

Application for a Permit to Use Ground Water



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

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME KLAMATH COUNTY SCHOOL DISTRICT		PHONE (HM)	
PHONE (WK) 541-885-5000	CELL		FAX
ADDRESS 10501 WASHBURN WAY			
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL*

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 ADKINS CONSULTING ENGINEERING, LLP		PHONE 541-884-4666		FAX 541-884-5335
ADDRESS 2950 SHASTA WAY				CELL
CITY KLAMATH FALLS	STATE OR	ZIP 97603	E-MAIL* ADKINS@ADKINSENGINEERING.COM	

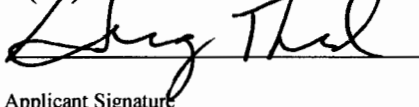
Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents 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, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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

GREG THEDE, SUPERINTENDENT

Print Name and title if applicable

6-30-14

Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17883</u>	Permit No. _____	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.

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

N/A

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

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
1	Lost River	4,650'	-10'

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*).

The existing geothermal supply well (KLAM 13296, Certificate 85780) is currently used for heating and air conditioning of the Henley High School and Middle School. A new Henley Elementary School is under construction and the School District would like to improve the existing production well pump and controls to utilize the geothermal well for heating and air conditioning of the new Henley Elementary School and snowmelt system within the sidewalks in addition to the heating and air conditioning of the

existing Henley High School and Middle School. In 2010, an injection well (KLAM 57685) was drilled and the geothermal return water is now discharged into this well and into the same aquifer as the geothermal production well to replenish the aquifer. The existing and proposed use is non-consumptive.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Klamath Basin - basalt

Total maximum rate requested: Total of 1.57 cfs (proposed 0.90 cfs and existing 0.67 cfs from Certificate 85780) (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.

01-17-2013

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)
KLAM 13296	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unknown	<input type="checkbox"/>	12"	-50'	N/A	+1½' to -50'	10.9' - May 2014	basalt	1506'	300 (E) 400 (P)	
KLAM 13296	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unknown	<input type="checkbox"/>	8"	1152'	N/A	+2' to -1150'	10.9' - May 2014	basalt	1506'	300 (E) 400 (P)	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* 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.

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the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The amount of water requested is to provide geothermal heating and air conditioning of the new Elementary School and snowmelt system within the sidewalks around the new school. Geothermal return water will be re-injected into the same aquifer as the geothermal production well - no consumptive water use will occur.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: N/A Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

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SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	

SECTION 8: PROJECT SCHEDULE

Date construction will begin: September 2014

Date construction will be completed: August 2015

Date beneficial water use will begin: October 2015

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name Klamath Irrigation District	Address 6640 KID Lane	
City Klamath Falls	State OR	Zip 97603

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

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Land Use Information Form



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

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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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Applicant: Klamath County School District
First _____ Last _____

Mailing Address: 10501 Washburn Way

Klamath Falls
City

OR
State

State

Zip

97603 Daytime Phone: 841-885-5000

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
39S	10E	30	SE¼ NW¼	00700	EFU-C	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Supply Well & Pipeline
39S	10E	30	SW¼ NW¼	01600	EFU-C	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Heating & Air Conditioning
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Klamath County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.90
 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

Heating / Air Conditioning and sidewalk snowmelt system for new Henley Elementary School.



For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Commercial site plan review	Article 54.020(P) Land Development Code	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: Mark Gallagher Title: Interim Planning Director

Signature: *Mark Gallagher* Phone: _____ Date: 6-27-14
541-851-3668

Government Entity: Klamath County Planning Department

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



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Klamath County Planning Department

Klamath County Government Center
305 Main Street, Klamath Falls, Oregon 97601

Phone 1-541-883-5121 Option #4
Toll Free in Oregon 1-800-426-9763

Commercial Site Plan Review

New Henley Elementary School

FILE NO: COMM 2-14

APPLICANT: Klamath County School District

REQUEST: Construct new elementary school.

REVIEW CRITERIA: Articles 41, 54, 62, 64, 65, 66, 68 & 75 of the Klamath County Land Development Code.

GENERAL LOCATION: The subject property is located on the east side of Hwy. 39 just outside the Henley rural community boundary.

