

Application for an Emergency Use Permit for Groundwater (Drought)



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME CAMERON KERNS			PHONE (HM)		
PHONE (WK)		CELL 541-403-0829		FAX	
ADDRESS 15288 MUDDY CREEK					
CITY HAINES		STATE OR	ZIP 97833	E-MAIL* Krr@rconnects.com	

Organization Information

NAME			PHONE		FAX
ADDRESS					CELL
CITY	STATE	ZIP	E-MAIL*		

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME			PHONE		FAX
ADDRESS					CELL
CITY	STATE	ZIP	E-MAIL*		

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically.
(A paper copy of the final order will also be mailed.)

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well. Acceptance of this application neither guarantees an emergency use permit will be issued nor indicates that a permanent water right may be obtained.
- 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

☐ Yes

☐ There are no encumbrances.

☐ This land is encumbered by easements, rights of way, roads or other encumbrances.

☒ No

☒ I have a recorded easement or written authorization permitting access.

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

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

☐ Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

Brandt Family LLC
3605 Miwok Pl.
Davis, CA 95618

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Add. Well	Big Muddy Creek	0.45 mi	6 ft

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

This well was an additional point of appropriation from transfer T-11896.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Supplemental Irrigation	August 1- October 31	3.0af/ac

Rights affected by drought:

County in which use will occur: Baker

(if the right is located in Klamath Basin/County you must complete Section 8)

Please indicate the total number of acres to be irrigated (*must match map*): 160 acres

List the Permit or Certificate number(s) of the water right(s) affected by drought: C-73402

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3.0af/ac

SECTION 5: WATER MANAGEMENT**A. Diversion and Conveyance**

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

☒ Pump (give horsepower and type): submersible 60hp

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Currently I have a 3/4 pivot on adjacent ground that I will continue around into a full circle. The remaining acres will be flood irrigated directly from the well.

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; and prevent the discharge of contaminated water to a surface stream.

The amount of water requested is at 1/80th which is concurrent with other groundwater applications. This amount is need to run the pivot and continue with the flood irrigation. We currently have a meter on the well so we can monitor the amount we are using.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Perkins Supplemental Irrigation & Drainage works well

Total maximum rate requested: 1.4 cfs

(each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below)

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. *(If a well log is available, please submit it in addition to completing the table.)* If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
BAKE 52440	☐	☒	L119426	☐	12"	2-530'	220'-340' 380'-530'	0-65'	18'	Alluvial	530'	700gpm	3.0af/ac
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

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* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 6: WITHIN A DISTRICT

- ☐ Check here if any of the water rights affected by drought are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

- ☐ Yes ☐ No Has the irrigation district transferred the primary irrigation water right to another place of use for this irrigation season?

Projected irrigation season allotment, if known: _____

SECTION 7: DROUGHT INFORMATION

Explain how drought conditions have created an inability to obtain water under your existing right(s), and any other remarks to clarify any other information (*attach additional sheets as necessary*).

Baker County is currently in a drought for the 2026 irrigation season. I receive primary water rights out of Rock Creek. Rock Creek only supplied water to the 1889 ground for approximately 2 weeks and I was not able to irrigate the property in whole.

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SECTION 8: KLAMATH BASIN/COUNTY WELL INFORMATION

PLEASE NOTE: Due to the pervasive drought and rapidly declining groundwater levels in the Klamath Basin, the Oregon Water Resources Department is unlikely to issue Drought Emergency Use Permits for groundwater in the Klamath Basin.

A functioning, totalizing flowmeter will be required for any drought permits issued. Is there currently a flowmeter installed on each of the PODs listed in the table in Section 3 of this application? ☐ Yes ☐ No*

*Please note that watermaster staff will visit the well to confirm flowmeter presence prior to issuance of an emergency drought groundwater permit. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements and these may be conditions of the permit.

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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Date _____

(For staff use only)



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

- ☐ SECTION 1: _____
- ☐ SECTION 2: _____
- ☐ SECTION 3: _____
- ☐ SECTION 4: _____
- ☐ SECTION 5: _____
- ☐ SECTION 6: _____
- ☐ SECTION 7: _____
- ☐ SECTION 8: _____
- ☐ Fees _____

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MAP

- ☐ Permanent quality and drawn in ink
- ☐ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☐ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☐ Reference corner on map
- ☐ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☐ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☐ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☐ Location of main canals, ditches, pipelines or flumes
- ☐ Other _____

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

BAKE 52440

WELL I.D. LABEL# 119426

START CARD # 1027218

ORIGINAL LOG #

8/18/2015

(1) LAND OWNER

Owner Well I.D.

