use of groundwater is not within or above a State Scenic Waterway.

There are no senior water rights from these points of appropriation.

Department Actions

The application was determined to be complete and not defective.

A technical review of the application was completed and a report of the results of that review was mailed to the applicant, and parties that had commented on the proposed use of water, on NOVEMBER 1, 1993.

The technical review determined:

The use is not prohibited by Statute;
Water for the proposed use is available in the amounts requested; and
The proposed use would not injure existing water rights, provided the conditions proposed by the report of technical review were included in any permit issued in approval of the application.

Objections to the Satisfactory Report of Technical review were submitted to the Department by the applicant, Oregon Department of Fish and Wildlife, U.S. Bureau of Reclamation and WaterWatch of Oregon.

The Department retained the services of Dr. Ron Hathaway and Dr. Ray William to facilitate alternative dispute resolution (ADR) discussions in an attempt to resolve the objections to the report of technical review.

The ADR discussions resulted in the Oregon Department of Fish and Wildlife and U.S. Bureau of Reclamation agreeing not to oppose the issuance of a permit in approval of the application if conditions were included in the permit to address their concerns as follows:

PERMIT CONDITIONS.

Water use under the permits shall be conditioned as follows:

1. Period of allowed use: MARCH 1 THROUGH SEPTEMBER 30 of each year.
2. Rate (cfs or gpm) and/or Volume (acre/feet or gallons) of use: 7.161 cubic feet per second.
3. The use of water is limited to primary and supplemental irrigation of 572.9 acres.
4. Water use development requirements:
 - A. Begin construction within one year from issuance of permit.
 - B. Complete construction by October 1, 1997.
 - C. Completely apply the water to beneficial use by October 1, 2000.

5. The use of water under this permit may expire or be extended five years from issuance of the permit. A water right certificate shall be issued at the end of the five year period if the Director finds:
 - A. River stage or Bonanza Big Spring flows are not significantly diminished by use of water under this permit as determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review;
 - B. Within two years of permit issuance for primary use, the permittee/appropriator has submitted a plan to the Department indicating potential economical sources for an alternative long-term water supply;
 - C. Periodic water level reports have been submitted; and
 - D. Excessively declining ground water levels have not occurred due to well use and determined by the Oregon Water Resource Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review.
6. The amount of water used for irrigation under this right, together with the amount used under any other right existing for the same land, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
7. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually by April 15, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
8. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
 9. A static water level measurement shall be made and submitted before any use of water may commence from the well.
 10. The permittee shall obtain a static water-level measurement for each well during March and September of each year and report the measurements to the Department. The measurement shall be made by a certified water rights examiner, registered geologist, licensed land surveyor or registered professional engineer, licensed water well constructors, licensed water well drillers or the permittee/appropriators. Water levels shall be reported as depth-to-water below ground level in feet and inches or to one-hundredth of a foot and shall be accompanied by supporting calculations. The water user shall report the static water level(s) in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 and October 15, respectively, of each year.
 11. If substantial interference with a senior surface or ground water right occurs due to withdrawal of water from the well(s) listed on this permit, then use of water from such well(s) shall be discontinued or reduced or the schedule of withdrawal shall be regulated until the Department approves or implements an alternative administrative action to mitigate such interference.
 12. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.
 13. The 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.
 14. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

WaterWatch did not agree to the proposed permit conditions listed above. The Department responded by letter to WaterWatch addressing the issues raised and their objections were denied. A protest of the denial of objections was filed with the Department on June 8, 1995.

The WaterWatch protest raises the same issues contained in the previously filed objections. These issues were considered as part of the ADR process and conditions were added to the proposed permit to reflect the parties' and Department's determination of how the concerns should be addressed.

Given the previous ADR process and agreement reached by all parties except WaterWatch, the protest is denied.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Department has determined the appropriate step in the application process is to issue a final order as provided under ORS 537.170 (6).
2. Pursuant to ORS 537.170 (6), If, after the contested case hearing or, if a hearing is not held, after the close of the period allowed to file a protest, the Director determines that the proposed use would not impair or be detrimental to the public interest, the Director shall issue a final order approving the application or otherwise modifying the proposed final order.
3. The lands under this application described as supplemental irrigation, do not have underlying water rights of record as evidenced by certificates. The primary rights are being claimed in the Klamath Adjudication currently in process. The following condition is to be included in any permit issued in approval of the application:

The lands described herein as supplemental irrigation may, due to the status of the undetermined underlying primary right, be exercised for primary irrigation, provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein.