MAP DESCRIPTION: R-3910-03000-01600

ZONE DESIGNATION: Exclusive Farm Use – Crops (EFU-C)

CONTACT: Mark Gallagher, Interim Planning Director
(541) 851-3668
mgallagher@co.klamath.or.us

BACKGROUND

The Planning Dept. has determined that the proposed plans for the Henley Elementary School meet the applicable Land Development Code standards. The review was coordinated with other agencies in determining compliance with their standards including fire safety through Klamath County Fire District 1 and the State Fire Marshall, Oregon Dept. of Transportation, City of Klamath Falls Water and South Suburban Sanitary District.

REVIEW COMMENTS

A commercial site plan review meeting was held at the Community Development Dept. of the Government Center on May 6, 2014. The following people were in attendance:

Mark Gallagher, KC Planning Dept.
Greg Seger, KC Building Dept.
Allan Brown, KC Building Dept.
Kirk Daniels, Pacific Power
Scott Rice, Fire Marshall, Klamath County Fire District 1
Greg Davis, Office of State Fire Marshall
Mike Zarosinski, Adkins Consulting Engineering LLP

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Jon Moritz, Adkins Consulting Engineering LLP
Justin Azevedo, Klamath County School District
Clay Northrop, South Suburban Sanitary District
Trent Jorgenson, Dull Olson Weekes – IBI Group Architects, Inc. (conference call)

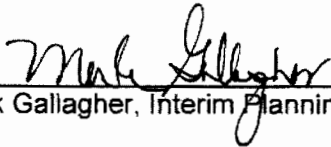
CONCLUSION AND FINDING

The project has been found to meet the requirements of the Klamath County Land Development Code and other agencies subject to the following conditions of approval:

CONDITIONS OF APPROVAL

1. *After the LUCS sign-off by the Planning Division, the applicant shall obtain any required permits from the Building Division.*
2. *The applicant shall install all code required improvements, including landscaping and off-street parking as shown on the site plan (Exhibit 2).*
3. *The applicant shall comply with all Fire Code standards and Oregon Dept. of Transportation requirements regarding access from Hwy. 39.*

APPROVED this 8th day of May, 2014.



Mark Gallagher, Interim Planning Director

This approval will become void in 180 days from the approval date if no development permit has been issued.

Exhibits

Site Plan	Exhibit 1
Landscape Plan	Exhibit 2

WARRANTY DEED

AMT 49447MS

ETHEL MAE CULVER, TRUSTEE OF THE ETHEL MAE CULVER TRUST, AS TO PARCEL 1 AND ETHEL MAE CULVER, WHO ACQUIRED TITLE AS ETHEL M. WHITLATCH, AS TO PARCEL 2, Grantor(s) hereby grant, bargain, sell, warrant and convey to: KLAMATH COUNTY SCHOOL DISTRICT, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE TAX ACCOUNT NO.: 3910-03000-01600-000

MAP/TAX LOT: 602155

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any: and the 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.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is 280,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 10501 WASHBURN WAY, KLAMATH FALLS, OR 97603

Dated this 26th day of October, 19 99

TRUSTEES OF THE ETHEL MAE CULVER TRUST BY: Ethel Mae Culver ETHEL MAE CULVER, TRUSTEE x Ethel Mae Culver ETHEL MAE CULVER

State of Oregon County of KLAMATH

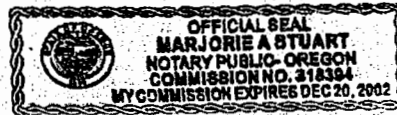
This instrument was acknowledged before me on October 26, 1999 by ETHEL MAE CULVER, INDIVIDUALLY AND AS TRUSTEE OF THE ETHEL MAE CULVER TRUST.

