

ASSIGNED

FILE# G 15485  
Name RANDY D BOCCHI  
By BOCCHI, SUZANNE E  
Address 5115 CROSS RD  
KLAMATH FALLS, OR 97603

Application No. G15485  
Permit No. G-15130  
Certificate No.

Stream Index, Page No.

Date filed  
Priority  
Action suspended until  
Return to applicant  
Date of approval

CONSTRUCTION

Date for beginning  
Date for completion  
Extended to  
Date for application of water  
Extended to

PROSECUTION OF WORK

Form "A" filed  
Form "B" filed  
Form "C" filed

FINAL PROOF

Blank mailed  
Proof received *SDBU 6/8/2009 postpaid mailed*  
Date certificate issued

FEEES PAID

| Date       | Amount    | Receipt No. |
|------------|-----------|-------------|
| 5/3/01     | \$400-    | 44740       |
| 7/19/02    | 175.00    | 54251       |
| 10/3/08    | 50.00     | 94791       |
| 12-10-2021 | 120.00    | 137057      |
|            | Cert. Fee |             |

FEEES REFUNDED

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

ASSIGNMENTS

| Date       | ASSIGNED To Whom   | Address | Volume | Page |
|------------|--|---------|--------|------|
| 11/3/2008  | JOHN E BONNER<br>5115 CROSS RD<br>KLAMATH FALLS OR 97603 |         |        |      |
| 12/15/2021 |  |         |        |      |

REMARKS

2

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**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

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

RECEIPT # **137057**

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

RECEIVED FROM: John E Bonner Living Trust  
BY: \_\_\_\_\_

|             |         |
|-------------|---------|
| APPLICATION | G-15485 |
| PERMIT      |         |
| TRANSFER    |         |

CASH:  CHECK:# 4430 OTHER: (IDENTIFY)  \_\_\_\_\_

TOTAL REC'D \$ 120.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46111

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

**WATER RIGHTS:**

|                    |          |      |          |
|--------------------|----------|------|----------|
| 0201 SURFACE WATER | \$ _____ | 0202 | \$ _____ |
| 0203 GROUND WATER  | \$ _____ | 0204 | \$ _____ |
| 0205 TRANSFER      | \$ _____ |      |          |

**WELL CONSTRUCTION**

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

0250 OTHER (IDENTIFY) Assignment \$ 120.00

**0536 TREASURY 0437 WELL CONST. START FEE**

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FWWRD) \$ \_\_\_\_\_  
0231 HYDRO LICENSE FEE (FWWRD) \$ \_\_\_\_\_  
HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

RECEIPT: **137057**

DATED: 12-10-2021 BY: Mindy Carder



John E. Bonner  
5115 Cross Rd.  
Klamath Falls OR 97603

MEDFORD OR 975

08 DEC 2021 P 1 L



950611261266

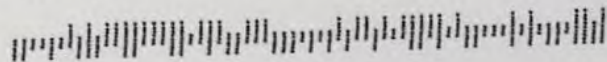


FOREVER

USA

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

9730181266





# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

December 15, 2021

John E. Bonner  
5115 Cross Rd.  
Klamath Falls, OR 97603

Reference: Application G-15485, Permit G-15130

The assignment from John E. Bonner to Scott Balin has been recorded in the records of the Water Resources Department.

The Departments records will now show Scott Balin as the permit holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 137057 covering the recording fee is also enclosed.

A permit is not a perfected water right, and has conditions and timelines that must be satisfied prior to a Certificate of Water Right being issued. Please review the permit to be familiar with the conditions and timelines contained in the permit.

Please note that the Department has not received a Pump Test as required by the permit. Until such time that a Pump Test is submitted and approved, the Department is unable to complete the review of your Claim.

Sincerely,

Mary F. Bjork  
Water Rights Program Analyst  
Water Right Services Division

Enclosure: Original Request and Receipt #137057

cc: Scott Balin – 13600 Homedale Rd., Klamath Falls; OR 97603  
Data Center, OWRD (cover letter & request)  
File



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# Request for Assignment

DEC 10 2021



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

OWRD

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

1. John E. Bonner  
(Name of Current Holder of Record)

5115 cross RD, Klamath Falls, OR 97603 541-281-3025  
(Mailing Address) (City) (State) (Zip) (Phone #)

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

hereby assign all my interest in and to a portion of application/permit/transfer order/limited license/groundwater statement; (You must include a map showing the portion of the application/permit/transfer order/limited license/groundwater statement to be assigned. Example, sold a portion of the land authorized under the right)

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

Application # G-15485; Permit # G-15130; Transfer Order # \_\_\_\_\_;

Limited License # \_\_\_\_\_; Groundwater Statement # \_\_\_\_\_;

as filed in the office of the Water Resources Director, to:

Scott Balin  
(Name of New Owner)

13600 Homedale RD, Klamath Falls, OR 97603 541-281-7909  
(Mailing Address) (City) (State) (Zip) (Phone #)

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

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

Witness my hand this 7 day of December, 2021.  
(Day) (Month) (Year)

Signature of Current Holder of Record John E. Bonner

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

Assign - Approve  
MSB 12-16-2021

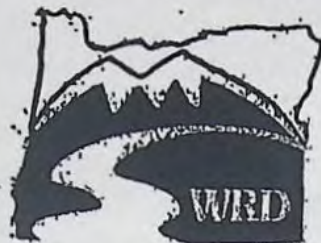
This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.

Fee receipt # 137057

For Director by Mary F. Bjork, Program Analyst in Water Rights Division. MSB

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.

# Completion Checklist for CWRE Claims of Beneficial Use



Date Received 6/8/2009  
CWRE Name Douglas Adkins  
Claim Logged 6/9/2009  
File Marked 6/9/2009  
Oversized Map # \_\_\_\_\_  
Read and attach copy of permit or transfer  
postcard mailed

Application # G.15485  
Permit # G.15130  
Transfer # \_\_\_\_\_  
Date 6/9/09  
Reviewer C.U.

## Map Review:

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

## Report Review:

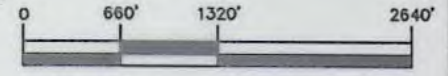
- On form or format provided by the Department
- Application & permit #; or transfer #
- County
- Tax lot information
- Date of survey
- Person interviewed
- Ownership information
- Source(s) of water
- Point of diversion/appropriation location
- Use, period of use, and rate for use
- Place of use location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

- CWRE stamp and signature
- Signature(s) of permittee of transfer holder

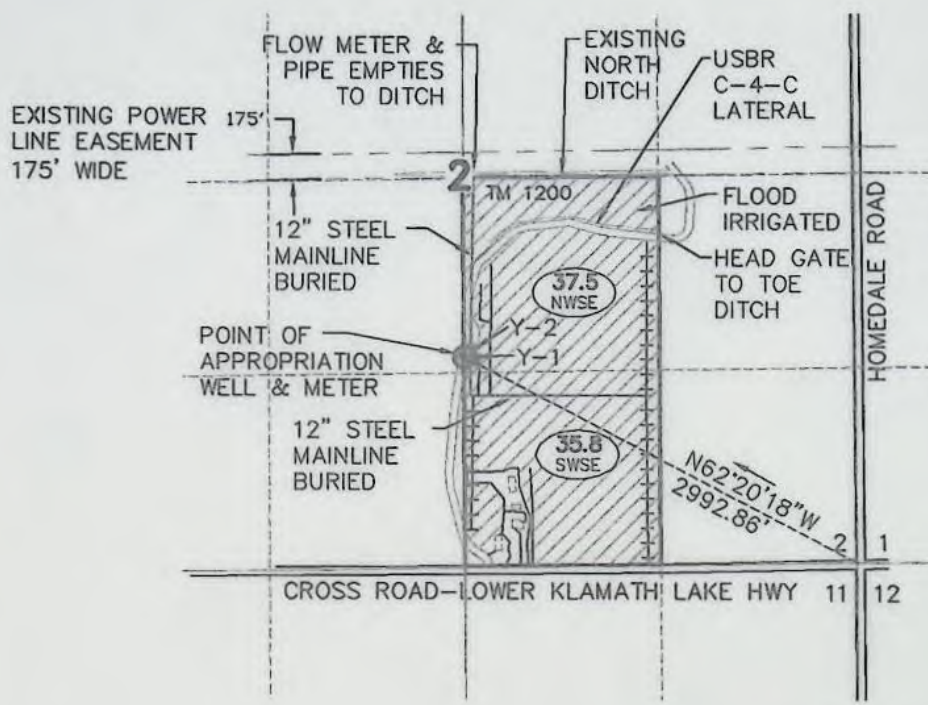
T. 40S., R 09E., Sec. 2, W.M.  
 Klamath County, Oregon  
 Application: G-15485 Permit: G-15130



SCALE: 1" = 1320'



TAX LOT NUMBER 4009-00020-01200



**NOTES:**

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2005 AERIAL PHOTOGRAPH, KLAMATH COUNTY TAX MAP 400902, AND OREGON GLO MAPS.
2. THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT ONLY, AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

TOTAL ACRES IRRIGATED THIS CLAIM: 73.3

| GOV'T LOT | 1/4 1/4 | SECTION | TOWNSHIP | RANGE | # IRRIGATED ACRES |
|-----------|---------|---------|----------|-------|-------------------|
| 0         | NW SE   | 2       | 40S      | 9E    | 37.5              |
| 0         | SW SE   | 2       | 40S      | 9E    | 35.8              |

TOTAL ACRES IRRIGATED: 73.3

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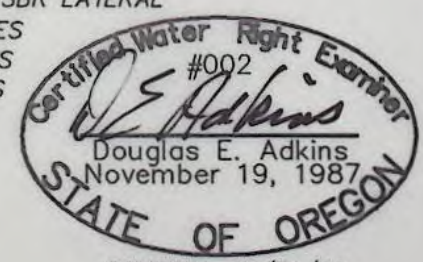
WATER RESOURCES DEPT  
 SALEM, OREGON

*John E Bonner*  
 Applicant signature

**LEGEND**

- TOTAL ACRES IRRIGATED PER 1/4 1/4 IRRIGATED LANDS THIS CLAIM OF BENEFICIAL USE
- 1/4 1/4 SECTION
- EXISTING STRUCTURE
- 2** SECTION DESIGNATION
- 1/4 1/4 SECTION LINES
- ROADS

- PROPERTY BOUNDARY
- EXISTING USBR LATERAL
- WHEEL LINES
- HAND LINES
- MAIN LINES
- TAX MAP NUMBER



RENEWAL 12/31/09

**ADKINS**  
 CONSULTING ENGINEERS, INC.      Engineers   ▲   Planners   ▲   Surveyors  
 2950 Shasta Way · Klamath Falls, Oregon 97603 · (541) 884-4666 · FAX (541) 884-5335  
 Klamath Falls, OR · Medford, OR · Alturas, CA  
 Jan. 20, 2009      FP-Base      2903-01

**FINAL PROOF MAP**  
 for  
**John Bonner**  
 Klamath County, Oregon

This form is subject to revision. Begin each new claim by checking for a new version of this form and downloading a new one if necessary.

If you have questions regarding the completion of this form, contact:

Gerry Clark by e-mail at [Gerald.E.CLARK@wrđ.state.or.us](mailto:Gerald.E.CLARK@wrđ.state.or.us) or by phone at 503-986-0811,

Or Jerry Gainey by e-mail at [Jerry.W.GAINEY@wrđ.state.or.us](mailto:Jerry.W.GAINEY@wrđ.state.or.us) or by phone at 503-986-0812.

The Department has a new program that allows a permit holder to pay the cost to have a private contractor review of the claim and, if appropriate, prepare a certificate. This new program means a certificate can be issued in about a month. The Department has a list of trained contractors that are selected on a rotating basis. For more information on this program see: <http://www.wrđ.state.or.us/programs/index.shtml>.

\*\*This box can be deleted

**Oregon Water Resources Department**  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

## CLAIM OF BENEFICIAL USE

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

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. A separate form shall be completed for each permit or transfer final order.

### I. General Information

#### 1. File Information

|                                   |                               |
|-----------------------------------|-------------------------------|
| Application Number (G, R, S or T) | Permit Number (if applicable) |
| G-15485                           | G-15130                       |

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JUN 08 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

#### 2. Property owner (current owner information)

##### a. Individuals

|                 |                       |
|-----------------|-----------------------|
| Name            | John Bonner           |
| Mailing Address | 5115 Cross Road       |
| City/State/Zip  | Klamath Falls, Oregon |
| Phone #         | 541-850-3977          |
| Fax #           | 541-850-2066          |
| e-mail address  |                       |

##### b. Businesses/Organizations

|                          |  |
|--------------------------|--|
| Name                     |  |
| Contact Person and Title |  |
| Mailing Address          |  |
| City/State/Zip           |  |
| Phone                    |  |
| Fax                      |  |
| e-mail                   |  |

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)

c. Individuals

|                 | Individual 1 | Individual 2 |
|-----------------|--------------|--------------|
| Name            |              |              |
| Mailing Address |              |              |
| City/State/Zip  |              |              |

d. Businesses/Organizations

|                          |  |
|--------------------------|--|
| Name                     |  |
| Contact Person and Title |  |
| Mailing Address          |  |
| City/State/Zip           |  |

4. Date of Site Inspection: **1/20/09**

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

| Name               | Date           | Association with the project |
|--------------------|----------------|------------------------------|
| <b>John Bonner</b> | <b>1/20/09</b> | <b>Owner</b>                 |
|                    |                |                              |

6. County: **Klamath**

7. Tax Lot Information:

| Tax map number  | Tax lot number |                             |
|-----------------|----------------|-----------------------------|
| <b>40-09-02</b> | <b>1200</b>    | <b>JUN 08 2009</b>          |
|                 |                | <b>WATER RESOURCES DEPT</b> |
|                 |                | <b>SALEM, OREGON</b>        |

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

\*\*Mark "NA" if there are no owners of property not included in this claim

|                          |  |
|--------------------------|--|
| Name                     |  |
| Contact Person and Title |  |
| Mailing Address          |  |
| City/State/Zip           |  |
| Phone #                  |  |

|                          |  |
|--------------------------|--|
| Name                     |  |
| Contact Person and Title |  |
| Mailing Address          |  |
| City/State/Zip           |  |
| Phone #                  |  |

## II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

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

Water from the well is pumped by a 2-stage Turbine pump with a 100hp motor into an above ground 12" steel main where it is conveyed approximately 13' through a McCrometer flow meter to Y-1. At Y-1, a 12" main branches west 11' before reducing to a 5" steel pipe and through a 50hp centrifugal pump. From the pump, water is pressurized and conveyed through a 12" steel pipe and into a sand filter. From this filter water is diverted underground in a southerly direction through a 12" steel main approximately 260' before turning east for approximately 1230' and terminating. Risers are spaced evenly along the main to connect with 3,440' of 4" wheel line and 2,040 feet of 3" hand line. A 12" steel main from Y-1 continues northward 18' to Y-2. At Y-2, a 12" main branches 8' in length and conveys water in an easterly direction through a series of bends before crossing up and over the main line in a westerly direction and open discharging into the USBR C-4-C lateral. From Y-2 the 12" main conveys water north 36' to a downward 90° bend and disappears underground. The 12" main continues in a northerly direction parallel with the property line for approximately 1220' before resurfacing. The 12" main turns east approximately 23' through another flow meter, to a series of bends turning the main in a northerly direction. The main continues 5' to a downward 90° bend which discharges into an 18" steel pipe diverting the flow underground. The 18" pipe conveys water in a northerly direction approximately 12' to an existing ditch which conveys water in an easterly direction to the USBR C-4-C lateral. The C-4-C lateral conveys water in a southeasterly direction then turns west and onto the subject property. A turnout located at the eastern property line channels water into a toe ditch which flood irrigates property north of the USBR C-4-C lateral.