First Name CAMERON Last Name KERNS

Company

Address 15288 MUDDY CR. LN.

City HAINES State OR Zip 97833

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd

Material From To Amt sacks/lbs

Seal: Material From To Amt sacks/lbs

(3) DRILL METHOD

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

(4) PROPOSED USE

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

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 530.00 ft.

BORE HOLE

SEAL

sacks/lbs

Dia	From	To	Material	From	To	Amt	lbs
18	0	22	Bentonite Chips	0	65	11000	P
12	22	530				Calculated	3900
						Calculated	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POURED DRY

Backfill placed from 65 ft to 180 ft. Material 24000# BENTONITE

Filter pack from ft to ft. Material Size

Explosives used: ☐ Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	☐	12	☒	2	530	0.25	☒	☐	☒	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐

Shoe ☒ Inside ☐ Outside ☐ Other Location of shoe(s) 530Temp casing ☒ Yes Dia 16 From 0 To 21

(7) PERFORATIONS/SCREENS

Perforations Method AIR KNIFE

Screens Type Material

Perf/	Casing/ Screen	Dia	From	To	Scrtn/slot width	Slot length	# of slots	Tele/ pipe size
Perf	Casing	12	220	340	.25	1	3600	
Perf	Casing	12	380	530	.25	1	4500	

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
700		525	2

Temperature 56 °F Lab analysis ☐ Yes ByWater quality concerns? ☐ Yes (describe below) TDS amount 324

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County BAKER Twp 7.00 S N/S Range 30 E E/W WM

Sec 25 SE 1/4 of the NE 1/4 Tax Lot 400

Tax Map Number 6900 Lot

Lat ° ' " or DMS or DD

Long ° ' " or DMS or DD

☒ Street address of well ☐ Nearest address15288 MUDDY CR. LN.
HAINES, OR 97833

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL(psi)	+ SWL(ft)
Completed Well	8/13/2015		25

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 15.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
7/17/2015	58	62	8		25
7/20/2015	77	83	15		25
7/20/2015	155	173	40		25
7/20/2015	191	205	50		25
7/20/2015	218	226	150		25

(11) WELL LOG

Ground Elevation

Material	From	To
SOIL	0	3
TAN CLAY, GRAVEL	3	14
BROWN CLAY, GRAVEL	14	58
GRAVEL, BROWN CLAY	58	62
TAN CLAY, GRAVEL	62	77
GRAVEL, TAN CLAY	77	83
BROWN CLAY, GRAVEL	83	121
TAN CLAY, GRAVEL	121	146
BROWN CLAY, GRAVEL	146	155
GRAVEL, SAND, TAN CLAY	155	164
TAN CLAY, GRAVEL	164	173
BROWN CLAY, GRAVEL	173	183
TAN CLAY, GRAVEL	183	191
GRAVEL, SAND, TAN CLAY	191	205
TAN CLAY, GRAVEL, SAND	205	218
GRAVEL, SAND, TAN CLAY	218	226
TAN CLAY, SAND, GRAVEL	226	234
SAND, GRAVEL, BROWN CLAY	234	252
GRAVEL, SAND, TAN CLAY	252	275

Date Started 7/17/2015

Completed 8/13/2015

(unbonded) Water Well Constructor Certification

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

License Number SEP 09 2015 Date

Signed

(bonded) Water Well Constructor Certification

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

License Number 1775 Date 8/18/2015

Signed JASON ACQUISTAPACE (E-filed)

Contact Info (optional)

ORIGINAL LOG #

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
								
								
								
								

Material From To Amt sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL				sacks/ lbs
Dia	From	To	Material	From	To	Amt	
					Calculated		
					Calculated		
					Calculated		
					Calculated		

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
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(7) PERFORATIONS/SCREENS

[illegible]

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

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
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Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
7/20/2015	234	252	100			25
7/21/2015	252	275	120			25
7/21/2015	275	291	55			25
7/21/2015	291	314	150			25
7/21/2015	322	333	100			25
7/22/2015	373	442	100			25
7/22/2015	456	488	200			25
7/23/2015	488	530	100			25

(11) WELL LOG

[illegible]

Comments/Remarks

Lease of the Loennig/Poulson Lower Ranch

Near Haines, Oregon - 2012

This Lease is made and entered into this 17th day of December 2011, by and between Barbara Elene Brandt, Norris P. Brandt and Alf W. Brandt, (the Lessors), and Kerns Rainbow Ranch, Inc. (the Lessee), in order to provide for the care and use of certain farm property located at the intersection of Anthony Lakes Highway and Muddy Creek Lane, near the town of Haines, Oregon, containing 157 acres, more or less (the Property), legally described as:

IN TOWNSHIP 7 SOUTH, RANGE 39 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 19: Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southwest quarter.