Notary Public for Oregon

My commission expires 12-20-02

ESCROW NO. MT49447-MS

Return to: KLAMATH COUNTY SCHOOL DISTRICT 10501 WASHBURN WAY KLAMATH FALLS, OR 97603



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EXHIBIT "A"
LEGAL DESCRIPTION

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PARCEL 1

Beginning at the one-quarter corner common to Section 25, Township 39 South, Range 9 East of the Willamette Meridian, and Section 30, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and running thence North 0 degrees 29' East 945.2 feet along the range line which marks the centerline of the Klamath Falls-Merrill Highway; thence South 89 degrees 31' East 450 feet along the Southerly line of the Henley School property; thence North 0 degrees 29' East 424.47 feet along the East line of said school property to a fence line; thence East 1739.43 feet along the said fence line to the Northwesterly right of way of the U.S.R.S. South Branch Canal; thence South 13 degrees 57' West 312.0 feet along said right of way line; thence Southwesterly along said right of way line which is the arc of a circle of which the radius is 1357.69 feet a distance of 579.2 feet; thence South 38 degrees 27' West 679.3 feet along said right of way line to the South line of the Northwest quarter of said Section 30; thence Westerly 1437.73 feet to the point of beginning, an being described as all of Vacated Henley Acres.

ALSO, all of that part of Northwest quarter of Southwest quarter of Section 30, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying Northeasterly of the Railroad right of way and Northwesterly of the U.S.R.S. South Branch Canal.

EXCEPTING approximately one acre in the Northwesterly corner thereof, described as follows:

Beginning at the intersection of the Northerly line of Northwest quarter of Southwest quarter of Section 30, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and the Easterly right of way line of the Klamath Falls-Merrill Highway, and running thence Easterly along the North line of said subdivision 200 feet; thence Southerly at right angles 200 feet; thence Westerly at right angles and parallel to the North line of said subdivision 200 feet to the Easterly line of said highway right of way; thence Northerly along said highway right of way line 200 feet to the point of beginning.

ALSO EXCEPTING a parcel as described in Deed Volume 268, Page 378, Deed Records of Klamath County, Oregon; and ALSO EXCEPTING a parcel as described in Deed Volume 337, Page 192, Deed Records of Klamath County, Oregon.

PARCEL 2

Beginning at the intersection of the Northerly line of Northwest quarter of Southwest quarter of Section 30, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and the Easterly right of way line of the Klamath Falls-Merrill Highway, and running thence Easterly along the North line of said subdivision 200 feet; thence Southerly at right angles 200 feet; thence Westerly at right angles and parallel to the North line of said subdivision 200 feet to the Easterly line of said highway right of way; thence Northerly along said highway right of way line 200 feet to the point of beginning.

State of Oregon, County of Klamath
Recorded 10/27/99, at 3:24 p. m.
In Vol. M99 Page 42919
Linda Smith,
County Clerk . Fees \$ 35⁰⁰

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appurtenances thereto belonging or in anywise appertaining to the said Rufus S. Moore and to his heirs and assigns forever.

In Witness Whereof, the City of Klamath Falls, Oregon, pursuant to Ordinance Number 689 passed by the Common Council of the City of Klamath Falls, Oregon, on the 8th day of September, 1925, has caused these presents to be signed by its Mayor and Police Judge and its corporate seal to be hereunto affixed this 14 day of September, A.D. 1925.

Executed in the presence of:

Katherine Lindley
Dorothy Carrin



CITY OF KLAMATH FALLS, OREGON

By Fred R. Goddard, Mayor

By Lem L. Gaghagen, Police Judge

State of Oregon,
County of Klamath
City of Klamath Falls, as.

On this 15 day of September, A.D. 1925, before me appeared Fred R. Goddard and Lem L. Gaghagen, both to me personally known, who being duly sworn, did say that he, the said Fred R. Goddard is the Mayor, and he, the said Lem L. Gaghagen is the Police Judge of the said City of Klamath Falls, Oregon, the within named municipal corporation, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of Ordinance No. 689 passed by the Common Council of the said City of Klamath Falls, Oregon, on the 8th day of September, 1925, and said Fred R. Goddard and Lem L. Gaghagen acknowledged said instrument to be the free act and deed of said municipal corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, this the day and year first in this, my certificate, written.



J. H. Carnahan,

Notary Public for Oregon.

My commission expires Aug. 15, 1927.

Filed and recorded Sept. 23rd, 1925 at 5:10 P.M.

C. R. DeLay, County Clerk

By Ruth DeLay, Deputy

64280

Edward Bloomingcamp et al
to
Klamath County School District.