2. Point of diversion/appropriation name or number (correspond to map):

| Point of diversion/appropriation name or number (correspond to map) | Well log ID # for all work performed on the well (if applicable) | Well tag # (if applicable) |
|---|--|----------------------------|
| <b>Well</b>   | <b>KLAM 52817</b>  | <b>L45574</b>              |

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

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

**RECEIVED**

| Source      | Tributary to |
|-------------|--------------|
| <b>Well</b> | <b>n/a</b>   |

**JUN 08 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

4. Point of diversion/appropriation location:

| (DLC, Government Lot, ¼ ¼, Section, Township, Range) | Reference to a recognized public land survey corner by distance and bearing or by coordinates |
|--|---|
| <b>NW1/4SE1/4 Sec 2, T40S, R09E</b>                  | <b>N62°20'18"W 2992.86' from SE Corner Sec 2</b>  |

5. Actual use(s), period of use, and rate for each use:

| Uses | If irrigation, list crop type | When water is used | Rate for use |
|------|-------------------------------|--------------------|--------------|
|      |                               |                    |              |

|                   |  |                      |                 |
|-------------------|--|----------------------|-----------------|
| <b>Irrigation</b> | <b>Pasture, alfalfa, Grain<br/>&amp; Potatoes, on rotation</b> | <b>3/15 to 10/31</b> | <b>0.92 cfs</b> |
|                   |  |                      |                 |

**Total Quantity of Water      219.9 AF**

6. Place of use for the point of diversion or appropriation:

| DLC | Gov lot | 1/4 1/4 | Section | Township | Range | Use | # of primary acres | # of supplemental acres               |
|-----|---------|---------|---------|----------|-------|-----|--------------------|---------------------------------------|
|     |         | NWSE    | 2       | 40S      | 09E   | Irr | 37.5               |                                       |
|     |         | SWSE    | 2       | 40S      | 09E   | Irr | 35.8               | <b>RECEIVED</b>                       |
|     |         |         |         |          |       |     |                    | JUN 08 2009                           |
|     |         |         |         |          |       |     |                    | WATER RESOURCES DEPT<br>SALEM, OREGON |

**Total Acres Irrigated      73.3**

**Groundwater Source Information (Well and Sump)**

\*\*If the appropriation is not from ground water (well or sump), this section, items 1-5, can be deleted.

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

**A 2" access port is located on the east side of the 100 hp pump approximately 1' from the wellhead and is approximately 6" above grade.  
There is an airline and pressure gauge on the west side of the wellhead but the lines are weathered and cracked, rendering it useless.**

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

| Casing Diameter | Casing Depth | Total Depth | Completion Date of Original Well | Completion Dates of Alterations | Who the well was drilled for | Well drilled by |
|-----------------|--------------|-------------|----------------------------------|---------------------------------|------------------------------|-----------------|
|                 |              |             |                                  |                                 |                              |                 |

In addition to the information requested in item "2" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

\*\*If the appropriation is not from a sump, the following section, items 3-4, can be deleted. Construction standards for sumps can be found in OAR 690-210-0400.

**Reservoir Data N/A**

\*\*If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

**Storage tank data N/A**

\*\*If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

**Gravity flow pipe N/A** (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

\*\*If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

**Gravity flow canal or ditch** (The Department typically uses Manning's formula for canals and ditches)

\*\*If this claim does not rely on a gravity flow canal or ditch to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

1. If the system involves a gravity canal or ditch, complete the table below.

| Canal or ditch type (material) | Top width of canal or ditch | Bottom width of canal or ditch | Depth | "N" factor | Amount of fall | Length of canal/ditch | Slope | Computed volume |
|--------------------------------|-----------------------------|--------------------------------|-------|------------|----------------|-----------------------|-------|-----------------|
| Earth-toe ditch                | 5'                          | 2'                             | 2.5'  | .03        | .84            | 1200'                 | .07%  | 14.8cfs         |
| Earth-USBR lateral             | 20'                         | 7'                             | 6'    | .03        | .7             | 687'                  | 0.1%  | 336.1cfs        |
| Earth-north of property        | 12'                         | 8'                             | 2.5'  | .03        | 1.3            | 1317'                 | 0.1%  | 67.9cfs         |

2. Provide calculations in the box below:

**See Attachment E for ditch calculations**

3. If an actual measurement was taken, provide the following: **N/A**

| Date of Measurement | Who made the measurement | Measurement method | Measured quantity of water |
|---------------------|--------------------------|--------------------|----------------------------|
|                     |                          |                    |                            |

Attach measurements notes

**System Information:**

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

| Brand      | Model          | Serial Number | Type (centrifugal, turbine or submersible) | Intake size | Discharge size |
|------------|----------------|---------------|--|-------------|----------------|
| <b>WDM</b> | <b>15D-340</b> |               | <b>2-stage Turbine</b>                     | <b>12"</b>  | <b>12"</b>     |

2. Motor information

| Brand                    | Model                     | Horsepower | Max RPM     | Voltage        |
|--------------------------|---------------------------|------------|-------------|----------------|
| <b>Newman</b>            | <b>404TP/DD3722PP</b>     | <b>100</b> | <b>1775</b> | <b>460</b>     |
| <b>Marathon Electric</b> | <b>FC326TTDR7365CCWF1</b> | <b>50</b>  | <b>1765</b> | <b>230/460</b> |

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**JUN 08 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

3. Meter information (if required in permit or transfer final order)

| Make              | Serial # | Condition (working or not)          | Current meter reading  | Notes                                    |
|-------------------|----------|-------------------------------------|------------------------|--|
| <b>McCrometer</b> |          | <b>Not working at time of visit</b> | <b>281783af x.001</b>  | <b>At 100HP pump site</b>                |
| <b>McCrometer</b> |          | <b>Not working at time of visit</b> | <b>118746sf x .001</b> | <b>At north end of property at ditch</b> |

1.  Measurement device description

| Device description | Condition (working or not) | Notes |
|--------------------|----------------------------|-------|
| <b>n/a</b>         |                            |       |

1.  Measured pump capacity (using meter if meter was present and system was operating) N/A

| Initial meter reading | Ending meter reading | Duration of time observed | Total pump output |
|-----------------------|----------------------|---------------------------|-------------------|
|                       |                      |                           |                   |

1.  Theoretical pump capacity

| Horsepower | Operating psi | Lift from source to pump<br>*If a well, the water level during pumping (see pump test results) | Lift from pump to place of use | Total pump output |
|------------|---------------|--|--------------------------------|-------------------|
| 100        | 80            | 140  | 25                             | 1.91 cfs          |
| 50         | 80            |  | 23                             | 1.56 cfs          |

7. Provide pump calculations in the box below:

See Attachment D for pump calculations

8. Mainline information

| Mainline size | Length | Type of pipe | Buried or above ground |
|---------------|--------|--------------|------------------------|
| 12"           | 2624'  | Steel        | Buried                 |
| 12"           | 126'   | Steel        | Above ground           |

9. Lateral or handline information

| Lateral or handline size | Length | Type of pipe | Buried or above ground |
|--------------------------|--------|--------------|------------------------|
| 3" Handline              | 2400'  | alum         | Above ground           |
| 4" Wheel line            | 3060'  | alum         | Above ground           |

10. Sprinkler information Make and model:

| Make | Model | Size | Operating psi | Sprinkler output | Maximum number used | Total sprinkler output |
|------|-------|------|---------------|------------------|---------------------|------------------------|
|      |       | 3/8" | 80            | 35.7gpm          | 128                 | 10.2cfs                |
|      |       |      |               |                  |                     |                        |

Refer to the chart of sprinkler output at various pressures for most nozzle sizes attached to this document.

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$

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11. Additional notes or comments related to the system:

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SALEM, OREGON

The irrigated acreage has been reduced from 80 acres to 73.3 acres of developed lands. The casing within the well is skewed and access to the static water level is challenging. An e-tape hung up several times before a static water level reading was achieved. An e-tape would not drop further than ±35' within the well casing before getting hung up. In addition, water within the well casing is covered with gear oil. A static water level reading is difficult at best to achieve.

### III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

#### 1. Time Limits:

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

|                               | Dates from permit or transfer final order | Date accomplished | Description of actions taken by water user to comply with the time limits              |
|-------------------------------|---|-------------------|--|
| Begin construction            |   |                   |  |
| Complete construction         |   |                   |  |
| Complete application of water | 10/01/06                                  | Prior to 10/01/06 | Pump installed, pipes installed, meter installed and operating, water applied to lands |

#### 2. Initial Water Level Measurements:

\*\*If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

a. Was the water user required to submit an initial static water level measurement? YES NO NA

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

c. Did an authorized individual (as stated in the permit or transfer final order) make the initial static water level measurement in the month required?

YES NO

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d. If "YES", was the measurement submitted to the Department? YES NO

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e. If the initial measurement not been submitted, provide that measurement now if available. **WATER RESOURCES DEPT SALEM, OREGON**

| Date of measurement | Who made measurement | Method | Measurement |
|---------------------|----------------------|--------|-------------|
|                     |                      |        |             |

#### 3. Annual Static Water Level Measurements:

\*\*If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

a. Was the water user required to submit annual static water level measurements? YES NO NA

#### 4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?

YES NO

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

\*\*If "NO", items b through g relating to this section can be deleted.

b. Has a meter been installed? YES NO

c. Provide the date the meter was installed:

Prior to 2006

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? YES NO

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

| Name | Title | Approximate date |
|------|-------|------------------|
|      |       |                  |

f. Is the water user required to report the water use to the Department? YES NO

g. Have the reports been submitted? YES NO

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

**5. Fish Screening and/or By-pass Devices N/A**

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? YES NO

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

\*\*If "NO", items b through i relating to this section can be deleted

b. Has the fish screening been installed? YES NO

c. When was the fish screening installed?

| Date | By whom |
|------|---------|
|      |         |

d. Is the **total** diversion rate of all rights at the point of diversion less than 0.5 cfs? YES NO

e. If the total diversion rate is less than 0.5 cfs, has the water user self certified the fish screen. YES NO

f. Has a self certification form been previously submitted to the Department? YES NO

g. If not, is the self certification form attached to this Claim? YES NO

h. If the total diversion rate is greater than 0.5 cfs, has ODFW approved the screening? YES NO

i. Has the water user previously submitted a letter from ODFW approving the screening? YES NO

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j. If not, is the approval letter attached to the Claim?      YES   NO

k. Has the by-pass device been installed?   YES   NO

l. Describe the by-pass device:

| When installed | By whom | Approved by ODFW | Description |
|----------------|---------|------------------|-------------|
|                |         |                  |             |

6. **Pump Test** (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

a. Did the permit require the submittal of a pump test?      YES   NO   NA

b. Has the pump test been previously submitted to the Department?      YES   NO

c. Has the pump test been approved by the Department?      YES   NO

d. If no, is the pump test attached to this Claim?      YES   NO

7. **Other Permit Conditions** (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

#### IV. Variations, Attachments, Conclusions, Map and Signatures

##### Variations

Include a description of variations from the permit or transfer final order

**There was a change in ownership in 2006, and the prior owner did not follow through with the Final Proof or Claim of Beneficial Use before the property transferred. The permit has recently been assigned to Mr. Bonner.**

**The northern 11.3 acres (north of the USBR lateral) are flood irrigated by water that is wheeled. Water from the well is pumped through the 12" main line north along the western property line to the existing ditch located just north of the property. Water is wheeled through this ditch to the USBR C-4-C lateral, then travels approximately 680' before reaching a turnout/headgate for a toe ditch north of and parallel to the USBR C-4-C lateral.**

**The applicant is requesting an exemption from the pump test requirement for Permit G-15130. See letter in Attachment H.**

##### Attachments

If you are attaching any documents to this report, provide a list below:

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| Attachment name | Description                                       | JUN 08 2009                           |
|-----------------|---|---------------------------------------|
| Attachment A    | Copy of Permit & Assignment Letter from the OWRD  | WATER RESOURCES DEPT<br>SALEM, OREGON |
| Attachment B    | Final Proof Map                                   |                                       |
| Attachment C    | Copy of Well Log                                  |                                       |
| Attachment D    | Theoretical pump and sprinkler calculations       |                                       |
| Attachment E    | Ditch calculations                                |                                       |
| Attachment F    | Copy of Tax Assessors map 40-09-02                |                                       |
| Attachment G    | Site photos                                       |                                       |
| Attachment H    | Letter requesting an exemption from the pump test |                                       |
| Attachment I    | Copy of Klamath River Adjudication Claim Map      |                                       |

**Permit and Transfer Final Order Rates and System Rates Comparisons:**

| POD or POA name or # | Maximum rate allowed by permit or transfer final order | Calculated theoretical rate of water based on system | Actual amount of water measured (if measured) | Developed use | # of acres allowed by permit or transfer final order | # of acres developed |
|----------------------|--|--|---|---------------|--|----------------------|
| Well 1               | 1 cfs  | 1.91 cfs   |   | Irrigation    | 80   | 73.3 ac              |
|                      |  |  |   |               |  |                      |
|                      |  |  |   |               |  |                      |
|                      |  |  |   |               |  |                      |

**Claim of Beneficial Use Map**

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

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

**The survey methods used for this application include field measurements, NAIP aerial photography, Oregon GLO maps and the Klamath County Assessors maps.**

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# ATTACHMENT A

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STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RANDY D AND SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

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

APPLICATION FILE NUMBER: G-15485

SOURCE OF WATER: A WELL IN SPRING LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 80.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 15 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 3, 2001

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH & 2656 FEET WEST FROM SE CORNER, SECTION 2

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SECTION 2  
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

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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.
- 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.

Application G-15485 Water Resources Department

PERMIT G-15130

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

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Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

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Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

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

#### STANDARD CONDITIONS

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

The wells 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.

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

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.

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

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

Application G-15485 Water Resources Department

PERMIT G-15130

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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.