EXCEPTING THEREFROM highway right of way conveyed to the State of Oregon by and through its State Highway Commission recorded July 23, 1959, Deed Book 169, page 948.

Section 30: Lot 1, and the Northeast quarter of the Northwest quarter.

1. In consideration of the covenants and agreements contained herein, the Lessors hereby lease to the Lessee the Property for use as grazing land and/or for other farming or livestock purposes.
2. The Lessee agrees to:
 - a) Pay semi-annual rent of \$8000 on May 1 and November 25 of each year that this Lease is in effect. The parties acknowledge that Lessees paid \$1000, on or about November 11, 2011, toward the first payment due on May 1, 2012.
 - b) Farm, cultivate and use the Property for grazing cattle in a good, sustainable and husbandlike manner; to keep the fences and improvements thereon in as good condition and repair as the same are now or may be put in by either party hereto, ordinary wear and tear and damage by fire, flood, unavoidable casualty and the elements alone excepted.
 - c) Exercise the Property's appurtenant 1889 water right, maintain a record of the dates and rough approximation of water flow arriving on the Property from the Miller Ditch, and report such information to Lessors by December 31 of each year.
 - d) Report annually, by December 31 of each year, on management of the Property's forage resources, including an estimation of the Property's usage by animal unit months.
 - e) Not burn any straw or crop residues except as permitted by law;
 - f) Keep all ditches clean, open and free from brush and growth;
 - g) Allow no stock on the premises except the stock of the Lessee or members of the Kerns family;
 - h) Prevent trampling of fields by livestock when injury would result;
 - i) Not plow pastures or meadowland without the Lessors' consent;
 - j) Not allow damage or waste to Lessors' property;
 - k) Not permit illegal activities on the Property, including but not limited to the production or sale on the premises of any alcoholic beverages, drugs or other illegal substances;

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- l) Use only pesticides, herbicides or other chemicals on the Property in a legal manner according to the label;
 - m) Maintain sufficient property liability insurance, of not less than \$500,000 in coverage, with the Lessors identified as additional insureds, and provide documentation of such insurance at the request of the Lessors;
 - n) Indemnify and hold the Lessors harmless from all liability related to or arising out of Lessees' activity on the Property.
 - o) Provide the labor, equipment and other resources required to complete the improvements to the Property as provided in paragraph 5 below.
 - p) Take all reasonable steps to prevent the Property from becoming encumbered due to Lessees' activities, including but not limited to mechanics liens on the Property.
 - q) Winter feed livestock on the Property in a husbandlike manner.
3. The Lessors agree to:
- a) Promptly replace all improvements on the leased premises damaged or destroyed by fire, flood or unavoidable casualty.
 - b) Pay on or before November 15 of each tax year all taxes due and to become due on the Property herein leased.
 - c) If there is a mortgage or other encumbrances on the Property, to keep the same in good standing at all times, to make all payments when due and to become due thereon, and not to suffer or permit the same to be or become in default. At this time, the Lessors have no intention of mortgaging the Property.
 - d) Pay the cost of materials for the improvements as provided in paragraph 5 below, up to the total amount of annual Lease payments provided herein, within 30 days of receipt of Lessees' reasonable documentation of such expenses.
 - e) Assume responsibility to arrange for and pay their share of any costs for maintenance and repair of the Miller Ditch and its associated facilities.
4. The parties hereto further agree that under no circumstances shall this Lease be construed as giving rise to a partnership between them, and that neither party shall be liable for the debts or obligations of the other except by written consent.
5. The Lessors and the Lessee have agreed to make the following improvements to the Property over the first year of the lease term. The Lessors and Lessee may agree to additional Property improvements over the term of this Lease.
- a) Restore or reconstruct internal fencing to create 2 separate pastures within the Property that allows cattle in either pasture to gain access to the stock water pond near the middle of the Property.
 - b) Install culvert in Miller Ditch at a location selected by Lessee, using culvert previously purchased by Lessors and currently located at the Wright property on Schoolhouse Road.
 - c) Implement a control program to bring infestations of noxious weeds under control, and to prevent further spreading. Lessee understands that a citation was issued in 2011 by the Baker County Weed Control Department for allowing Class A noxious weeds to become established. One of those weeds is whitetop, which is difficult to control. Scotch thistle is also present on the property. Once established, both species require a long-term effort for eradication. Lessee agrees special herbicides may be recommended by the Weed Control department for aggressive control efforts on both weed species to avoid another citation. Lessor agrees to pay for the herbicide control product.