This Indenture made this 21st day of July, A.D. 1925, by and between Edward Bloomingcamp, a single man, of Klamath County, Oregon, and Edward Bloomingcamp, the duly appointed, qualified and acting administrator of the estate of George W. Bloomingcamp, in the assets of the co-partnership of Edward Bloomingcamp, and George W. Bloomingcamp, deceased-a single man, doing business under the style and firm name of Bloomingcamp Bros., hereinafter called the first parties, and Klamath County School District, a municipal corporation, created, organized and existing under and by virtue of the laws of the State of Oregon, with its principal place of business in Klamath County, State of Oregon, hereinafter called the second party.

Witnesseth:

That, whereas, Edward Bloomingcamp, one of the first parties hereto, and George W. Bloomingcamp, deceased, were, on and prior to the 6th day of September, 1924, co-partners doing business under the style and firm name of Bloomingcamp Bros., in Klamath County, State of Oregon, and as such co-partners were the owners of the lands and premises hereinafter described, and

Whereas that on or about the 6th day of September, 1924, the said George W. Bloomingcamp and Edward Bloomingcamp, co-partners, made and entered into a contract with the Klamath County School District #36, a municipal corporation of Klamath County, State of Oregon, through its Board of Directors, whereby the said George W. Bloomingcamp and Edward Bloomingcamp, co-partners as aforesaid, sold to the said Klamath County School District, the lands and premises hereinafter mentioned and described, for the purchase price of \$1500.00, said lands to be conveyed to the said Klamath County School District free and clear of all encumbrances excepting taxes for the year 1925 and all taxes thereafter levied, and all water charges, maintenance fees, construction charges, and stock subscriptions thereto made with the United States Government, the Klamath Water Users Association and the United States Reclamation Service, the Klamath Irrigation District for irrigation and drainage purposes by the said George W. Bloomingcamp and Edward Bloomingcamp, co-partners, their predecessors in title and interest to the lands and premises above described, and

Whereas on or about the 24th day of December, 1924, one of the said co-partners, George W. Bloomingcamp, died intestate, leaving assets in the said County of Klamath and State of Oregon, and that thereafter the said Edward Bloomingcamp, the surviving co-partner, was appointed administrator of the said co-partnership estate of the said George W. Bloomingcamp, deceased, and duly qualified as such, and has ever since been, and now is the duly appointed, qualified and acting administrator of the estate of the said George W. Bloomingcamp,

deceased, in and to the assets of the said co-partnership of Edward Bloomingcamp and George W. Bloomingcamp, deceased, doing business under the style and firm name of Bloomingcamp Bros., and

Whereas the second party hereto, under and by virtue of the laws of the State of Oregon, has succeeded to all of the rights, title and interest of the said Klamath County School District #36, in and to the contract for the purchase of the lands and premises hereinafter described from the first parties hereto, and is entitled, upon the payment of the purchase price, to a deed for the said lands and premises, and

Whereas on the 18th day of July, 1925, the said second party hereto tendered unto the first parties the sum of \$1500.00 in lawful money of the United States of America, together with one-half of the costs of the abstract for the lands and premises hereinafter described, and demanded a deed therefor, and

Whereas, the said second party hereto is entitled to a deed to the lands and premises hereinafter described, from the first parties under and by virtue of the said contract for the sale of the same, and

Whereas, upon the 16th day of July, 1925, the Honorable R. M. Bunnell, Judge of the County Court of the State of Oregon, in and for the County of Klamath, said and entered an order in the above entitled court and enter, which said order is duly entered in the Journal of said court, ordering, directing and licensing the said Edward Bloomingcamp, administrator of the above entitled estate, to join with Edward Bloomingcamp, the surviving co-partner in the execution and delivery of a deed to the said second party aforesaid, upon the payment to the said first parties of the sum of \$1500.00 lawful money of the United States of America, together with one-half of the costs of the preparation of the abstract to said lands, amounting to the sum of \$1524.25 and directing the first parties hereto to execute and deliver said deed to the second party upon receipt of the said sum of money.