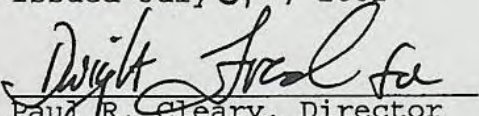
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 31, 2002

  
Paul R. Cleary, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

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Application G-15485    Water Resources Department  
Basin 14                    Volume 2 LOST R  
DIP

PERMIT G-15130  
District 17

Section 02 T.40S, R.09E, W.M  
 Klamath County Taxlot 1200

Existing 8" PVC MAINLINE Under ground

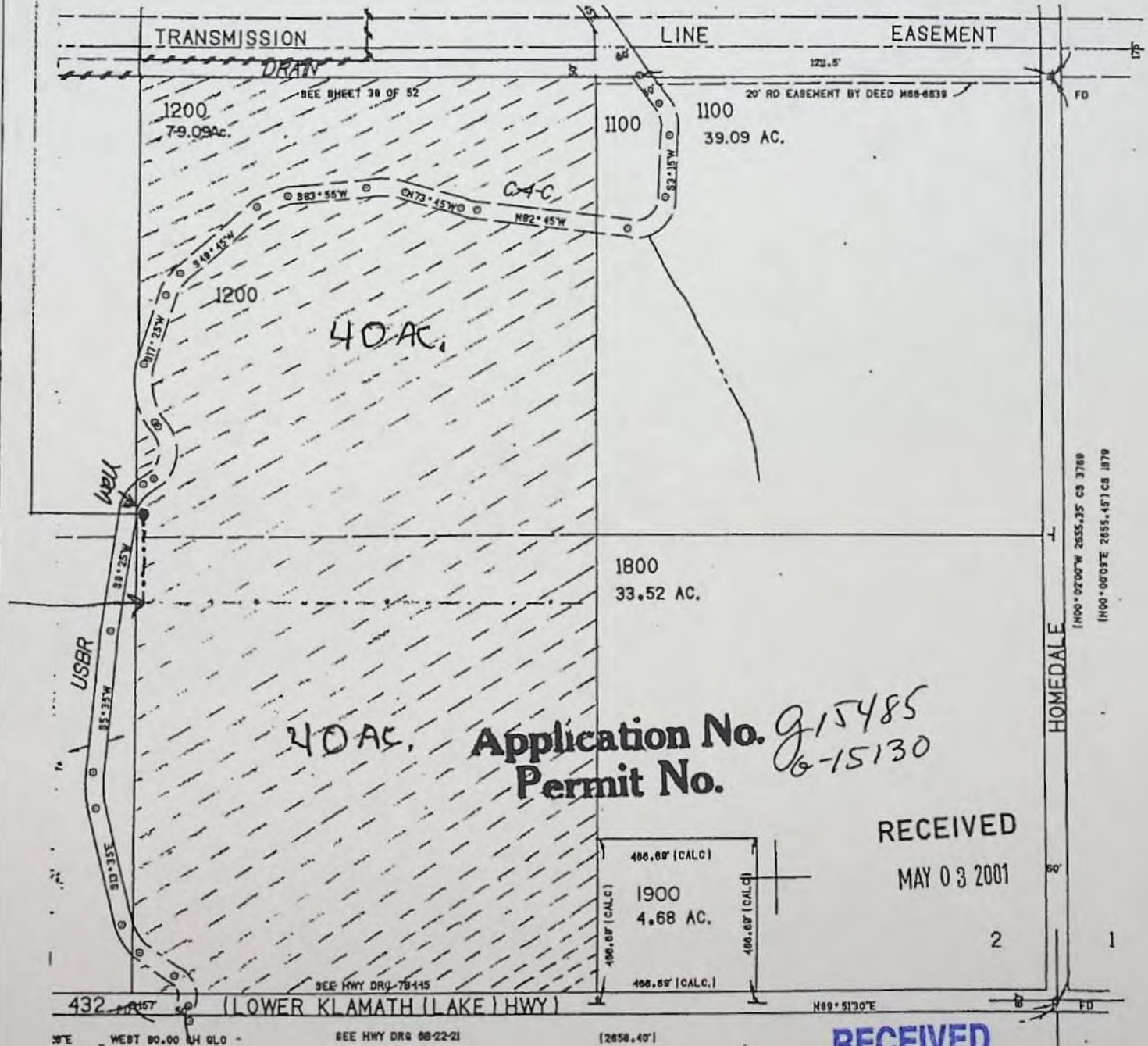
1"=400'

Proposed Well

From Southeast Corner of Sec 02 Go West 2652.0  
 From This point Go North 1360' North to Well

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# Oregon

Theodore R. Kulongoski, Governor

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

November 4, 2008

John E. Bonner  
5115 Cross Rd.  
Klamath Falls, Oregon 97603

Reference: Application G-15485, Permit G-15130

The assignment from Randy D. Bochi and Suzanne E. Bochi to John E. Bonner has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 94791 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 94791

cc: Watermaster 17  
Randy D. Bochi and Suzanne E. Bochi  
Data Center, OWRD (Complete Copy of Assignment Request)  
Hydrographics  
File

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# ATTACHMENT B

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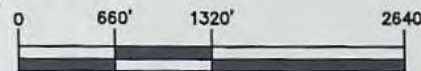
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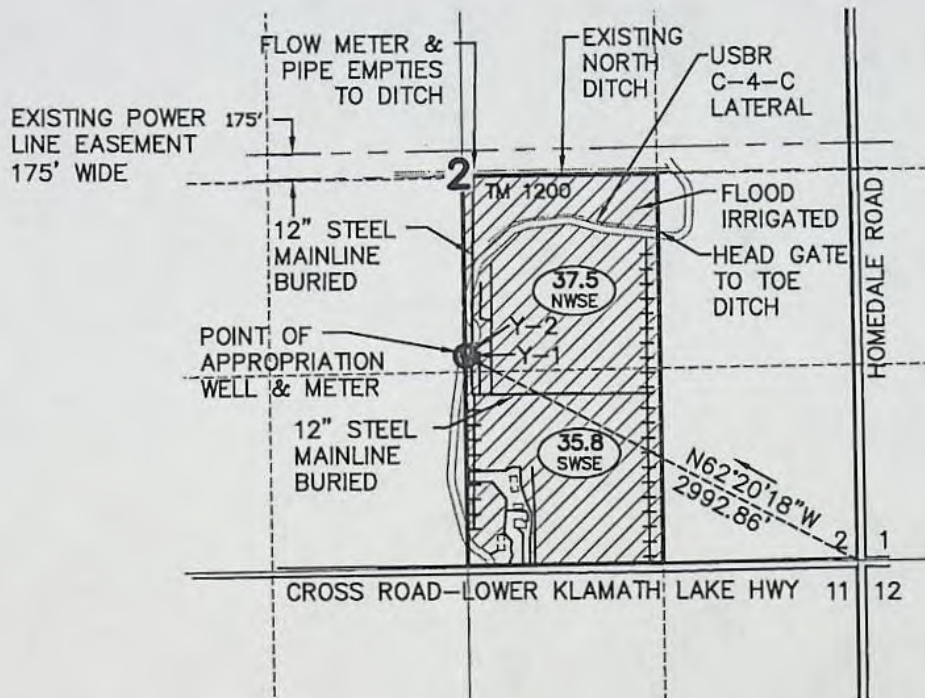
T. 40S., R 09E., Sec. 2, W.M.  
 Klamath County, Oregon  
 Application: G-15485 Permit: G-15130



SCALE: 1" = 1320'



TAX LOT NUMBER 4009-00020-01200



NOTES:

1. THIS MAP WAS PREPARED FROM FIELD MEASUREMENTS, NAIP 2005 AERIAL PHOTOGRAPH, KLAMATH COUNTY TAX MAP 400902, AND OREGON GLO MAPS.
2. THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT ONLY, AND IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

TOTAL ACRES IRRIGATED THIS CLAIM: 73.3

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| GOV'T LOT | 1/4 1/4 | SECTION | TOWNSHIP | RANGE | # IRRIGATED ACRES |
|-----------|---------|---------|----------|-------|-------------------|
| 0         | NW SE   | 2       | 40S      | 9E    | 37.5              |
| 0         | SW SE   | 2       | 40S      | 9E    | 35.8              |

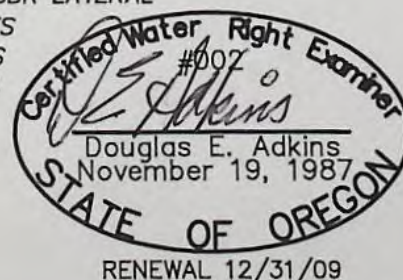
TOTAL ACRES IRRIGATED: 73.3

*John Bonner*  
 Applicant signature

LEGEND

- TOTAL ACRES IRRIGATED PER 1/4 1/4
- IRRIGATED LANDS THIS CLAIM OF BENEFICIAL USE
- 1/4 1/4 SECTION
- EXISTING STRUCTURE
- SECTION DESIGNATION
- 1/4 1/4 SECTION LINES
- ROADS

- PROPERTY BOUNDARY
- EXISTING USBR LATERAL
- WHEEL LINES
- HAND LINES
- MAIN LINES
- TAX MAP NUMBER



**ADKINS**

CONSULTING  
 ENGINEERS, INC.

Engineers ▲ Planners ▲ Surveyors

2950 Shasta Way · Klamath Falls, Oregon 97603 · (541) 884-4666 · FAX (541) 884-5335  
 Klamath Falls, OR · Medford, OR · Alturas, CA

Jan. 20, 2009

FP-Base

2903-01

FINAL PROOF MAP

for

John Bonner

Klamath County, Oregon

ATTACHMENT C

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WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 53776)

WELL ID # L45574  
(START CARD) # 108709

(1) OWNER 01 16  
RANDY BOCCHI  
5115 CROSS RD  
KLAMATH FALLS OR 97603

(9) LOCATION OF WELL by legal description :  
County KLAMATH Latitude Longitude  
Township 40 S Range 9 E  
Section 2 NW 1/4 SE 1/4  
Tax Lot 1200 Lot Block Subdivision  
Street Address of Well (or nearest address)  
5115 CROSS RD, KLAMATH FALLS, OR

(2) TYPE OF WORK : NEW WELL

(3) DRILL METHOD : ROTARY MUD

(4) PROPOSED USE: Irrigation

(10) STATIC WATER LEVEL:  
29 ft. below land surface Date July 10, 2001  
Artesian pressure Date

(5) BORE HOLE CONSTRUCTION:  
Special Construction Approval Depth of Completed Well 1408 ft.  
Explosives used Type Amount  
HOLE SEAL AMOUNT  
Diameter From To Material From To Sacks  
20" 0 159 cement/bent 0 159 165  
18" 159 240  
10" 240 1408  
How was seal Placed C  
Backfill placed from ft. to ft. Material  
Gravel placed from ft. to ft. Size of Gravel

(11) WATER BEARING ZONES :  
Depth at which water was first found 31'  
From To Estimated Flow Rate SWL  
31 154 35 GPM 6'  
1117 1408 3000 GPM 29'

(6) CASING / LINER:  
Dia. From To Gage Material  
CASING 18' +1 159 250 STEEL / WELDED  
Final location of shoe (s)

(12) WELL LOG: Ground Elevation

|                    | FROM | TO   | SWL |
|--------------------|------|------|-----|
| BROWN SAND + CLAY  | 0    | 10   |     |
| BROWN SAND         | 10   | 12   |     |
| BROWN SAND + CLAY  | 12   | 31   |     |
| GRAVEL             | 31   | 33   | 6   |
| BLUE SAND + GRAVEL | 33   | 38   | 6   |
| BLUE SAND & CLAY   | 38   | 60   | 6   |
| 1/8" GRAVEL        | 60   | 154  | 6   |
| BLUE CLAY          | 154  | 1117 |     |
| BROKEN GREY BASALT | 1117 | 1398 | 29  |
| BROKEN RED ROCK    | 1398 | 1400 | 29  |
| BROKEN GREY BASALT | 1400 | 1408 | 29  |

(7) PERFORATIONS / SCREENS:  
METHOD TYPE MATERIAL  
From To Slot size Number Dia. Tele / pipe size

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(8) WELL TESTS: Minimum testing time is 1 hour  
TESTING METHOD PUMP  
Yield GPM Drawdown Drill stem at Time  
2400 51 1 HOUR  
Temperature of Water 90 F Depth Artesian Flow Found  
Was a water analysis done? No By whom  
Did any strata contain water not suitable for intended use? No

Date started June 2, 2001 Completed July 10, 2001  
(Unbonded) Water Well Constructor Certification: I certify that the work 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.

*[Signature]* DATE 7-17-01 WWC # 1758  
(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.  
*[Signature]* DATE 7-17-01 WWC # 693

ATTACHMENT D

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WATER RESOURCES DEPT  
SALEM, OREGON

John Bonner

January 21, 2009

Job No.: 2903-01

Application #: G-15485

Permit #: G-15130

### Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine/Submersible = 7.04

---

#### Data Entry (fill in underlined blanks)

HP = 100  
Efficiency = 7.04  
Lift = 165  
PSI = 80

---

#### Results Calculated

$(hp)(\text{efficiency}) = 704$   
Head based on psi = 203.2  
Total dynamic head = 368.2  
(head + lift)

**Pump Capacity = 1.91 feet per second**

**RECEIVED**

**JUN 08 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

John Bonner

January 21, 2009

Job No.: 2903-01

Application #: G-15485

Permit #: G-15130

### Pump Capacity Calculation Sheet

using Department designed formula:

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

Efficiency:

Centrifugal = 6.61

Turbine/Submersible = 7.04

---

#### Data Entry (fill in underlined blanks)

---

HP = 50  
Efficiency = 7.04  
Lift = 23  
PSI = 80

#### Results Calculated

---

$(hp)(\text{efficiency}) = 352$   
Head based on psi = 203.2  
Total dynamic head = 226.2  
(head + lift)

**Pump Capacity = 1.56 feet per second**

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SALEM, OREGON



ATTACHMENT E

**RECEIVED**

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WATER RESOURCES DEPT  
SALEM, OREGON

John Bonner

2903-01

January 21, 2009

Application #: G-15485

Permit #: G-15130

**Ditch Capacity Calculator**

using Manning's Formula

---

**Ditch north of property**

**Data Entry (fill in underlined blanks)**

---

Top Width = 12 feet  
Bottom Width = 8 feet  
Depth = 2.5 feet  
Fall = 0.1 feet per 100 feet of distance  
Grade = 0.001 , or 0.1%  
n Factor = 0.03

**Results calculated**

---

Area of cross-section = 25 square feet  
Wetted Perimeter = 14.4031 feet  
Hydraulic Radius = 1.73573  
Velocity = 2.715 feet per second  
  
**Calculated Ditch Capacity = 67.9 cubic feet per second**

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**WATER RESOURCES DEPT  
SALEM, OREGON**

John Bonner

2903-01

January 21, 2009

Application #: G-15485

Permit #: G-15130

**Ditch Capacity Calculator**

using Manning's Formula

**USBR C-4-C Lateral**

**Data Entry (fill in underlined blanks)**

Top Width = 20 feet  
Bottom Width = 7 feet  
Depth = 6 feet  
Fall = 0.1 feet per 100 feet of distance  
Grade = 0.001, or 0.1%  
n Factor = 0.03

**Results calculated**

Area of cross-section = 81 square feet  
Wetted Perimeter = 24.6918 feet  
Hydraulic Radius = 3.28044  
Velocity = 4.150 feet per second  
  
Calculated Ditch Capacity = 336.1 cubic feet per second

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**JUN 08 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

John Bonner

2903-01

January 21, 2009

Application #: G-15485

Permit #: G-15130

**Ditch Capacity Calculator**

using Manning's Formula

---

**Toe ditch north of USBR Lateral - for flood irrigation**

---

**Data Entry (fill in underlined blanks)**

Top Width = 5 feet  
Bottom Width = 2 feet  
Depth = 2.5 feet  
Fall = 0.07 feet per 100 feet of distance  
Grade = 0.0007, or 0.1%  
n Factor = 0.03

---

**Results calculated**

Area of cross-section = 8.75 square feet  
Wetted Perimeter = 7.83095 feet  
Hydraulic Radius = 1.11736  
Velocity = 1.693 feet per second  
  
**Calculated Ditch Capacity = 14.8 cubic feet per second**

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**JUN 08 2009**  
**WATER RESOURCES DEPT**  
**SALEM, OREGON**

