

Tally Ho Farms
Dba Walker Brothers
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Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem OR 97301

RE: Response to Request for Information In the Matter of Klamath Irrigation District, Disputant, and Bureau of Reclamation, Reservoir Owner

We are in receipt of the attached Request for Information sent to DHH Oregon Company LLC, the owner of the property. We rent and managed this property and provide the following information in response to the Request:

- 1) No response necessary.
- 2) Although not necessarily the senior water right which is being relied upon for current irrigation, in addition to the water rights and determined claims listed above, the following are water rights and determined claims also exist: Claim 734.
- 3) Please see attached. The three PODs are #106, #102/107/117 and #105/118.
- 4) The physical nature of the POD are three gravity systems.
- 5) Yes, there are functioning headgates or valves at the PODs.
- 6) No. Tally Ho has attempted to resolve the issue with the water measuring devices since 2018, but we have been unsuccessful. This is because there are not accurate water measuring devices on the market for gravity systems which do not result in a full pipe. Beginning in 2018, we began working with Oregon Department of Agricultural on water quality issues in Upper Klamath Lake. As part of those efforts, a grant was received to measure the inflow to the property and is currently being worked on through Trout Unlimited.
- 7) Yes, we physically divert Upper Klamath Lake water.
 - 7a) Due to the issues described above, we measure our rate and duty based on irrigation pump records to specific fields for most crops and estimated pasture use.
 - 7b) Not applicable.
 - 7c) 2019 estimated diversions of 1550 AF for all acres. 2018 estimated diversions of 1975 AF for all acres.
 - 7d) We have never communicated with the BOR regarding diversions.
 - 7e) We divert water through privately owned systems.
 - 7f) Not applicable.

7g) We do not have a contract regarding the diversion of water from UKL.

8) The source of water identified in Claims 733 and 734 is "Upper Klamath Lake, tributary to the Klamath River." All water diverted for the 2020 irrigation season has been from the authorized source. The claims do not distinguish between live flow and natural storage, and we do not separately track diversions as between live flow and natural storage.

9) We have diverted approximately 522 AF for all acres for 2020.

10) We have not used another water source other than UKL in 2020.

11) There are approximately 2088 acres in production for the 2020 Crop Season.

12) Tricia Hill, [REDACTED]

Sincerely yours,

A handwritten signature in blue ink, appearing to be "Tricia M. Hill", with several loops and a long horizontal stroke.

Tricia M. Hill
Tally Ho Farms, Partner
Potato Karma, LLC, Member

Cc: DHH Oregon Company LLC

Caledonia Farm



● Water quality sampling sites





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

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www.Oregon.gov/OWRD

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of a Dispute)
Pursuant to ORS 540.210)

Klamath Irrigation District)
Disputant,)

Bureau of Reclamation)
Reservoir Owner.)

REQUEST FOR INFORMATION

TO: DHH OREGON COMPANY LLC
ATTN: DAVID HILL
1255 JORDAN CREEK PKWY,
WEST DES MOINES, IA 50266

Pursuant to ORS 540.210, the authority delegated by the Oregon Water Resources Commission under ORS 536.026, and applicable regulations, **DHH OREGON COMPANY LLC (ATTN: DAVID HILL)** is hereby required to deliver documents and responses, on or before 5:00 p.m. on June 1, 2020, to the Oregon Water Resources Department ("Department") offices at 725 Summer Street NE, Salem, Oregon 97301, or by electronic means to owrd.klamathdata@oregon.gov, regarding the following topics:

Water Right or Determined Claim

- 1) WRD records show that the following water rights or determined claims authorize the use of water for irrigation on lands which list you as the owner:

Claim/Cert	Number	POD Name	TRSQQ	Priority Date
KA	733	POD 2	37S/8E-29SESE	12/31/1889
KA	733	POD 2	37S/8E-31SESW	12/31/1889
KA	733	POD 3	38S/8E-7SESW	12/31/1889
KA	1000	RUNNING Y #2	37S/8E-29SESE	5/19/1905
KA	1000	GEARY BROS #2	37S/8E-31SESW	5/19/1905
KA	1000	RUNNING Y #1	37S/8E-32NENW	5/19/1905
KA	1000	GEARY BROS #1	38S/8E-6SESW	5/19/1905
CERT	27808	POD 1	37S/8E-29SESE	1/23/1919
CERT	27808	POD 2	37S/8E-32NENW	1/23/1919
CERT	27810	POD 3	38S/8E-7SESW	1/23/1919
CERT	27808	POD 1	37S/8E-29SESE	4/23/1920
CERT	27808	POD 1	37S/8E-29SESE	8/13/1920

- 2) If the above information is incorrect, please explain and provide any additional water right or determined claim number(s) for your lands sourced by Upper Klamath Lake, in part or in full, here:

Physical Structure

- 3) Where is the point of diversion(s) (POD) from Upper Klamath Lake (UKL) located? Please attach a photograph of each POD and give a GPS location if available.
- 4) What is the physical nature of the POD? (e.g., ditch, canal, or pump system)
- 5) Is there a functioning headgate or valve at the POD?
- 6) Is there a water use measuring device at the POD? (e.g., weir, submerged orifice, totalizing flow meter) If yes please describe.

Water Diversion

- 7) Do you physically divert water from UKL through your PODs?

If yes:

- a) How do you measure the rate and duty of water you divert from UKL?
- b) How frequently do you check or monitor the measuring device and record the readings?
- c) Please provide the last two years of water use data recorded for the POD.
- d) Do you communicate with the U.S. Bureau of Reclamation (BOR) that you are diverting water from UKL? If so, please describe how and when you communicate diversions to BOR.

If no:

- e) Who physically diverts water from UKL for your use? (e.g., BOR, irrigation district, etc.)
 - f) How are you informed about the rate and duty of water diverted for your use from UKL by others?
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- g) Do you have a contract with the person or entity who diverts water from UKL for your use? If so, please attached a copy.

2020 Water Use

- 8) Of the water diverted for the 2020 irrigation season, how much (in acre feet) is from live flow and how much is from stored water?
- 9) How many acre feet of water in total have you diverted from UKL in 2020?
- 10) Do you also use water from another source, such as groundwater or a stream tributary to UKL, or a spring? If so, how much water have you diverted or pumped from each of those other sources in 2020?
- 11) How many irrigated acres are currently in production? How many acres do you estimate will be ready, willing and able to apply water for beneficial use in 2020?
- 12) Who is the best point of contact for any questions or requests for access to the POD? Please provide name, telephone number and email:

If you have questions regarding this request for information, please contact Dani Watson, District 17 Watermaster, at 541-883-4182.

ISSUED this 19th day of May, 2020.



THOMAS M. BYLER, Director
Oregon Water Resources Department