Now Therefore, the first parties hereto, pursuant to an order of the above entitled court last mentioned, and for and in consideration of the sum of \$1524.25, to them in hand paid by the said second party, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said second party, its successors and assigns, forever, all of the following described lands and real estate located and situate in the County of Klamath and State of Oregon, to-wit:

A piece or parcel of land described as follows to-wit: Beginning at a point 30' East and 30' North from an iron pipe set at the North end of Broadway Street in the Town of Henley, Oregon, and running thence East 450'; thence South 1036'; thence West 420' to the Easterly line of the County Road, running North and South through section 30, Township 39', South Range 10 E.W.M., thence North along said East line 1036' to the place of beginning, containing 10 acres, more or less, situated in the Northwest quarter, Section 30, Township 39, S.E. 10 E.W.M. or

Free and clear of all encumbrances of any kind or nature whatsoever, excepting all taxes for the year 1925 levied against said premises, and all taxes hereafter levied against said premises, and excepting all water charges, construction charges, maintenance fees, contracts and stock subscriptions heretofore made with the United States Government, Klamath Water Users Association, the United States Reclamation Service and the Klamath Irrigation District, and any other irrigation or drainage district for irrigation and drainage purposes by the said first parties hereto, and their predecessors in title and interest to the lands and premises above described, which said water contracts, stock subscriptions, water charges and construction and maintenance fees and drainage charges the said second party hereto assumes and agrees to pay, together with the tenements, hereditaments and appurtenances thereto thereto belonging, or in anywise appertaining.

To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances unto the said second party, its successors and assigns, to it and their sole use, benefit and behoof forever, and the said first parties hereto do hereby warrant the title to the above described lands unto the said second party, its successors and assigns forever, free and clear of all encumbrances excepting the said water and drainage contracts, charges and stock subscriptions heretofore mentioned and described.

In Witness Whereof the first parties have hereunto set their hands and seals this day and year first hereinbefore written.

Edward Bloomingcamp
Administrator of the Estate of
George W. Bloomingcamp, in and to the assets of
the co-partnership of Edward Bloomingcamp
and George W. Bloomingcamp, co-partners doing
business under the style and firm name of
Bloomingcamp Bros.

Executed in the presence of:

Joseph Tall

H. M. Manning

\$1.50 U.S.I.A. stamps attached and cancelled

State of Oregon)
County of Klamath) as

This certifies that on this 21st day of July, A.D. 1925, before me, the undersigned, a notary public in and for said County and State, personally appeared the within named Edward Bloomingcamp, a single man, who is known to me to be the person described in and who executed the foregoing deed and who personally acknowledged to me that he executed the same freely and voluntarily, for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and Notarial Seal the day and year last above written.

Horace L. Manning
Notary Public for Oregon, My
commission expires June 5, 1928.



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G-17983

STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

KLAMATH COUNTY SCHOOL DISTRICT
2450 SUMMERS LANE
KLAMATH FALLS OR 97603

confirms the right to use the waters of a WELL in Lost River BASIN for HEATING.

This right was perfected under Permit G-11083. The date of priority is JANUARY 12, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.67 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
39 S	10 E	WM	30	SE NW	1600 FEET SOUTH & 1850 FEET EAST FROM NW CORNER, SECTION 30

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

Twp	Rng	Mer	Sec	Q-Q
39 S	10 E	WM	30	NW NW
39 S	10 E	WM	30	SW NW
39 S	10 E	WM	30	SE NW

The water user shall measure static water levels on a quarterly basis and shall submit this information to the Water Resources Department quarterly.

This use of water is junior in priority to all subsequent rights for beneficial consumptive uses and/or rights using standard low-temperature geothermal effluent disposal systems. This condition shall not apply if a standard disposal system is installed and operated as part of this project.

The well shall be maintained 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 elevations in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

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The Director may require water level or pump test results every ten years.

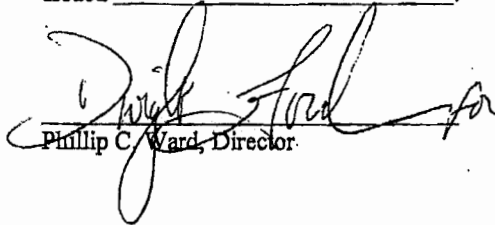
Failure to comply with any of the provisions of this certificate may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the certificate.