ATTACHMENT F

**RECEIVED**

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

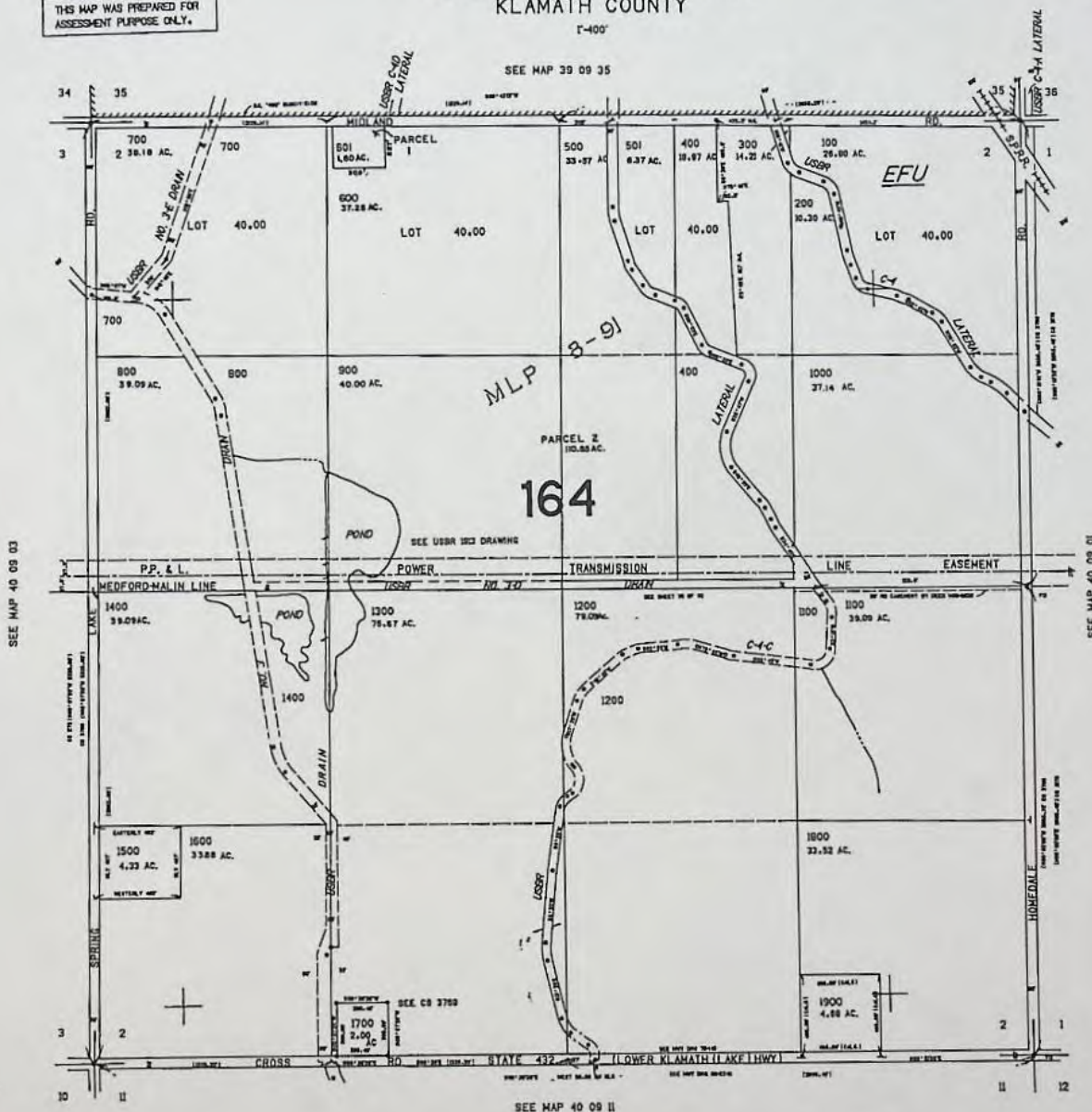
SECTION 02 T.40S. R.09E. W.M.  
KLAMATH COUNTY

40 09 02

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.

1"=400'

SEE MAP 39 09 35



40 09 02

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JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

ATTACHMENT G

**RECEIVED**

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON



100hp motor on top of well casing with air line and pressure gauge.

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SALEM, OREGON



Well casing and 2" access port.



From pump looking north at filter and power



50hp booster pump currently connected to USBR C-4-C lateral

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SALEM, OREGON



50hp pump connected to sand filter and C-4-C lateral.



This section can be connected with 50hp pump to irrigate southern fields.

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SALEM, OREGON



10" open discharge to the USBR C-4-C lateral.



Intake in the USBR C-4-C lateral with screening, at 50hp motor and pump.

**RECEIVED**

**JUN 08 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**



12" main as it goes underground and northerly along property line.



12" steel main resurfacing at north end of property showing air release valve.

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SALEM, OREGON



12" steel main surfacing from underground.



12" steel main at north end of property along ditch.

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WATER RESOURCES DEPT  
SALEM, OREGON



12" steel main and backflow preventer discharging into 18" steel pipe into ditch.



Ditch along north property line.

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JUN 08 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

ATTACHMENT H

**RECEIVED**

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Oregon Water Resources Department  
Mr. Gerry Clark  
725 Summer Street N.E., Suite "A"  
Salem, OR 97301-4172

May 1, 2009

RECEIVED

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Re: John Bonner – Letter requesting Exemption of  
Well Test for Permit G-15130

Dear Mr. Clark,

Our client, John Bonner, is requesting an exemption from the OWRD requirements for a pump test for his well. Mr. Bonner purchased the property from Randy D and Suzanne E Bocci in 2006. Unknown to Mr. Bonner, there were issues concerning this well. The first issue deals with the well casing that is skewed so much, that an e-tape will hang up at  $\pm 30'$  and will not drop below  $\pm 35'$ . It is possible to work the tape to the static water level depth, but the tape hangs up and the e-tape was nearly lost. The second issue deals with an excess amount of gear oil resting on top of the water within the well casing, making it difficult to obtain accurate readings.

There is an airline attached to the southwest side of the wellhead, but the lines are weathered and cracked rendering them useless.

Three separate attempts were made to perform the pump test with 3 different e-tapes, all with the same results. During the test the e-tape would hang up from  $\pm 30'$  to  $\pm 35'$  while the pump was on, and would drop no further. As a result, the draw down could not be measured and monitored, rendering the test useless.

This water right was not completed by the previous owner as stipulated in the permit, and as a result, the current owner has done everything possible to comply with the requirements of OWRD regulations. In order to bring the well to OWRD standards and correct the problems, the well head will need to be removed as well as the existing casing, pump the oil off of the water surface, enlarge the well and replace the casing. These solutions are cost prohibitive to the owner.

There is an adjacent well  $\pm 1800'$  to the east belonging to Mr. Noonan. No well test have been performed on this well. Mr. Bonner has tried unsuccessfully to contact Mr. Noonan to see if he could perform a well test on the adjacent property, and submit this data to OWRD in lieu of the test being performed on his well.

As a result of the previous owner's failure to comply with the original Water Permit, G-15130, an undue hardship has been bestowed on Mr. Bonner, and Mr. Bonner is requesting an exemption from the OWRD requirement of a pump test in order to gain a certificate of Water Right.

*John E Bonner*

# ATTACHMENT I

**RECEIVED**

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

# KLAMATH RIVER ADJUDICATION CLAIM MAP

MATCH TO SHEET 15



MATCH TO SHEET 17

MATCH TO SHEET 35

MATCH TO SHEET 21

POINT OF DIVERSION - SEE APPLICATION DOCUMENT 8-1

**LEGEND**  
 IRRIGATED LAND  
 40.0 ACRES IRRIGATED

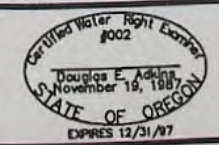
THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY LINES.

RECEIVED  
 JUN 08 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

|                           |                            |
|---------------------------|----------------------------|
| SCALE<br>1" = 400'        | DESIGNED BY<br>N/A         |
| DATE<br>FEBRUARY 18, 1997 | SURVEYED BY<br>A.G. & M.J. |
| SHEET<br>16               | DRAWN BY<br>J.D.G.         |
| OF<br>66                  | CHECKED BY<br>D.E.A.       |
| PROJECT 1030-04           |                            |
| FILE 10307-14 095         |                            |

**ADKINS**  
 CONSULTING ENGINEERS, INC.  
 Engineers & Planners & Surveyors  
 2950 Shoals Way · Hamoth Falls, Oregon 97603 · (541) 884-4666 · FAX (541) 884-5335  
 Hamoth Falls, OR · Medford, OR · Astoria, CA

**KLAMATH IRRIGATION DISTRICT**  
 IRRIGATED AREAS AND ACREAGE  
 BY AERIAL PHOTOGRAPHY TAKEN 11/2/96



|           |           |
|-----------|-----------|
| SEC.<br>2 | SEC.<br>1 |
|-----------|-----------|

SHEET NO. 11-8-18  
 T. 40S., R. 09E., W.M.

SCALE 1" = 400'



Engineers ▲ Planners ▲ Surveyors

2950 Shasta Way • Klamath Falls, Oregon 97603 • (541) 884-4666 • FAX (541) 884-5335

**Letter of Transmittal**

To: Gerry Clark Date: June 4, 2009  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266

We are sending you:

- Attached
- Under separate cover via \_\_\_\_\_ the following items:
- Shop Drawings
- Prints
- Plans
- Samples
- Specifications
- Submittals
- Change orders
- Other

**RECEIVED**

JUN 08 2009

WATER RESOURCES DEPT  
SALEM, OREGON

| Copies | Date | Description   |
|--------|------|---|
| 1      |      | Claim of Beneficial Use Form                          |
| 1      |      | Copy of Permit G-15130 and Assignment letter          |
| 1      |      | 1 each of Final Proof map (Paper & mylar)             |
| 1      |      | Copy of well log for KLAM52817                        |
| 1      |      | Theoretical pump, and sprinkler capacity calculations |
| 1      |      | Ditch calculations                                    |
| 1      |      | Copy of Tax Assessor's Map                            |
| 1      |      | Site photo's  |
| 1      |      | Letter requesting exemption from pump test            |
| 1      |      | Copy of Klamath River Adjudication Claim Map          |
| 1      |      | CD of COBU application (all of above)                 |

These are transmitted as checked below:

- For approval
- Approved as submitted
- Resubmit \_\_\_\_\_ copies for approval
- For your use
- Approved as noted
- Submit \_\_\_\_\_ copies for distribution
- As requested
- Returned for corrections
- Return \_\_\_\_\_ corrected prints
- For review and comment
- \_\_\_\_\_

Should you have any questions, or require addition information, please call the number above.

Sincerely,

cc: John Bonner  
File: 2903-01



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

# Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Randy D. and Suzanne E. Bocchi  
 (Name of Applicant / Permit / Transfer Holder)  
6120 Church Hill DR Klamath Falls OR 1541-884-8500  
 (Mailing address) (City) (State) (Zip) (Phone #)

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

Application # G-15485, Permit # G-15130; Transfer # \_\_\_\_\_ **RECEIVED**  
 -OR-  
 GR Statement # \_\_\_\_\_, GR Certificate of Registration # \_\_\_\_\_ **NOV 03 2008**

as filed in the office of the Water Resources Director, to:

**WATER RESOURCES DEPT  
 SALEM, OREGON**

John E. Bonner  
 (Name of New Owner)  
5115 Cross Rd, Klamath Falls OR 97603 (541) 850-3977  
 (Mailing address) (City) (State) (Zip) (Phone #)

**NOTE:** If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

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

Witness my hand this 29th day of October, 2008.

Applicant/Permit holder Randy D. Bocchi

Applicant/Permit holder Suzanne E. Bocchi

**DO NOT WRITE IN THIS BOX**

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.  
 Fee receipt # 94791  
 For Director by Jerry Sauter, Program Analyst in Water Rights Division Jerry Sauter

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.

O.K. ASSIGNMENT 11-3-2008

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

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

RECEIPT # **94791**

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

RECEIVED FROM: John E Bonner

APPLICATION G-15485

BY: \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER \_\_\_\_\_

CASH:  CHECK:# 11637 OTHER: (IDENTIFY)

TOTAL REC'D \$ 50.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) Assignment \$ 50.00

TC162 DEPOSIT LIAB. (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER EXAM FEE \$ \_\_\_\_\_ 0202 RECORD FEE \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ \_\_\_\_\_

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ \_\_\_\_\_ 0219 LICENSE FEE \$ \_\_\_\_\_

**LANDOWNER'S PERMIT**

OTHER (IDENTIFY) \_\_\_\_\_ 0220 \$ \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD # \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_ CARD # \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

0233 POWER LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

0231 HYDRO LICENSE FEE (FW/WRD) \$ \_\_\_\_\_

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **94791**

DATED: 11/31/08 BY: X Bell

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RANDY D AND SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

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

APPLICATION FILE NUMBER: G-15485

SOURCE OF WATER: A WELL IN SPRING LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 80.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 15 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 3, 2001

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH & 2656 FEET WEST FROM SE CORNER, SECTION 2

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SECTION 2

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

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NOV 03 2008

WATER RESOURCES DEPT  
SALEM, OREGON

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.
- 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.

Application G-15485 Water Resources Department

PERMIT G-15130

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

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

#### STANDARD CONDITIONS

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

The wells 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.

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

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.

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

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

Application G-15485      Water Resources Department

PERMIT G-15130

**RECEIVED**

NOV 03 2008

**WATER RESOURCES DEPT  
SALEM, OREGON**

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 31, 2002

*Paul R. Cleary*  
Paul R. Cleary, Director  
Water Resources Department

any Q's regarding the claim or  
Beneficial use or completion date  
may be directed to Genny Clark  
@ (503) 986-0811 or Jenny Rainey  
@ (503) 986-0812 (certificate staff)

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Section 02 T.40S, R.09E, WM  
 KLAMATH COUNTY Tax Lot 1200

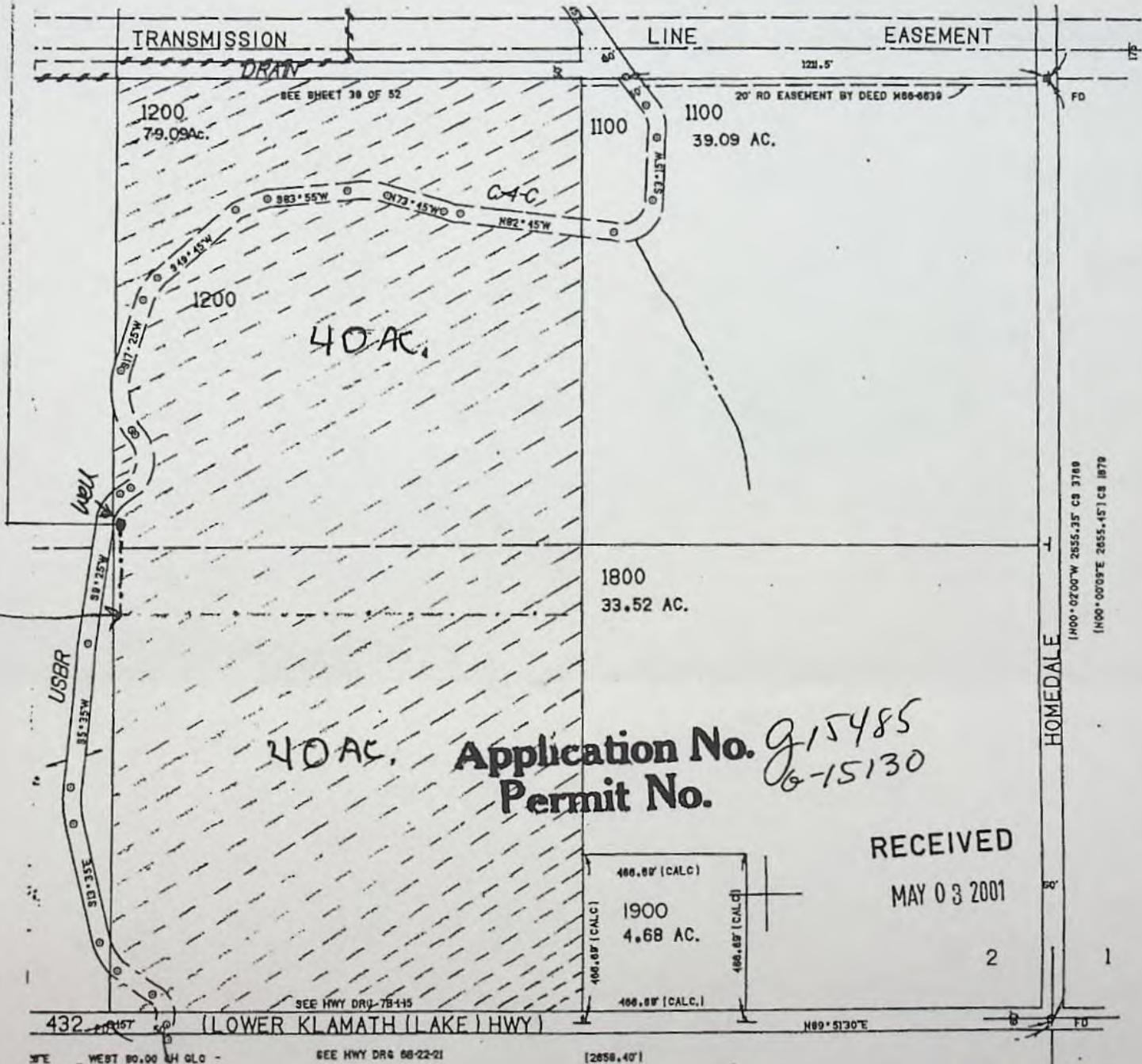
Existing 8" PVC MAINLINE Under ground

1"=400'

Proposed Well

From Southeast Corner of Sec 02 Go West 2652.0'  
 From This point Go North 1360' North to Well

RECEIVED  
 MAY 03 2001



40 AC. Application No. 915485  
 Permit No. 9-15130

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 MAY 03 2001

RECEIVED<sup>12</sup>

NOV 03 2008

WATER RESOURCES DEPT  
 SALEM, OREGON

MAP 40 09 11



# Oregon

Theodore R. Kulongoski, Governor

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

November 4, 2008

John E. Bonner  
5115 Cross Rd.  
Klamath Falls, Oregon 97603

Reference: Application G-15485, Permit G-15130

The assignment from Randy D. Bochi and Suzanne E. Bochi to John E. Bonner has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 94791 covering the recording fee of \$50 is also enclosed.