6. The initial term of this Lease shall be one year, commencing on January 1, 2012. The Lease will be renewed for an additional one-year term if neither party provides written notice of termination (by U.S. mail or e-mail) to the other party by September 30 of each year, for a maximum of three additional years. Either party may terminate this Lease by providing written notice of termination no later than September 30 for the subsequent year.

7. All improvements to the Property, including but not limited to those identified in paragraph 5, shall become the property of the Lessors upon completion of the improvement.

8. The parties agree that, in case of dispute, they first will submit such dispute to mediation, with a mediator located in Baker County and accepted by both parties, before any suit or action is filed in court. In the event any suit or action is brought to enforce any provision of this agreement or to repossess the premises, reasonable attorney's fees may be awarded by the trial court to the prevailing party in such suit or action together with costs and necessary disbursements; and on appeal, if any similar reasonable attorney's fees, costs and disbursements may be awarded by the appellate court to the party prevailing on appeal.

9. The Lessors enter into this Lease in reliance on the Kerns family's extensive experience and knowledge of good grazing practices. The Lessee therefore has no right to assign this Lease, nor sublet or permit any person(s) other than the Lessee's employees and contractors or the Kerns family to occupy the Property without consent of the Lessors first being obtained in writing. The Lessee shall have no right to transfer the rights under this Lease to any other party, except to a member of their family with the consent of the Lessors.

10. The Lessors warrant that their representative, Alf W. Brandt, has the authority to execute this Lease pursuant to appropriate, written delegation from the other two Lessors. The Lessee represents that Janice L. Kerns is a corporate officer, but other officers may sign additional documents related to this lease.

11. The Lessors and their agents (including Edgar Newman and Bill Loennig) shall have access to inspect the Property upon reasonable notice to the Lessees.

IN WITNESS WHEREOF, the parties have executed this Lease on the day and year noted below, with the intent that the Lease go into effect on January 1, 2012.

Date: December 28, 2011

LESSORS

By Alf W. Brandt, Representative

Date:

January 18, 2012

LESSEE

By Janice L. Kerns

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Jan Kerns

From: "Jan Kerns" <jkerns@rconnects.com>
Date: Monday, August 13, 2012 5:11 PM
To: <alfiii@sbcglobal.net>
Subject: Fw: Brandt property Class A weed violation inspection

I just talked to Arnie -- there will be no further communication from him on this. We are now in compliance because of our aggressive actions this year. I'm not concerned (nor is he) about the scotch thistle in paragraph 3. Due to the late stage of plant growth at this time, we can safely assume that those plants have been treated, and are not demonstrating the normal visual response to the chemical. I'm going to attach this to my lease file with you, and might suggest you also keep the same documentation.

The non-compliance status is lifted -- and you can be assured that we'll be equally aggressive next year due to the nature of the seed of both those Class A weeds. They are what is known as "persistent and opportunistic weeds" -- meaning the seed stays ready to sprout for many years -- just waiting for the right moisture and temperature conditions to germinate. We will be just as persistent in our efforts next year to continue to beat the infestation back to just "normal, maintenance levels". jan

-----Original Message-----

From: agrammon@bakercounty.org
Sent: Monday, August 13, 2012 2:08 PM
To: Jan Kerns
Subject: Re: Brandt property Class A weed violation inspection

Jan

Thanks for your diligence in fighting weeds.

I visited the site this morning. Overall, it's obvious that quite a bit of weed treatment has been done.

However, it appears that there is some live scotch thistle near the intersection of Anthony Lakes Hwy and Muddy Creek Rd. It is possible that it has been treated, but the plants have not fully expired.

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8/13/2012

To clarify, as long as you are making the attempt, in my judgement you are now in full compliance with State Law. Only those that ignore the Notice remain noncompliant. In effect, that means that you were no longer in violation as soon as you started treating the weeds on this property.