This certificate is for beneficial use of water without waste. The water user is advised that new regulations may require 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.

Issued SEP 04 2009


Phillip C. Ward, Director

OCT 14 1988 KLAM/3296

39S/10E/30

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.785)

WATER RESOURCES DEPT.
 SALEM, OREGON

(START CARD) # 1005

(1) **OWNER:** Well Number: _____
 Name Klamath County School Dist.
 Address 2450 Summers Lane
 City Klamath Falls, State OR Zip 97603

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

(3) **DRILL METHOD**
 Rotary Air Rotary Mud Cable
 Other _____

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

(5) **BORE HOLE CONSTRUCTION:**
 Special Construction approval Yes No Depth of Completed Well 1506 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount sacks or pounds
Diameter	From To	Material	From To	
16"	0 50	cement	0 50	18
12	50 1150	cement	45 1152	505

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

(6) **CASING/LINER:**

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	12	+1 1/2	50	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	8	+2	1150	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 50', 1150'

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

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

(8) **WELL TESTS: Minimum testing time is 1 hour**
 Pump Bailor Air Artesian
 Yield gal/min Drawdown Drill stem at Time
1000 104' _____ 1 hr.
750 58' _____ 5 hrs.

Temperature of water 128° Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom KL Environmental
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other High iron
 Depth of strata: 50' - 1100'

(9) **LOCATION OF WELL by legal description:**
 County Klamath Latitude _____ Longitude _____
 Township 39S Nor S, Range 10E E or W, WM.
 Section 30 1/4 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) _____

(10) **STATIC WATER LEVEL:**
21 1/2 ft. below land surface. Date 8/8/88
 Artesian pressure _____ lb. per square inch. Date _____

(11) **WATER BEARING ZONES:**
 Depth at which water was first found 23 1/2'

From	To	Estimated Flow Rate	SWL
<u>23 1/2'</u>		<u>2 gpm</u>	

(12) **WELL LOG:** Ground elevation _____

Material	From	To	SWL
ATTACHED RECEIVED			
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Date started 6/10/88 Completed 9/26/88

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

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed Larry DePain WWC Number 1228 Date 10/9/88

G-17883

VAN METER and DE SPAIN WELL DRILLING, INC.

Licensed - Bonded
Free Estimates

John Van Meter
P.O. Box 223
Midland, OR 97634
(503) 823-8262

Larry De Spain
3114 Boardman
Klamath Falls, OR 97601
(503) 884-6544

Date _____ 19 _____

0-	4.5	Sandy topsoil
4.5-	13	Yellow chalk
13-	62	Gray clay
62-	75	Gray shale
75-	84.5	Gray green shale
84.5-	92	Hard green shale
92-	159	Green clay
159-	262	Gray clay
262-	265	Hard gray shale
265-	267	Gray clay
267-	392	Gray clay w/black sand
392-	427	Black sandstone
427-	429	Brn sandstone
429-	432	Blk sandstone
432-	442	Gray shale
442-	448	Hard shale
448-	479	Sticky Gray
479-	491	Blk sandstone
491-	510	Brn shale
510-	512	Gray shale
512-	513	Blk sandstone
513-	525	Gray shale & coarse sand
525-	655	Gray shale
655-	700	Green clay
700-	835	Green clay & shale
835-	910	Gray shale
910-	1005	Broken gray shale
1005-	1066	Gray shale
1066-	1084	Green clay
1084-	1110	Black clay & shale
1110-	1116	Brn hard shale
1116-	1144	Hard gray basalt
1144-	1146	Brn clay
1146-	1175	Gray hard basalt
1175-	1207	Decomp basalt
1207-	1213	Green shale
1213-	1220	Blue shale
1220-	1246	Gray basalt
1246-	1248	Gray w/shale & fine blk sand
1248-	1252	Gray basalt
1252-	1254	Brn lava
1254-	1506	Gray crevice basalt

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WATER RESOURCES DEPT.
SALEM, OREGON

IRRIGATION

STOCK

DOMESTIC

MUNICIPAL

BLAST HOLES

G-17883