Sincerely,

Jerry Sauter  
Water Rights Program Analyst

Enclosure: Receipt 94791

cc: Watermaster 17  
Randy D. Bochi and Suzanne E. Bochi  
Data Center, OWRD (Complete Copy of Assignment Request)  
Hydrographics  
File

TO: Water Rights Section

July 15, 2001

FROM: Groundwater/Hydrology Section

Michael Zwart

Reviewer's Name

SUBJECT: Application G- 15485

GROUNDWATER/SURFACE WATER CONSIDERATIONS

- 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
  - b. \_\_\_ will not \_\_\_\_\_ surface water source, namely \_\_\_\_\_; or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) 7B;
    - 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 from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 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
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7E;
    - 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
- 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:

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(Well Construction Considerations on Reverse Side)

15485

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

\_\_\_\_\_, 199\_\_\_\_  
(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: \_\_\_\_\_

\_\_\_\_\_, 199\_\_\_\_  
(Signature)

**OREGON WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO**

To: Ground Water files Date: July 15, 2001  
From: Michael J. Zwart  
Subject: Application Review: G-15485, Randy and Suzanne Bocchi

This application proposes to use about 1.0 cfs from one proposed well for primary (?) and supplemental irrigation of 80.0 acres. Based on the proposed construction information (TD: 1000 ft.), the well will very likely produce water from a confined to semiconfined aquifer developed in Tertiary basalt rocks, likely the Basalt of Basin and Range (Tb2) as mapped by Sherrod and Pickthorn (1992). There may be an unknown thickness of continental sedimentary rocks (Tcs) and Quaternary deposits (Qs) overlying the basalt at this location.

The well is about 50 feet from the C-4-C Canal and about 1400 feet from an unnamed lake. There is no potential for substantial interference with surface water, based on the confined to semiconfined nature of the targeted aquifer.

I recommend permit conditions 7B and 7E.



**Water Right Conditions  
Tracking Slip**

Groundwater/Hydrology Section

FILE # G-15485

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 40S/9E-2db

CONDITIONS ATTACHED?  yes  no

REMARKS OR FURTHER INSTRUCTIONS:

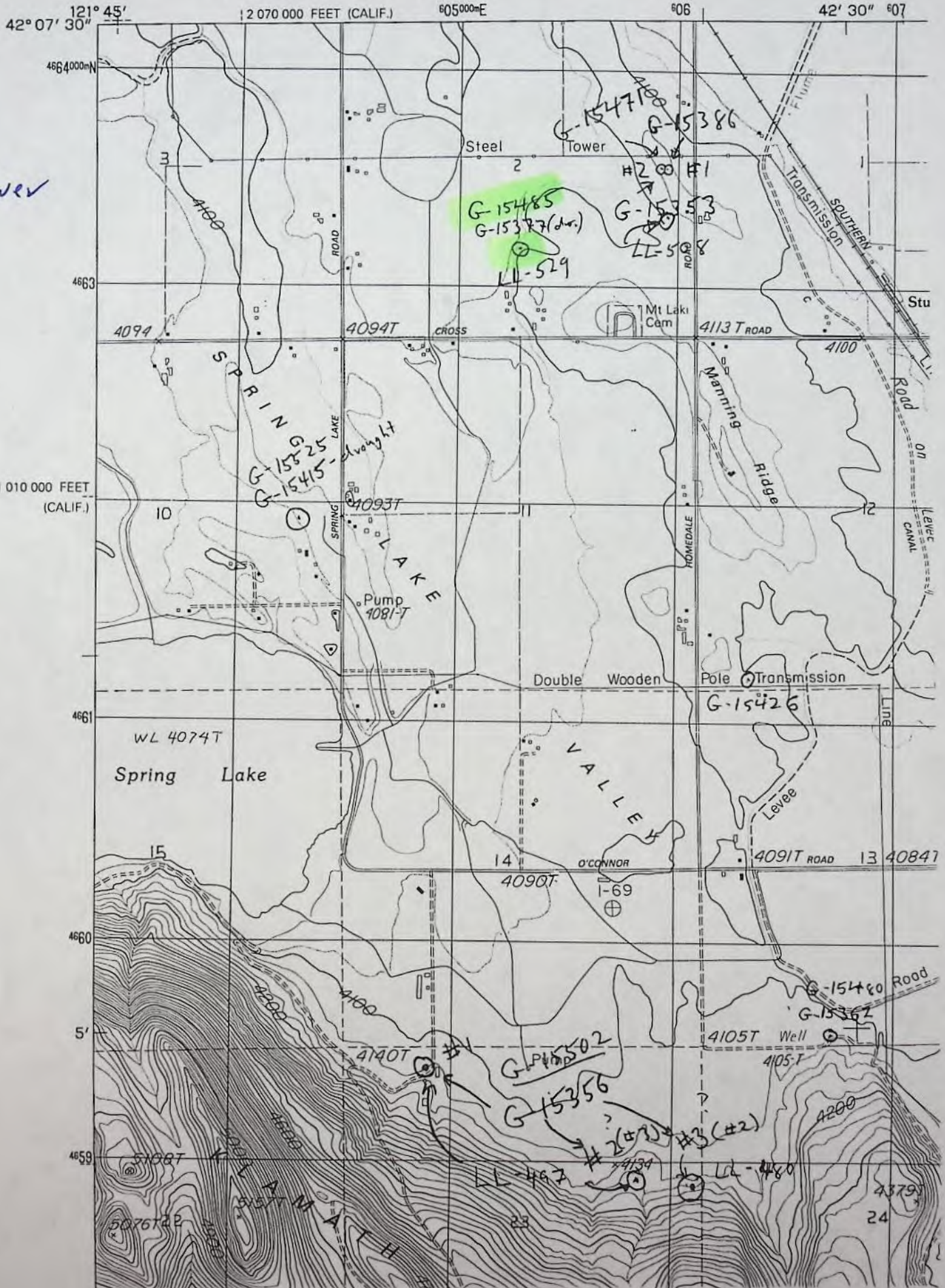
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: Michael Zwart

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY



Lost River



PERMITTED WELLS WITHIN 1 MILE OF APPLICATION G 15485

| \$RECNO | APPLICATION | PERMIT | LOC-QQ  | USE                   | RATE    | DIV-UNITS |
|---------|-------------|--------|---------|-----------------------|---------|-----------|
| 1       | G           | 10896  | G 10085 | 39.00S 9.00E25SESE IM | 30.0000 | G         |
| 2       | G           | 13007  | G 11570 | 40.00S 9.00E12SWSW IS | 1.0000  | C         |

\*\*\*\*\*

CONDITIONED WELLS WITHIN 5 MILES OF APPLICATION G 15485

| \$RECNO | APPLICATION | PERMIT | LOC-QQ  | CONDITION-CODE         |
|---------|-------------|--------|---------|------------------------|
| 1       | G           | 12135  | G 11227 | 39.00S 9.00E11NWNW 4D  |
| 2       | G           | 12011  | G 11083 | 39.00S10.00E30SENEW 4D |
| 3       | G           | 13007  | G 11570 | 40.00S 9.00E12SWSW DRF |
| 4       | G           | 12954  | G 11541 | 40.00S10.00E29SWNE DRF |
| 5       | G           | 12841  | G 11514 | 40.00S10.00E30NESE DRF |
| 5       | G           | 12959  | G 11542 | 40.00S10.00E30NESE DRF |

\*\*\*\*\*

APPLICATION G 15485 FALLS WITHIN THESE QUAD(S)

LOST RIVER

\*\*\*\*\*

TO: Water Rights Section

July 15, 2001

FROM: Groundwater/Hydrology Section Michael Zwart

Reviewer's Name

SUBJECT: Application G- 15485

GROUNDWATER/SURFACE WATER CONSIDERATIONS

- 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
  - b. \_\_\_ will not \_\_\_\_\_ surface water source, namely \_\_\_\_\_; or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) 7B;
    - 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 from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

- 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
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7E;
    - 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
- 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 Considerations on Reverse Side)

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number G-15485

**Final Order**

*Application History*

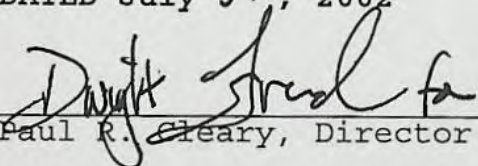
On MAY 3, 2001, Randy D and Suzanne E Bocchi submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on MARCH 5, 2002. The protest period closed APRIL 19, 2002, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest, but the Department's continuing evaluation reveals that the Proposed Final Order requires modification to correctly describe the proper measurement condition for a water use rate of 1.0 cubic feet per second.

**Order**

Application G-15485 therefore is approved with the above modifications to the Proposed Final Order, and Permit Number G-15130 is issued as limited by the conditions set forth therein.

DATED July 31, 2002

  
Paul R. Cleary, Director

*Hearing and Appeal Rights*

Under the provisions of ORS 527.170 and ORS 537.622, the applicant may request a contested case hearing by submitting the information required for a protest under ORS 537.153(6) or ORS 527.621(7) to the Department within 14 days after the date of mailing of this order as shown below. If a contested case hearing is requested, the Department must schedule one. In the contested case hearing, however, only those issued based on the above modifications to the proposed final order may be addressed.

ORS 536.075 allows for additional appeal rights for other than contested case. This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of this order must be filed within the 60 day time period specified by ORS 183.484(2).

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

*This document was prepared by Dorothy Pedersen. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 248.*

*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 Renee Moulun. Her extension number is 239.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203.*

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RANDY D AND SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

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

APPLICATION FILE NUMBER: G-15485

SOURCE OF WATER: A WELL IN SPRING LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 80.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 15 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 3, 2001

WELL LOCATION: NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH & 2656 FEET WEST FROM SE CORNER, SECTION 2

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
SECTION 2

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

Measurement, recording and reporting conditions:

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

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

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

#### STANDARD CONDITIONS .

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

The wells 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.

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

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.

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

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

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

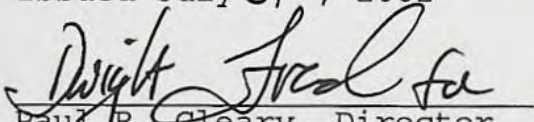
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued July 31, 2002

  
Paul R. Cleary, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Section 02 T.40S. R.09E, WM  
 Klamath County Tax Lot 1200

Existing 8" PVC mainline Under ground

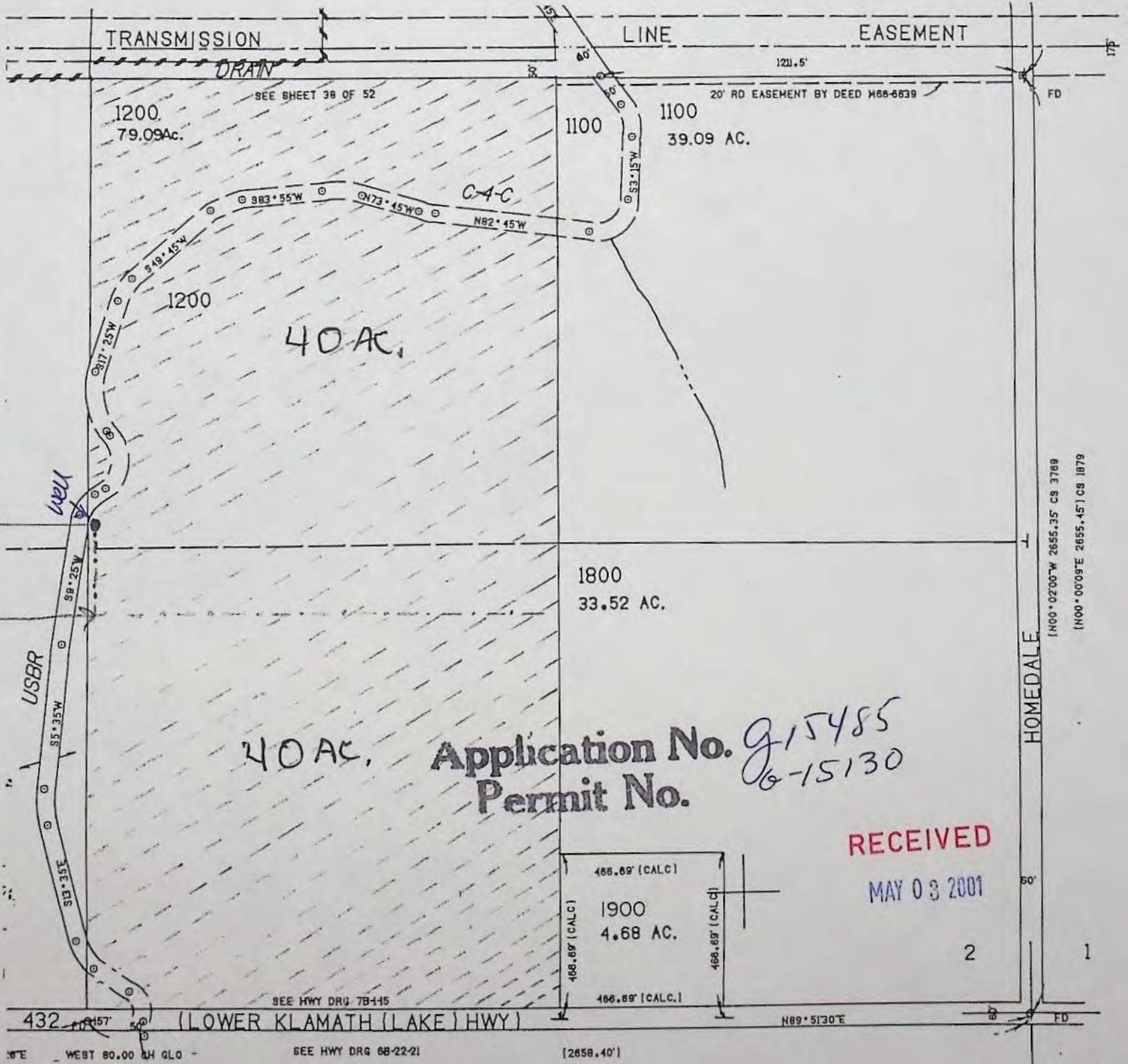
1" = 400'

Proposed Well

From Southeast Corner of sec 02 Go West 2658.40'  
 From This point Go North 1360' North to Well

RECEIVED

MAY 03 2001



40 AC.

Application No. 915485  
 Permit No. 06-15130

RECEIVED

MAY 03 2001

2

1

11

12

# FO CHECKLIST

FILE # G-15485  
 PFO WEEK # 345  
 FO WEEK # 343

PFO TO FO CONVERSION

REVIEW DATE: 7/17/02  
 INITIALS: SMP  
 WM District: 17  
 Region Mgr: SOB - Kyle Gorman  
 ODFW Bio: \_\_\_\_\_

Y /  N Has applicant name and/or address changed; or has the file been assigned?