4. In proceeding with evaluation of Application G-13184 required pursuant to ORS 537.170, the criteria found to be relevant by the Department is as follows:
 - a. The Klamath Basin does not have a basin program established pursuant to ORS 536.300;

- b. The Department has determined water would likely be available, as conditioned; and
 - c. The proposed use, as conditioned, will not injure other water rights; and
 - d. The use complies with other rules of the Commission.
5. The Department has determined that, if exercised as conditioned in the attached permit, neither substantial interference with existing rights, nor harm to fishery resources or water quality will occur.

The period of allowed use is MARCH 1 THROUGH SEPTEMBER 30 OF EACH YEAR.

The Department finds that no more than 7.161 CUBIC FEET PER SECOND would be necessary for the proposed use. The amount of water requested is allowed.

Klamath County Planning Department staff completed the Department's Land Use Information Form and indicated thereon that the land use associated with the proposed use is compatible with the Klamath County Comprehensive Land Use Plan.

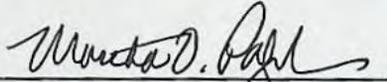
The proposed use complies with all other rules of the Commission.

The Department finds that a non-rebutted presumption has been established and the proposed use would not impair or be detrimental to the public interest pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly if exercised in the manner described in PERMIT G-12241.

ORDER

IT IS HEREBY ORDERED that Application G-13184 in the name of BALIN RANCHES be approved for primary and supplemental irrigation of 572.9 acres as provided in PERMIT G-12241.

DATED January 18 , 1996



Martha O. Pagel
Director
Water Resources Department

NOTICE:

This Final Order is issued by the Department pursuant to Chapter 416, Oregon laws, 1995, enacted by the 68th Oregon Legislative Assembly.

This Final Order has modified the Department's prior findings or conditions, therefore, the applicant may request a contested case hearing within 14 days from the date of this order. Issues on which a contested case hearing may be requested and conducted are limited to issues based on modifications to the Proposed Settlement Agreement.

Requests for a contested case hearing must be made in proper form, submitting the information required under Section 11(6), Chapter 416, Oregon Laws, 1995.

Requests for a contested case hearing must be received by the Water Resources Department in Salem, Oregon by 5:00 pm on February 1 , 1996.

Only the applicant and any persons who timely filed a protest may appeal the provisions of this final order in the manner established in ORS 183.310 to 183.550 for appeal of order other than contested cases.



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Please, Call If any questions
before returning form again to
save us both time and
money. This is for a proposed
well site that we need to
establish a file and number
on ~~to~~ ^{file} (priority date)

Phone: Balm Lanes
882-9797

or

884-2452

Scott Balm Hal Balm

Where The Future Begins.

November 1, 1993

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603

Reference: G 13184

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



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

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before January 12, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

Report Date: November 1, 1993

OREGON WATER RESOURCES DEPARTMENT
SATISFACTORY REPORT OF TECHNICAL REVIEW
FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: January 12, 1994.

1. APPLICATION FILE NUMBER - G 13184
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

BALIN RANCHES
13600 HOMEDALE RD
KLAMATH FALLS, OR 97603
KLAMATH Co. 503-882-9797

Date application received for filing and/or tentative date of priority: 11/13/1992

SOURCE: A WELL

TRIBUTARY TO: LOST R

Purpose and/or use: IRRIGATION.

Flow: 2000 gpm

Point of Diversion Location:

NE 1/4 SW 1/4, SECTION 12, T 41 S, R 13 E, W.M.

Place of use:

600 ACRES
SECTION 12
TOWNSHIP 41 SOUTH, RANGE 13 EAST, W.M.

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater withdrawal will have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported that groundwater for the proposed use can, if properly conditioned, be made without injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

REPORT CONCLUSIONS:

Water in the amount of 2000 GPM is likely available for 7 months of the 7 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G-13184

The following conditions will apply to water use under the permit, and will appear in the permit.