I hope this clears up the matter. There is no need for another site visit this year.

If you have any further questions, feel free to call. Thanks again for your efforts.

Arnie Grammon
Baker County Weed Supervisor
541 523 0618

"Jan Kerns"
<jkerns@rconnects> To: "Arnie Grammon"
<agrammon@bakercounty.org>
.com> cc: <alfiii@sbcglobal.net>
Subject: Brandt property Class A
weed violation inspection
08/12/2012 09:06
PM

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AUG 03 2012
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Hi Arnie,

We're through spraying on the Brandt property for this year. It took several different trips/application sessions since the weeds just kept emerging, and in new locations.

If possible, I'd like an inspection of the property and weed population

8/13/2012

(scotch thistle and whitetop were the two weeds), and then get the violation recinded – if you can !!

I'm pretty "slammed" until mid-day Tues, but after that I should be able to be available. Give me a call on my cell – 541-403-0823. Thanks.....jan

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8/13/2012

Oregon Water Resources Department
Emergency Drought Application

 Main

 Help

 Return

 Contact Us

Today's Date: Wednesday, July 29, 2026

Emergency Drought Examination Fee.			\$200.00
Recording Fee. *			
	For the 1st CFS or fraction thereof	\$400.00	
	For each additional CFS or fraction thereafter	\$100.00	
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)		1.4	\$500.00
* the Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		<button>Recalculate</button>	
Estimated cost of Emergency Drought Application			\$700.00

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AUG 03 2026

OWRD

Application for an Emergency Use Permit for Groundwater (Drought)



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

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Emergency Use Permit Application Processing

Oregon Revised Statute (ORS) 536.700-780 and Oregon Administrative Rule (OAR) 690-019-0040(1) authorize the Director, after the Governor declares that a severe, continuing drought exists, to issue emergency-use permits to replace water not available under an existing right because of the drought. Each application must be for use in a designated drought area.

PLEASE NOTE: Due to widespread drought and decreasing groundwater levels, if a drought emergency is declared in Klamath County, it is unlikely that the Oregon Water Resources Department (Department) will issue Drought Emergency Use Permits for groundwater.

A portion of the application fees for Drought Emergency Use Permits is non-refundable. If the Department evaluates a drought permit application and determines that a permit cannot be issued, the recording fee is refunded, and the Department will retain the exam fee.

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-019-0040, OAR 690-019-0050, and OAR 690-019-0100 (www.oregon.gov/owrd/law). When an application does not contain all the information and supporting material required by the application form and these rules, the application will be declared incomplete, and the applicant notified. Additionally, the application may be returned with a request for additional information, and the applicant will have 30 days to complete the application. If the applicant fails to complete the application within 30 days, it will be rejected.

2. Public Notice

Public notice of receipt of emergency use applications and approval of such applications will be included in the Department's regular public notice of applications.

3. Final Order Issued

The Director shall approve an application for emergency water use upon findings that the proposed use will not cause injury to existing water rights and will not impair or be detrimental to the public interest. In evaluating whether the proposed use will impair or be detrimental to the public interest, the Director shall consider the factors described in OAR 690-310-0120 and OAR 690-310-0130.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050, ORS 537.615 & OAR 690-019-0040)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- ☒ SECTION 1: APPLICANT INFORMATION AND SIGNATURE
- ☒ SECTION 2: PROPERTY OWNERSHIP
- ☒ SECTION 3: WELL DEVELOPMENT
- ☒ SECTION 4: WATER USE
- ☒ SECTION 5: WATER MANAGEMENT
- ☒ SECTION 6: WITHIN A DISTRICT
- ☒ SECTION 7: DROUGHT INFORMATION
- ☒ SECTION 8: KLAMATH BASIN WELL INFORMATION

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Attachments:

- ☒ Fees - Amount enclosed: \$ 700⁰⁰
 - \$200 - Examination fee
 - \$400 - Recording fee for the first cubic foot per second (CFS) or fraction thereof, and \$100 for each additional CFS or fraction thereof
 - * one CFS equals 448.831 gallons per minute

Provide a map and check that each of the following items is included:

- ☒ Permanent quality and drawn in ink
- ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- ☒ North Directional Symbol
- ☐ Township, Range, Section, Quarter/Quarter, Tax Lots
- ☒ Reference corner on map
- ☒ Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- ☒ Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for supplemental irrigation or nursery
- ☒ Location of main canals, ditches, pipelines or flumes
- ☐ Other: _____