If new: \_\_\_\_\_

**In preparing to create the FO, you should check the following:**

1. Y /  N Were comments received? If so, from whom and when? \_\_\_\_\_  
 Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. NA On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee.

3. Y / N /  NA Have affected land owners been notified? If not, refer to #8.

4. Y / N /  NA Has ODFW asked for self certification of screening condition? If yes, include fish screening form.

5. OK Correct PFO errors (such as POD or POU location (verify from map)

6. X Are requested GW conditions included in permit? If no, add condition(s): change to medium measurement condition 7B, 7E - should be medium measurement condition

7.  Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.

(2) Issue FO w/o permit if fees are lacking.

|                        |                |               |
|------------------------|----------------|---------------|
| 1 <sup>st</sup> CFS/AF | <u>1.0 cfs</u> | <u>150.00</u> |
| Addnl.                 | <u>-</u>       |               |
| <b>TOTAL Q</b>         | <u>150.00</u>  |               |

|                          |               |
|--------------------------|---------------|
| Exam Fee Paid            | <u>250.00</u> |
| Q fee                    | <u>150.00</u> |
| <b>Subtotal</b>          | <u>400.00</u> |
| Recording Fee            | <u>175.00</u> |
| <b>Total</b>             | <u>575.00</u> |
| Amount Paid              | _____         |
| <b>Amount due/refund</b> | _____         |

*Sending check for recording fee.*

*Conflict Check - No conflicts*

8. Y / N Is further processing possible? If not state reason: \_\_\_\_\_

FO Type: (circle types) DENIAL

FO w/o PERMIT (REASON: Lacks Fees    Lacks Easement    Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # G-15130)

Co  
 Once FO document is completed:

*Draft saved in week 343 - ready to assign permit # and print when recording fees are received. - Fees received*

9.  Save WordPerfect document in S:\GROUPS\WR\FO\WEEK 343.

*7/19/02*

10.  Print final draft of document and submit for peer review.    Peer Reviewer: Kerry

11. Complete routing list

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

The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

Oregon Water Resources Department  
Water Rights Division



Water Rights Application  
Number G-15485

### Proposed Final Order

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

#### *Application History*

On MAY 3, 2001, Randy D and Suzanne E Bocchi submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 CUBIC FOOT PER SECOND
- Use of Water: IRRIGATION OF 80.0 ACRES
- Source of Water: A WELL IN SPRING LAKE BASIN
- Area of Proposed Use: KLAMATH County within SECTION 2, TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

On December 21, 2001, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1.0 CUBIC FOOT PER SECOND from A WELL IN SPRING LAKE BASIN for IRRIGATION OF 80.0 ACRES is allowable from March 15 through October 31 of each year." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On January 8, 2002, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining future notices and a copy of the proposed final order.

No written comments were received within 30 days.

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

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available

- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- designations of any critical groundwater areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

*Findings of Fact*

The Klamath Basin Compact allows IRRIGATION OF 80.0 ACRES.

Senior water rights exist on A WELL IN SPRING LAKE BASIN, or on downstream waters.

A WELL IN SPRING LAKE BASIN is not within or above a State Scenic Waterway.

The Groundwater Section finds, per OAR 390.835(9), there is not a preponderance of evidence that the proposed use of groundwater 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.

The Department determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.

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

The Department finds that the amount of water requested, 1.0 CFS, is an acceptable amount.

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

*Conclusions of Law*

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS

536.310(12) (i.e. the use of water is human consumption or livestock), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Klamath Compact, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

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

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

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

For these reasons, the required presumption has been established.

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

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

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

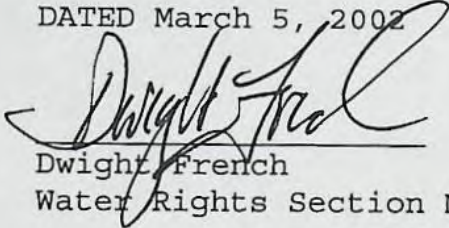
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use would ensure the

preservation of the public welfare, safety and health as described in ORS 537.525.

Recommendation

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

DATED March 5, 2002



Dwight French  
Water Rights Section Manager

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

*Protest Rights and Standing*

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.621(6), persons other than the applicant who support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **April 19, 2002**.

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

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

*This document was prepared by Anita Huffman. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 229.*

*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 Renee Moulun. Her extension number is 239.*

*If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.*

*Address all other correspondence to:*

Water Rights Section, Oregon Water Resources Department, 158 12th ST NE SALEM, OR 97310

Fax: (503)378-6203

DRAFT

This is not a permit!!!  
STATE OF OREGON

DRAFT

COUNTY OF KLAMATH

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RANDY D AND SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

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

APPLICATION FILE NUMBER: G-15485

SOURCE OF WATER: A WELL IN SPRING LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 80.0 ACRES

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 15 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 3, 2001

WELL LOCATION: NW ¼ SE ¼, SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH &  
2656 FEET WEST FROM SE CORNER, SECTION 2

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW ¼ SE ¼ 40.0 ACRES  
SW ¼ SE ¼ 40.0 ACRES  
SECTION 2  
TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or

Application G-15485 Water Resources Department

PERMIT DRAFT

other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

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

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

## STANDARD CONDITIONS

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

The wells 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.

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

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.

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

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

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

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.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit,

the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued \_\_\_\_\_, 2002

DRAFT - THIS IS NOT A PERMIT

---

Paul R. Cleary, Director  
Water Resources Department



PFO CHECKLIST

Application #: G 15485

County Klamath Basin: \_\_\_\_\_  
Township 40S Range 9E Section 2 1/4 1/4 NWSE

WIK  
345

- 1. Shortcomings preventing PFO, FO, or permit? Y  N  Should process continue? Y  N
- 2. Groundwater Review A B  C  D River/Stream Name \_\_\_\_\_  
 a. Groundwater Availability A B  C    
 b. Is second groundwater review complete? Y  N  necessary? Y  N    
 c. Is the well located in a GWLA or CA? Y  N  (If Y or close include map of POD) Area outside Bonanza S.A.
- 3. Is use from BOR / Doug Co. project? Y  N  Contract in file? N / Contract # \_\_\_\_\_
- 4. Is the use allowed by the Basin Program? Y  N  Limited? Y  N  Klamath Compact.
- 5. Water Availability Data OK / REDONE /  NA (80% live flow & 50% storage) \_\_\_\_\_
- 6. Is the source **withdrawn** or limited by statute or Department order? Y  N
- 7. Is the Proposed Use located in or above a SWW? Y / N \_\_\_\_\_
- 8. Division 33: Y / N /  NA Above Bonn (after July 17, 1992) Y / N Limit to April 15 - September 30 Y / N  
 Below Bonn (after April 8, 1994; June 3, 1994) Y / N add PISPC Y / N  
 Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 9. IR identifies as on DEQ 303d List? Y / N /  NA Comments received? Y  N
- 10. Have **conflicts** been addressed? Y / N /  NA
- 11. Rate 1/80  
 Duty 30 Season: Normal 3/1-10/31 Req 3/15/10-31
- 12. Rate: Max 10 Req 10 80 ACRES

- 13. Small ( $\leq 0.1$ cfs,  $\leq 9.2$ AF),  Medium ( $> 0.1$  or  $< 1.5$ cfs,  $> 9.2$  or  $< 100$ AF) or Large condition 7I and **municipal** require the Large condition
- 14. Conditions 7B, 7E  
 New River Basin or Bonanza? Y  N  NA (see M:\groups\wr\pfo\find
- 15. IR Date 12/21/01 Public Notice Date 1/8/02
- 16. Filed after 10/23/99? Y  N  (if Y A date should be removed)
- 17. CWRE, representatives or Property owners to notify? Y  N

Map does scale out correctly - well is in NWSE and '2656' W. of SE cor.

summary:  
Good. as IR

Initials: [Signature] Date: 12/19/02

Reviewed by: Kerry Lefever 2/21/02

PFO CHECKLIST

Application #: G 15485

County WCLAM Basin: \_\_\_\_\_  
Township 40S Range 9E Section 2 1/4 1/4 NWSE

WTK  
345

- 1. Shortcomings preventing PFO, FO, or permit? Y /  N Should process continue?  Y / N
- 2. Groundwater Review A B  C D River/Stream Name \_\_\_\_\_  
  - a. Groundwater Availability A B  C
  - b. Is second groundwater review complete? Y / N necessary? Y /  N
  - c. Is the well located in a GWLA or CA? Y /  N (If Y or close include map of POD) Area outside Bonanza st.
- 3. Is use from BOR / Doug Co. project? Y /  N Contract in file? N / Contract # \_\_\_\_\_
- 4. Is the use allowed by the Basin Program?  Y /  N Limited? Y /  N WCLAMATH compact.
- 5. Water Availability Data OK / REDONE /  NA (80% live flow & 50% storage) \_\_\_\_\_
- 6. Is the source withdrawn or limited by statute or Department order? Y /  N
- 7. Is the Proposed Use located in or above a SWW? Y / N \_\_\_\_\_
- 8. Division 33: Y / N /  NA Above Bonn (after July 17, 1992) Y / N Limit to April 15 - September 30 Y / N  
 Below Bonn (after April 8, 1994; June 3, 1994) Y / N add PISPC Y / N  
 Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y / N
- 9. IR identifies as on DEQ 303d List? Y / N /  NA Comments received? Y /  N
- 10. Have conflicts been addressed? Y / N /  NA
- 11. Rate 1/80  
 Duty 30 Season: Normal 3/1-10/31 Req 3/15/10-31

12. Rate: Max 10 Req 10 80 ACRES

13. Small ( $\leq 0.1$  cfs,  $\leq 9.2$  AF),  Medium ( $> 0.1$  or  $< 1.5$  cfs,  $> 9.2$  or  $< 100$  AF) or Large ( $\geq 1.5$  cfs,  $\geq 100$  AF)  
 condition 7I and municipal require the Large condition

14. Conditions 7B, 7E  
 New River Basin or Bonanza? Y /  N (see M:\groups\wr\pfo\findings & other lang)

15. IR Date 12/21/01 Public Notice Date 1/8/02 Comment Rec'd NO

16. Filed after 10/23/99?  Y / N (if Y A date should be removed)

17. CWRE, representatives or Property owners to notify? Y /  N

summary:  
Good. as IR

Initials: [Signature] Date: 12/19/02

Reviewed by: Kerry Lefever 2/21/02



# 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

December 21, 2001

RANDY D and SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

Reference: File G-15485

Dear Applicants:

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WATER RESOURCES DEPT.  
SALEM, OREGON

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

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

#### Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN SPRING LAKE BASIN for IRRIGATION OF 80.0 ACRES is **allowable** under ORS 542.610, the Klamath Compact.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 1.0 CUBIC FOOT PER SECOND for IRRIGATION OF 80.0 ACRES is **available**, and if properly conditioned, will not injure existing rights or the groundwater resource.
5. The standard season of use for IRRIGATION from groundwater is March 1 through October 31 of each year. The applicant requested a season of **March 15 through October 31**. The requested season is within the allowed season of use.
6. The Department has determined that the applicant has not provided a legal description of the lands where water is to be diverted, conveyed and/or used. Please refer to the **Additional Information Required** section below for more information.

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WATER RESOURCES DEPT.  
SALEM, OREGON

**Summary of Initial Determinations**

**The use of 1.0 CUBIC FOOT PER SECOND from A WELL IN SPRING LAKE BASIN for IRRIGATION OF 80.0 ACRES is allowable from March 15 through October 31 of each year.**

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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

**To Proceed With Your Application:**

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

**Withdrawal Refunds:**

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, January 4, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

**ADDITIONAL INFORMATION REQUIRED:**

**Please submit a copy of the deed, land sale contract or title insurance policy listing the metes and bounds legal description of the lands proposed under this application. Please submit these items not later than *February 7, 2002*, or the Department *may* propose to reject your application at the next phase of processing.**

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

1. Measurement, recording and reporting conditions:
  - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
  - 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.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

- (A) An average water level decline of three or more feet per year for five consecutive

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WATER RESOURCES DEPT.  
SALEM, OREGON

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

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

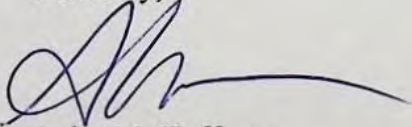
3. The priority date for this application is MAY 3, 2001.

The water source identified in your application is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 201. Feel free to call me at (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203.

Sincerely,



Anita M. Huffman  
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 17, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

G-15485  
wab 14-pou 14-gw c

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WATER RESOURCES DEPT.  
SALEM, OREGON

# APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)  
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: G-15485

Applicant: RANDY D BOCCHI BOCCHI, SUZANNE E

County: KLAMATH

Watermaster: District 17

Priority Date: MAY 3, 2001

Source: A WELL IN SPRING LAKE BASIN

Use: SUPPLEMENTAL IRRIGATION OF 80.0 ACRES

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 2 LOST R

Point of Diversion Location: NWSE, SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH & 2656 FEET WEST FROM SE CORNER, SECTION 2

Place of Use: NWSE 40.0 ACRES SWSE 40.0 ACRES, SECTION 2, TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, January 4, 2002

PUBLIC NOTICE DATE: Tuesday, January 8, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, February 7, 2002

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WATER RESOURCES DEPT.  
SALEM, OREGON

49372

WARRANTY DEED

Vol. 1997 Page 39181

KNOW ALL MEN BY THESE PRESENTS, That South Valley Bank & Trust

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Randy D. Bocchi and Suzanne E. Bocchi, Entirety, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

9/ 11 - 1 P3:53

The W 1/2 of the SE 1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon. TOGETHER WITH an easement for ingress and egress over the North 20 feet of the NE 1/4 of the SE 1/4 of said Section 2.

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DEC 28 2001

WATER RESOURCES DEPT. SALEM, OREGON

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 180,000.00

Notwithstanding to whomsoever the same may hereafter come, the same shall remain subject to the same covenants, conditions and restrictions as are herein expressed, and the same shall be deemed to be a part of the same.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 26 day of November, 1997; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

John D. Doty, VP

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, November 26, 1997

STATE OF OREGON, County of Klamath, November 26, 1997

Personally appeared the above named John D. Doty

Personally appeared [Signature] who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of [Signature]

and acknowledged the foregoing instrument to be a voluntary act and deed

and what the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon My commission expires: Nov 16, 1999

Notary Public for Oregon My commission expires:

GRANTOR'S NAME AND ADDRESS: South Valley Bank & Trust PO Box 5210 Klamath Falls OR 97601

GRANTEE'S NAME AND ADDRESS: South Valley Bank & Trust PO Box 5210 Klamath Falls OR 97601

Until a change is requested all true statements shall be sent to the following address: Randy D. & Suzanne E. Bocchi 2650 Aurora Drive Klamath Falls OR 97603

STATE OF OREGON, County of Klamath

I certify that the within instrument was received for record on the 1st day of December, 1997, at 3:53 o'clock P.M., and recorded in book M97 on page 39181 or as file/reel number 49372

Record of Deeds of said county. Witness my hand and seal of County affixed.