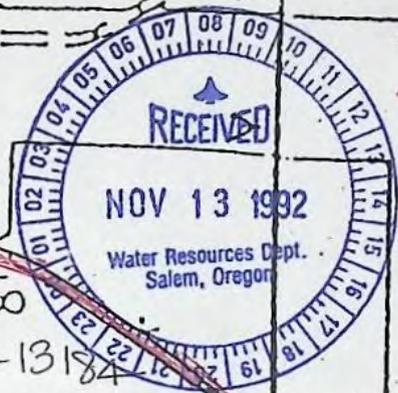
1. Period of allowed use: March 1 through September 30 of each year.
2. Rate of use: 2000 GPM
3. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1996.
 - C. Completely apply the water to beneficial use by October 1, 1997.
4. The use of water under this permit will expire (five years from the issuance of the permit). The permit may be extended if the Director finds that:
 - A. Surface water flows are not significantly diminished;
 - B. Within two years of permit issuance, the permittee has submitted a plan to the Commission indicating potential sources for an alternative long-term water supply;
 - C. Periodic water level reports have been timely submitted; and
 - D. Excessively declining water levels have not occurred.
5. The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
6. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a

complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually 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.
7. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
 8. The permittee/appropriator shall install a meter or other suitable measuring device approved by the Director and submit an annual report of water used under this permit to the Department by April 15 of each year.
 9. A static water level measurement shall be made and submitted before any use of water may commence from the well.
 10. The permittee shall obtain a static water-level measurement for each well during March and September of each year and report the measurements to the Department. The measurement shall be made by a certified water rights examiner, registered geologist, licensed land surveyor or registered professional engineer. Water levels shall be reported as depth-to-water below ground level in feet and inches or to one-hundredth of a foot and shall be accompanied by supporting calculations. The water user shall report the static water level(s) in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 and October 15, respectively, of each year.
 11. If substantial interference with a senior surface or ground water right occurs due to withdrawal of water from the well(s) listed on this permit, then use of water from such well(s) shall be discontinued or reduced or the schedule of withdrawal shall be regulated until the Department approves or implements an alternative administrative action to mitigate such interference.
 12. Failure to comply with any of the provisions of the permit may result in action including, but not limited to,

restrictions on the use, penalties, or cancellation of the permit.

13. The 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.
14. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
15. This right is limited to any deficiency in the available supply of any prior right existing for the same land.



Application No. 6-13184
Permit No.

32 East Langell Valley ROAD

Johnson Road

Kilgore Spring

17

18

Langell Valley

Malone Dam

CANAL

LOST River



WEST Langell Valley Road

13

LANGELL

VALLEY

WS

DITCH

DITCH

31

DITCH

6

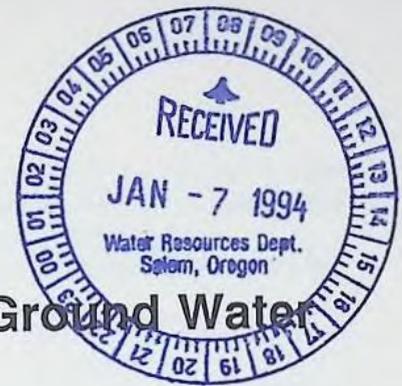
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33

32

Application No. Reference # 6 13184



State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Ground Water

Applicant(s) Balin Ranches
(Please print or type - use dark ink)

Mailing Address: 13600 Homedale Rd.
Klamath Falls, Ore 97603 (503) 882-9797
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.): _____
1- Ag. Use Irrigation Well

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: NA No Natural Stream 3,000 (Lost River To Division Canal)
Elevation difference between streambed and development: NA 25'

NOTE: 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 driller's log with this application, and skip to Section 2 below.