Bernetha G. Letach, Co. Clerk Recording Officer By Kathleen Ross Deputy

Fee: \$30.00

Assessor 640 X 480



\* - - Property Data Selection Menu - -

-1 Owner: BOCCHI RANDY D & SUZANNE E  
 Prop ID : R91340 (Real Estate) (73593) 5115 CROSS RD  
 Map Tax Lot: R-4009-00200-01200-000 KLAMATH FALLS, OR 97603  
 Legal : TWP 40 RNGE 9, BLOCK SEC 2, TRACT  
 NW4SE4 SW4SE4 NLY 20' OF NE4SE4\*

Situs : 5115 CROSS RD Year Built : 1972  
 KLAMATH FALLS, OR 97603 Living Area: 2876  
 Name(s) : 2001 Roll Values  
 Code Area : 164 Improvements \$ 189,680 (+)  
 Sale Info : 11/26/97 \$180,000 Land \$ 0 (+)  
 Deed Type : 05 Land Spec Mkt \$ 156,200  
 Instrument: M97-39181 Land Spec Use \$ 38,490 (+)  
 2001 Tax Status \* No Taxes Due \* Appraised \$ 228,170 (=)  
 Current Levied Taxes : 1,856.25 Exemptions \$ 0 (-)  
 Special Assessments : Taxable RMV \$ 228,170 (=)  
 2002-03 SB125 Taxes : M50 Assessed \$ 169,630

|            |                |                   |             |
|------------|----------------|-------------------|-------------|
| (A)lt Disp | (L)and/Impr    | (G)en Appr        | (O)wnership |
| (H)istory  | (W) Spec Assmt | (13) Loc. Profile | (.) More    |

Enter Option from Above or <RET> to Exit:   

1(023,043) Printer: None

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 DEC 28 2001  
 WATER RESOURCES DEPT.  
 SALEM, OREGON



# 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

December 21, 2001

RANDY D and SUZANNE E BOCCHI  
5115 CROSS RD  
KLAMATH FALLS, OREGON 97603

(541) 884-8500

Reference: File G-15485

Dear Applicants:

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

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

#### Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from A WELL IN SPRING LAKE BASIN for IRRIGATION OF 80.0 ACRES **is allowable** under ORS 542.610, the Klamath Compact.
3. The Department has determined, based upon OAR 690-09, that the proposed groundwater use will, if properly conditioned, adequately protect the surface water from interference.
4. The Department has also determined, based upon available data, that the use of groundwater in the amount of 1.0 CUBIC FOOT PER SECOND for IRRIGATION OF 80.0 ACRES **is available**, and if properly conditioned, will not injure existing rights or the groundwater resource.
5. The standard season of use for IRRIGATION from groundwater is March 1 through October 31 of each year. The applicant requested a season of **March 15 through October 31**. The requested season is within the allowed season of use.
6. The Department has determined that the applicant has not provided a legal description of the lands where water is to be diverted, conveyed and/or used. Please refer to the **Additional Information Required** section below for more information.

### Summary of Initial Determinations

**The use of 1.0 CUBIC FOOT PER SECOND from A WELL IN SPRING LAKE BASIN for IRRIGATION OF 80.0 ACRES is allowable from March 15 through October 31 of each year.**

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

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

#### To Proceed With Your Application:

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

#### Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, January 4, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

#### ADDITIONAL INFORMATION REQUIRED:

**Please submit a copy of the deed, land sale contract or title insurance policy listing the metes and bounds legal description of the lands proposed under this application. Please submit these items not later than *February 7, 2002*, or the Department *may* propose to reject your application at the next phase of processing.**

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

##### 1. Measurement, recording and reporting conditions:

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

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
2. To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

Initial and Annual Measurements

The Department requires the permittee to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

**After Use of Water has Begun**

Reference Water Level Determination

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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

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

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

- (A) An average water level decline of three or more feet per year for five consecutive

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

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

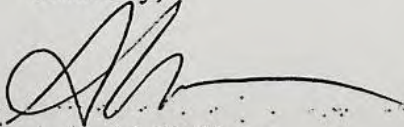
3. The priority date for this application is MAY 3, 2001.

The water source identified in your application is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 201. Feel free to call me at (503) 378-8455 extension 229 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203.

Sincerely,



Anita M. Huffman  
Senior Water Rights Technician

cc: Regional Manager, Watermaster District 17, Water Availability Section  
enclosures: Flow Chart of Water Right Process  
Stop Processing Form

G-15485  
wab 14-pou 14-gw c

# APPLICATION FACT SHEET

Mail to: *Applicant, Watermaster, District Biologist (ODFW)*  
If necessary, also mail to : *Regional Water quality manager (DEQ), and DOA*

Application File Number: G-15485

Applicant: RANDY D BOCCHI BOCCHI, SUZANNE E

County: KLAMATH

Watermaster: District 17

Priority Date: MAY 3, 2001

Source: A WELL IN SPRING LAKE BASIN

Use: SUPPLEMENTAL IRRIGATION OF 80.0 ACRES

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Klamath, #14

Stream Index Reference: Volume 2 LOST R

Point of Diversion Location: NWSE, SECTION 2, T40S, R9E, W.M.; 1360 FEET NORTH & 2656 FEET WEST FROM SE CORNER, SECTION 2

Place of Use: NWSE 40.0 ACRES SWSE 40.0 ACRES, SECTION 2, TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, January 4, 2002

PUBLIC NOTICE DATE: Tuesday, January 8, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, February 7, 2002



**IR CHECKLIST**

Application # G15485 Priority Date: 5/3/01  
Basin: KLAM County: KLAM Watermaster District: # 17  
Township: 40S Range: 9E Section: 2 1/4 1/4 SWSE  
WID: # \_\_\_\_\_ POU WID: # \_\_\_\_\_

1 Complete by Minimum Requirements checklist? Yes  No   
Items still required: Deed & App was accepted w/adjutant permit app.

2 ☆Groundwater/Surface Water Interference: A B  D If "A", indicate River/Stream \_\_\_\_\_  
☆Groundwater Availability: A B  ☆Conditions to be included on IR? List under Item #23 (over)  
★★PLEASE NOTE: If GW / SW Interference (above) = "B", "C" or "D" .....Skip Items #3, #4, #5 & #14

3 Basin Maps checked?  Yes  No Lost River Basin OUTSIDE Bmanza Study area.

4 Within or above a Scenic Waterway? Yes  No  Scenic Waterway  
If Yes.....cc: State Parks Dept. Conditions/Restrictions? Yes No \_\_\_\_\_

5 Within Oregon Streamflow Restoration Area? Yes  No  .....If Yes, include Streamflow Restoration Block

6 Is the well located in a groundwater limited area? Yes  No  Name \_\_\_\_\_ GW Limited Area

7 Is the well located in T. 1N, R. 3E, Sec. 20, 21, 28, 29? Yes  No  **If Yes...Notify DEQ immediately!!!**  
If Yes...cc: Andy Schaedel, NW Region Water Quality Manager, 2020 SW Fourth Ave, Portland, OR 97201  
**Call Andy at Phone #: 503-229-6121 & E-mail Andy at: "SMTPschaedel.andrew.l@deq.state.or.us"**

8 Requested Use & Rate: IRR 800 Ac, 1 cfs

9 Season requested by applicant: 3/15-10/31

10 For Irrigation: Rate 4/80 Duty 3 Season 3/1-10/31

11 For Nursery or Cranberry: Rate \_\_\_\_\_ Duty \_\_\_\_\_ Season \_\_\_\_\_

12 Allowed under Basin Program? Yes  No  Klamath Compact  
Limitations? Yes No \_\_\_\_\_

13 Withdrawn? Yes  No  Season Allowed: \_\_\_\_\_

14 Water Availability Applies: Yes  No  80% or 50% \_\_\_\_\_

15 Conflict? Yes  No  only KID, KBID - not adjudicated

16. BOR project? Yes No If Yes... Contract # and Duty: \_\_\_\_\_

17. Land use approval: OK'd Needs Approval County Notified N/A

18. Subject to Division 33: Yes No N/A Well does not have the potential for substantial interference  
★ Upper Columbia Div 33 Rules (Above Bonneville)? Yes No

If Yes..... NO WATER USE ALLOWED from APRIL 15 thru SEPTEMBER 30 of each year  
❖❖❖(EXCEPT for Domestic Use & other Exempt uses under OAR 690-33-140)❖❖❖

- cc:  ODFW Biologist District # \_\_\_\_\_  NMFS.....Marc Liverman
- Columbia River Intertribal Fish Commission  Dept. Of Agriculture.....Steve Applegate
- US Fish & Wildlife  DEQ→ East Region - Dick Nichols, Bend
- NW Power Planning Council →West Region - John Blanchard, Medford  
→Northwest Region - Andy Schaedel, Portland

★ Statewide Div 33 Rules ("Sensitive" anywhere in state & "Threatened or Endangered" OUTSIDE Columbia Basin)? Yes No

- If Yes...cc:  ODFW Biologist District # \_\_\_\_\_ ★ DIVISION 33 CONDITIONS ★
- Steve Applegate.....Dept. of Agriculture →Above Bonneville: "B54B"
- DEQ→ East Region - Dick Nichols, Bend →Below Bonneville: "PISPC"
- West Region - John Blanchard, Medford ❖❖❖NOTE: If "Q" is over 1.0 CFS,
- Northwest Region - Andy Schaedel, Portland See: OAR 690-33-220(3)

19. On DEQ 303d (Water Quality Limited) list? Yes No If Yes...cc: appropriate Regional Water Quality Manager  
East Region-Dick Nichols, Bend West Region-John Blanchard, Medford NW Region-Andy Schaedel, Portland

20. Within Dept. of Ag Water Quality Management Area? Yes No If Yes.....cc: Mike Wolf - Dept. of Ag  
ADOPTED: TUALATIN\_\_\_ BEAR CREEK(ROGUE)\_\_\_ UMATILLA\_\_\_ UPR GRANDE RONDE\_\_\_ YAMHILL\_\_\_ LWR DESCHUTES\_\_\_  
LWR COLUMBIA/CLATSKANIE\_\_\_ LWR COLUMBIA\_\_\_ NECANICUM\_\_\_ NEHALEM\_\_\_ WILSON/TRASK/NESTUCCA\_\_\_

IN COMMITTEE: CLACKAMAS\_\_\_ MOLALLA/PUDDING\_\_\_ FRENCH/PRAIRIE\_\_\_ N SANTIAM\_\_\_ MCKENZIE\_\_\_ COAST/MID WILLAMETTE\_\_\_  
LWR COLUMBIA/SANDY\_\_\_ COQUILLE\_\_\_ COOS\_\_\_ LWR ROGUE\_\_\_ MID ROGUE\_\_\_ UPR ROGUE\_\_\_ APPLGATE\_\_\_ ILLINOIS\_\_\_  
UMPQUA\_\_\_ N UMPQUA\_\_\_ S UMPQUA\_\_\_ HOOD\_\_\_ UPR JOHN DAY\_\_\_ N FK JOHN DAY\_\_\_ MID FK JOHN DAY\_\_\_ WALLA WALLA\_\_\_  
BUTTE\_\_\_ SPRAGUE\_\_\_ WILLIAMSON\_\_\_ UPR KLAMATH LK\_\_\_ KLAMATH LK\_\_\_ LWR GRANDE RONDE\_\_\_ IMNAHA\_\_\_ LOST RIVER\_\_\_  
MID DESCHUTES\_\_\_ WILLOW/MALHEUR\_\_\_ BULLY\_\_\_ LWR MALHEUR\_\_\_ UPR MALHEUR\_\_\_ FAREWELL BEND\_\_\_ MID SNAKE/PAYETTE\_\_\_

21. WM District: NWR: 1 2 16 18 20 NCR: 3 4 5 ER: 6 8 9 10 SCR: 11 12 17 SWR: 13 14 15 19

22. Initial Review will be: GOOD LIMITED BAD BAD W/IR SHORT BAD W/HC EXCEPT

23. ☆Proposed Allowed Use & Rate: 7B, 7E

☆Proposed Allowed Period of Use: 3/15 - 10/31

☆Measuring condition: Small Medium Large

☆Conditions (BOR, GW, other)? Yes No 7B, 7E

Reviewer's Name: AM Date: 12/17/01

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

#### ARTICLE XI

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

#### ARTICLE XII

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

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

[1999 c.540 §1]

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

### KLAMATH RIVER BASIN COMPACT

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

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

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

222, 85th Congress (signed by President on August 30, 1957).

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

#### ARTICLE I PURPOSES

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

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

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

#### ARTICLE II DEFINITION OF TERMS

As used in this compact:

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

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

which map is incorporated by reference and made a part hereof.

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

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

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

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

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

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

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

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

### ARTICLE III

#### DISTRIBUTION AND USE OF WATER

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

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

date of this compact by appropriation under the laws of the state where the use is to be made, as modified by the following provisions of this subdivision B and subdivision C of this Article, and may not be acquired in any other way:

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

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

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

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

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

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

Plat Card Report for: *Township: 40S, Range: 9E Section: 2*

Pa

| Application                     | Permit  | Certificate | Status<br>lot/dlc | NE                       |    |    |                          | NW |    |    |    | SW |    |    |    | SE                       |                          |                          |                          | Gov't<br>Lot |
|---------------------------------|---------|-------------|-------------------|--------------------------|----|----|--------------------------|----|----|----|----|----|----|----|----|--------------------------|--------------------------|--------------------------|--------------------------|--------------|
|                                 |         |             |                   | NE                       | NW | SW | SE                       | NE | NW | SW | SE | NE | NW | SW | SE | NE                       | NW                       | SW                       | SE                       |              |
| G 15353<br>4/11/2001            | G 13908 |             | Cncl              | 10.100<br>IR (s)<br>Cncl |    |    | 37.800<br>IR (s)<br>Cncl |    |    |    |    |    |    |    |    | 37.100<br>IR (s)<br>Cncl |                          |                          | 36.600<br>IR (s)<br>Cncl |              |
| <i>D</i><br>G 15377<br>5/3/2001 | G 13939 |             | Cncl              |                          |    |    |                          |    |    |    |    |    |    |    |    |                          | 40.000<br>IR (s)<br>Cncl | 40.000<br>IR (s)<br>Cncl |                          |              |
| G 15471<br>4/11/2001            |         |             |                   | AG                       |    |    | AG                       |    |    |    |    |    |    |    |    | AG                       |                          |                          | AG                       |              |
| G 15471<br>4/11/2001            | *       |             |                   | 10.300<br>IR (s)         |    |    | 37.140<br>IR (s)         |    |    |    |    |    |    |    |    | 39.090<br>IR (s)         |                          |                          | 33.520<br>IR (s)         |              |
| <i>S</i><br>G 15485<br>5/3/2001 |         |             |                   |                          |    |    |                          |    |    |    |    |    |    |    |    |                          | 40.000<br>IR (s)         | 40.000<br>IR (s)         |                          |              |

Go to 40S, 9E, 2 page: 1

[Return to Plat Card Search](#)

**NOTE:** Please read the [disclaimer](#) before using this information. Frequently asked questions are discussed in our Plat Card [FAQ](#).