Diameter of well: ~~8"~~ Depth in feet: ~~100'~~

Type and size of well casing: _____ No. of feet: _____

Estimated depth to water: _____

Type of access port or measuring device: Unable To Get Copy of

Wells to be drilled by: Log - Dave Storey Is Out of Country For Winter

Address: You Have Copy Already On File of Log

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

NA

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 7.161 CFS cubic feet per second, OR 3200 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: Supplemental, Pasture Irrig.
Livestock Water

If for more than one use, give the quantity of water from each source for each use; _____

3,000 gpm Pasture Irrigation, 200 gpm For 20,000 Hd Livestock Water

If for DOMESTIC use, state the number of households to be supplied; NA

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

NA

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; NA

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation 572.9

Other (describe) _____

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Open Ditch and Pipe From Point of Source To Flooded Pasture after Diversion

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin April 12, 1993

Proposed date construction work will be completed May 5, 1993 Well Drilled

Proposed date water use will be completed April 15, 1994 Ready For Use

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

 Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: Well Is to be used as supplemental use, if drought conditions arise, water will be used to irrigate and provide livestock water for 2,000 Hd of cattle. Need to develop as soon as possible for 1994 growing year if adequate amount of moisture is not received.

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge.

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

[Signature] Jan. 6 1994
Signature of Applicant Date

Signature of Co-Applicant, if any Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at _____, Oregon, on the _____ day of _____, 19____, at _____ o'clock, ____ M.

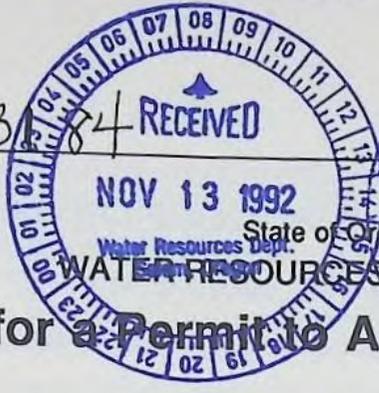
APPLICATION NO: _____

Superseded

1-7-94

Application No.

G-13184



Application for a Permit to Appropriate Ground Water

Applicant(s)

Balin Ranches
(Please print or type - use dark ink)

Mailing Address:

13600 Homedale Rd
Klamath Falls OR 97603
City State Zip

882-9797
884-2452
Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):
1 well

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 3,000 ft

Elevation difference between streambed and development: 25'

NOTE: 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 driller's log with this application, and skip to Section 2 below.

Diameter of well: 16" Depth in feet: 300

Type and size of well casing: 16" x 12" No. of feet: 16' to 150' 12" - 230

Estimated depth to water: 80' - 120'

Type of access port or measuring device: Flow Gauge CPM

Wells to be drilled by: Stoney Well Drilling

Address: Klamath Falls OR Ph 884-3990

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

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: _____ cubic feet per second, OR 2,000 gallons per minute. If water is to be used from more than one ground water source, give the quantity of water from each: _____

3. INTENDED USE(s) OF WATER: Supplemental for livestock
pasture

If for more than one use, give the quantity of water from each source for each use; _____

If for DOMESTIC use, state the number of households to be supplied; _____

If for MUNICIPAL OR QUASI-MUNICIPAL use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

If for MINING use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for IRRIGATION, or other land area use, state the TOTAL number of acres to be developed under each use;

Irrigation 600
Other (describe) it enough water

4. DESCRIPTION OF WATER DELIVERY SYSTEM: Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

flood

5. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin Oct 15th, 1992
Proposed date construction work will be completed Nov 15th 1992
Proposed date water use will be completed Dec 15th

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

 Applicant CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

Applicant CWRE Other (Identify in REMARKS section)

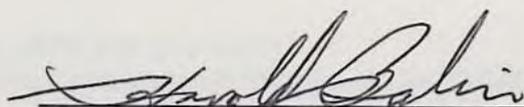
7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? yes. If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: Water for livestock. pasture supplemental use as drought ~~control~~ conditions in local area. Map and acres to follow if enough water is found. Start card for Storage Well Drilling has been submitted. Need to develop as soon as possible account of weather so as to be ready in spring of 93

Thanks for your consideration
Approx Location: NE 1/4 of the SW 1/4 Sec 12 T41S R13
Tax Lot 02500

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.


Signature of Applicant

Oct 2, 1992
Date

Signature of Co-Applicant, if any

Date

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19__.

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

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 13th day of November, 1992, at 8:00 o'clock, A M.

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