Water Right Conditions  
Tracking Slip

Groundwater/Hydrology Section

FILE ## G-15485

ROUTED TO: Water Rights

TOWNSHIP/

RANGE-SECTION: 40S/9E-2db

CONDITIONS ATTACHED? []yes []no

REMARKS OR FURTHER INSTRUCTIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: Michael Zwart



**OREGON WATER RESOURCES DEPARTMENT  
INTEROFFICE MEMO**

To: Ground Water files Date: July 15, 2001  
From: Michael J. Zwart  
Subject: Application Review: G-15485, Randy and Suzanne Bocchi

This application proposes to use about 1.0 cfs from one proposed well for primary (?) and supplemental irrigation of 80.0 acres. Based on the proposed construction information (TD: 1000 ft.), the well will very likely produce water from a confined to semiconfined aquifer developed in Tertiary basalt rocks, likely the Basalt of Basin and Range (Tb2) as mapped by Sherrod and Pickthorn (1992). There may be an unknown thickness of continental sedimentary rocks (Tcs) and Quaternary deposits (Qs) overlying the basalt at this location.

The well is about 50 feet from the C-4-C Canal and about 1400 feet from an unnamed lake. There is no potential for substantial interference with surface water, based on the confined to semiconfined nature of the targeted aquifer.

I recommend permit conditions 7B and 7E.

**Application No.** 154 85  
**Permit No.**

TO: Water Rights Section

July 15, 2001

FROM: Groundwater/Hydrology Section Michael Zwart  
Reviewer's Name

SUBJECT: Application G- 15485

GROUNDWATER/SURFACE WATER CONSIDERATIONS

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
  - b. \_\_\_ will not \_\_\_\_\_ surface water source, namely \_\_\_\_\_; or
  - c.  will if properly conditioned, adequately protect the surface water from interference:
    - i.  The permit should contain condition #(s) 7B;
    - 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 from substantial interference.

GROUNDWATER AVAILABILITY CONSIDERATIONS

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
  - b. \_\_\_ will not \_\_\_\_\_ and/or within the capacity of the resource; or
  - c.  will if properly conditioned, avoid injury to existing rights or to the groundwater resource:
    - i.  The permit should contain condition #(s) 7E;
    - 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
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 Considerations on Reverse Side)



**2. PROPERTY OWNERSHIP**

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

- Yes (Skip to section 3 "Ground water Development.")
- No Please check the appropriate box below.
  - I have a recorded easement or written authorization permitting access.
  - I do not currently have written authorization or easement permitting access.

List the names and mailing addresses of all affected landowners.\*

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

\*If more than 25 landowners are involved, a list is not required. See instructions.

**3. GROUND WATER DEVELOPMENT**

A. Number of well(s): 1 B. Name of nearest surface water body: Spring Lake

C. Distance from well(s) to nearest stream or lake: 1) 2 miles

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

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

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

**E. Well Characteristics**

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

Well(s) will be constructed by: Roger Chancellor

Address: 12150 Hill Rd  
Klamath Falls OR 97603

Completion date: 6-15-01

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

| Well No. | Diameter | Type and size of casing | No. of feet of casing | Intervals casing is perforated (in feet) | Seal depth | Est. depth to water | Est. depth to water bearing stratum | Type of access port or measuring device | Total well depth |
|----------|----------|-------------------------|-----------------------|--|------------|---------------------|-------------------------------------|---|------------------|
| 1        | 12       | 12                      | 300                   | N/A                                      | 400        | 10ft                | 900                                 | N/A                                     | 1000             |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
|          |          |                         |                       |  |            |                     |                                     |   |                  |
|          |          |                         |                       |  |            |                     |                                     |   |                  |

**F. Artesian Flows**

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

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**4. WATER USE**

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

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

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

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MAY 03 2001

Application No. 915485  
Permit No. \_\_\_\_\_  
Ground Water/3

## B. Amount of Water

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

| Well No. | Source or aquifer | Type of use | Total rate of water requested (in gpm) | Total annual quantity (in gallons) | Production rate of well (in gpm) |
|----------|-------------------|-------------|--|------------------------------------|----------------------------------|
| 1        | N/A               | Irrigation  | 1000                                   |                                    | 1000                             |
|          |                   |             |  |                                    |                                  |
|          |                   |             |  |                                    |                                  |
|          |                   |             |  |                                    |                                  |

## C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 1000 GPM 1 CFS  
(The fees for your application will be based on this amount.)

## D. Period of Use

Indicate the time of year you propose to use the water: MAR 15 to Oct 31  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)

## E. Acreage

If you will be applying water to land, please give the total number of acres where water will be applied or used: 80  
(This number should be consistent with your application map.)

## 5. WATER MANAGEMENT

### A. Diversion

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

- Pump (give horsepower and pump type) 100 HP Turbine  
 Other means (describe) \_\_\_\_\_

### B. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)  
Width 2 Depth 2  
Is the ditch or canal to be lined?  Yes  No
- Pipe (give diameter and total length)  
Diameter 8" Length 1500'
- Other (describe) \_\_\_\_\_

**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? \_\_\_\_\_

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

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

Distribution method

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

**D. Conservation**

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

The Method is what was used when we bought the property

**6. PROJECT SCHEDULE**

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

Proposed date construction will begin June 01-2001

Proposed date construction will be completed June 15-2001

Proposed date beneficial water use will begin June 15-2001

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**7. REMARKS**

MAY 08 2001

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

N/A

Application No. 515485  
Permit No.

## 8. MAP REQUIREMENTS

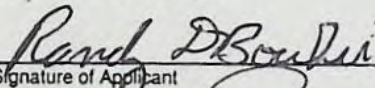
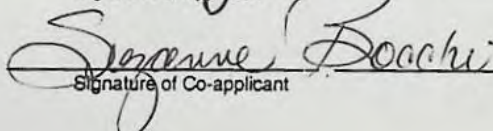
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place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

## 9. SIGNATURE

By my signature below I confirm that I understand:

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

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

|  |                        |
|--|------------------------|
| <br>Signature of Applicant    | <u>5-02-01</u><br>Date |
| <br>Signature of Co-applicant | <u>5-2-01</u><br>Date  |

**Before you submit your application be sure you have:**

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary  Supplemental

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

Primary: 80 Acres

Secondary: 80 Acres

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

no. Klamath Irrigation Dist  
Kid - KBID Dist

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

1. ALFALFA  Full season  Partial season (from: April to Oct)

2. PASTURE  Full season  Partial season (from: April to Oct)

3. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

4. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

\_\_\_\_\_ acre-feet

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

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

Daily during daytime hours

Daily during nighttime hours

Two or three times weekly during daytime

Two or three times weekly during nighttime

Weekly, during daytime hours

Weekly, during nighttime hours

Other, explain: \_\_\_\_\_

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MAY 03 2001

Application No 915485  
Permit No.



**Oregon Water Resources Department  
Land Use Information Form**

*This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.*

**To Be Completed By Applicant**

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

**A. Applicant**

Name: RANDY D & SUZANNE E Bocchi

Address: 5715 CROSS RD

City: KLAMATH FALLS State: OR Zip: 97603 Day Phone: 884-8500

**B. Land and Location**

4009-02-1200 80ac±

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

| Tax Lot I.D. | Plan Designation (e.g. Rural Residential/RR-5) | Water to be: (check all that apply) |                                   |                               |
|--------------|--|-------------------------------------|-----------------------------------|-------------------------------|
| 1200         | EFU - EXCLUSIVE FARM USE                       | <input type="checkbox"/> Diverted   | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used |
|              |  | <input type="checkbox"/> Diverted   | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used |
|              |  | <input type="checkbox"/> Diverted   | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used |

List counties and cities where water is proposed to be diverted, conveyed, or used. KLAMATH - KLAMATH FALLS

**C. Description of Water Use**

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): IRRIGATION

Briefly describe: \_\_\_\_\_

**D. Source**

Indicate the source for the proposed water use:

Reservoir/Pond    Ground Water    Surface Water \_\_\_\_\_ (source)

**E. Quantity**

Indicate the estimated quantity of water the use will require:

1000    CFS    GPM    Acre-Feet

**Application No.** 915405

**Permit No.**

**Receipt for Request for Land Use Information**

State of Oregon  
Water Resources Department  
Commerce Bldg.  
158 12th St. NE  
Salem, OR 97310-0210  
(503)378-8455

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MAY 03 2001

RECEIVED

MAY 03 2001

**For Local Government Use Only**

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

**A. Allowed Use** AGRICULTURE USE (FARM USE)

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): SEC 54.020. Go to section B "Approval" below  
ARTICLE 54
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

**Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

**B. Approval**

Please provide printed name and written signature.

Name: Carl Shuck Date: 5/3/01  
 Title: PLANNING DIR Phone: 883-4200  
 Signature: Carl Shuck

**C. Additional Comments**

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

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

**Note:** If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

**Receipt for Request for Land Use Information**

Name of water right applicant: \_\_\_\_\_

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: KIAMATH Co  
 Staff contact: Carl Shuck - PLANNING Phone: 883-4200  
 Signature: Carl Shuck Date: 5/3/01

- B. Date of creation and existence: When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfiguration means any change in the boundary of the lot, parcel or tract.
- C. Irrigated: means watered by an artificial or controlled means, such as sprinklers, furrows, ditches, or spreader dikes. An area or tract is "irrigated" if it is currently watered, or has established rights to use water for irrigation, including such tracts that receive water for irrigation from a water or irrigation district or other provider.
- D. Agricultural Land: Lands classified by the U.S. Soil Conservation Service as predominantly (51% or more) Class I-VI soils; lands in other soil classifications that are suitable for farm use as defined in ORS 215.203(2)(a), taking into account soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, and accepted farming practices; land that is necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands. Agricultural land does not include land within acknowledged urban growth boundaries or within acknowledged exception areas for goals 3 and 4.
- E. High-Value Farmland: land in a tract composed predominantly (51% or more) of soils that, at the time the dwelling is approved for the tract are:
1. Irrigated and classified prime, unique, Class I, or Class II; or
  2. Not irrigated and classified prime, unique, Class I or Class II; or
  3. Shown to have grown specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture taken prior to November 4, 1993. For the purposes of this section, "specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards, but not including seed crops, hay, pasture, or alfalfa.

54.020 - PERMITTED USES

The following uses may be permitted subject to site plan review of Article 41, and all other applicable standards, criteria, rules, and statutes governing such uses:

- A. Farm use.
- B. The propagation or harvesting of a forest product..
- C. Nonresidential buildings customarily provided in conjunction with farm use.

Application No. 915485  
Permit No.

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MAY 03 2001

FILE#: G 15485

RANDY D BOCCHI

BOCCHI, SUZANNE E

5115 CROSS RD

KLAMATH FALLS, OR 97603

---

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **44740**

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

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

*G-15485*

RECEIVED FROM: *Randy Bocchi*  
BY: \_\_\_\_\_

|             |                |
|-------------|----------------|
| APPLICATION | <i>G-15485</i> |
| PERMIT      |                |
| TRANSFER    |                |

CASH:  CHECK: # *#2316* OTHER: (IDENTIFY)   
*96-597*

TOTAL REC'D \$ *400<sup>00</sup>*

**0417 WRD MISC CASH ACCT**

|                     |                 |
|---------------------|-----------------|
| ADJUDICATIONS       | \$              |
| PUBLICATIONS / MAPS | \$              |
| OTHER: (IDENTIFY)   | \$ <i>15487</i> |
| OTHER: (IDENTIFY)   | \$              |

**REDUCTION OF EXPENSE**

|            |    |
|------------|----|
| CASH ACCT. | \$ |
| VOUCHER #  |    |

**0427 WRD OPERATING ACCT**

|                          |                          |               |      |             |    |
|--------------------------|--------------------------|---------------|------|-------------|----|
| <b>MISCELLANEOUS</b>     |                          |               |      |             |    |
| 0407                     | COPY & TAPE FEES         |               | \$   |             |    |
| 0410                     | RESEARCH FEES            |               | \$   |             |    |
| 0408                     | MISC REVENUE: (IDENTIFY) |               | \$   |             |    |
| (New) TC162              | DEPOSIT LIAB. (IDENTIFY) |               | \$   |             |    |
| <b>WATER RIGHTS:</b>     |                          |               |      |             |    |
| 0201                     | SURFACE WATER            | \$            | 0202 | RECORD FEE  | \$ |
| 0203                     | GROUND WATER             | \$ <i>400</i> | 0204 | \$          |    |
| 0205                     | TRANSFER                 | \$            | 0206 | \$          |    |
| <b>WELL CONSTRUCTION</b> |                          |               |      |             |    |
| 0218                     | WELL DRILL CONSTRUCTOR   | \$            | 0219 | LICENSE FEE | \$ |
|                          | LANDOWNER'S PERMIT       |               | 0220 | \$          |    |
|                          | OTHER (IDENTIFY)         |               |      |             |    |

*PCA 6111*

**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 # **44740**

DATED: *5/3/01* BY: *[Signature]*

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **54251**

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

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

RECEIVED FROM: Randy Bocchi  
BY: \_\_\_\_\_

|             |         |
|-------------|---------|
| APPLICATION | G/13485 |
| PERMIT      |         |
| TRANSFER    |         |

CASH:  CHECK: #  96-590 OTHER: (IDENTIFY) \_\_\_\_\_

TOTAL REC'D \$ 175.00

**0417 WRD MISC CASH ACCT**

|                         |    |
|-------------------------|----|
| ADJUDICATIONS           | \$ |
| PUBLICATIONS / MAPS     | \$ |
| OTHER: (IDENTIFY) _____ | \$ |
| OTHER: (IDENTIFY) _____ | \$ |

**REDUCTION OF EXPENSE**

|            |    |
|------------|----|
| CASH ACCT. | \$ |
| VOUCHER #  |    |

**0427 WRD OPERATING ACCT**

|                          |                                |                 |                       |
|--------------------------|--------------------------------|-----------------|-----------------------|
| <b>MISCELLANEOUS</b>     |                                |                 |                       |
| 0407                     | COPY & TAPE FEES               |                 | \$                    |
| 0410                     | RESEARCH FEES                  |                 | \$                    |
| 0408                     | MISC REVENUE: (IDENTIFY) _____ |                 | \$                    |
| (New) TC162              | DEPOSIT LIAB. (IDENTIFY) _____ |                 | \$                    |
| <b>WATER RIGHTS:</b>     |                                | <b>EXAM FEE</b> | <b>RECORD FEE</b>     |
| 0201                     | SURFACE WATER                  | \$              | 0202 \$               |
| 0203                     | GROUND WATER                   | \$              | 0204 \$ <u>175.00</u> |
| 0205                     | TRANSFER                       | \$              | 0206 \$               |
| <b>WELL CONSTRUCTION</b> |                                | <b>EXAM FEE</b> | <b>LICENSE FEE</b>    |
| 0218                     | WELL DRILL CONSTRUCTOR         | \$              | 0219 \$               |
|                          | LANDOWNER'S PERMIT             |                 | 0220 \$               |
| OTHER                    | (IDENTIFY) _____               |                 |                       |

**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 # **54251**

DATED: 7/19/02 BY: Connie Vance

|||

G-15485

JOHN E BONNER

5115 CROSS RD

KLAMATH FALLS OR 97603

|||

G-15485

JOHN E BONNER

5115 CROSS RD

KLAMATH FALLS OR 97603

|||

G-15485

JOHN E BONNER

5115 CROSS RD

KLAMATH FALLS OR 97603

G 15485

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FOIR

APP # G-15485      PERMIT # G-15130

JOHN BONNER

Klamath County, OR

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