



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: 25439 and 82401**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- Application fee not enclosed/insufficient Map not included or incomplete
- Land Use Form not enclosed or incomplete
- Additional signature(s) required Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____ Date: ____/____/____

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Part 2 of 5 – Transfer Application Map Checklist

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32’15.5”) or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Michael Kilpatrick			PHONE NO. 541-620-1013	ADDITIONAL CONTACT NO. NA
ADDRESS P. O. Box A			FAX NO.	
CITY Mt. Vernon	STATE OR	ZIP 97865	E-MAIL NA	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME NA			PHONE NO. NA	ADDITIONAL CONTACT NO. NA
ADDRESS NA			FAX NO. NA	
CITY NA	STATE NA	ZIP NA	E-MAIL NA	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why: I, Mike Kilpatrick, own the lands under C-82401, priority date, October 14, 1983, all of which lies north of U.S. Highway 395. George and Pricilla Meredith, h/w, own the lands under C-25439 lying south of U.S Highway 395. The parties agreed as part of the sale of the property to Meredith's from Kilpatrick that water right Certificate 25439, which is an 1878 water right to irrigate 8 acres out of Fall Creek, will be transferred so that the water and the priority right covered under that certificate shall be transferred to and applied upon Kilpatrick's land lying north of the highway under water right Certificate C-82401. Whatever acres are irrigated south of Highway 395, owned by Meredith, those water rights that are transferred to Kilpatrick's property north of the highway shall be covered by transferring an equal acreage of water rights from Kilpatrick's 1983 Fall Creek water rights under C-82401.

The effect of the above is that lands presently irrigated by Fall Creek south of the Highway, owned by Meredith, will have 1983 Fall Creek water rights and the 1878 water rights presently serving that property will be transferred to Kilparick's property north of the highway.

There are two POD's on lower Fall Creek situated on Kilpatrick's land, these serve two ditches, one to the east of Fall Creek and one to the west of Fall Creek. These ditches deliver water to Meridith's land on the south side of the highway. Kilpatrick conveyed an easement to use, maintain, repair, etc., those ditches which serve Meredith's land. SEE ATTACHED EXHIBIT A.

ADDITIONAL REMARKS:

All of the acreage under C-25439 that is being used is proposed to be transferred in this application. Due to highway changes and past practices the other acreage allowed under C-25439 cannot be utilized

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If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Blue Mountain Eagle.

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



Michael Kilpatrick
Applicant signature

Michael Kilpatrick
Print Name (and Title if applicable)

5-30-2014
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	


Describe any special ownership circumstances here: _____

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Grant County	ADDRESS 200 South Humbolt	
CITY Canyon City	STATE OR	ZIP 97820

ENTITY NAME NA	ADDRESS NA	
CITY NA	STATE NA	ZIP NA

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Revised 7/1/2013

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 25439

Description of Water Delivery System

System capacity: 6.5 cubic feet per second (cfs) **OR**
NA gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The water is diverted from Fall Creek via two POD's located north of Highway 395, then conveyed via two ditches to the highway, thence through two 18" culverts passing beneath the highway, thence along the two ditches to flood irrigate the fields.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		13 S	30 E	14	NW SW	306	1860 ft. N & 1610 ft. W. of S1/4 Cor. Sec 14
POD #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		13 S	30 E	14	NW SW	306	1860 ft. N. & 1610 ft. W. of S1/4 Cor. Sec. 14
POD #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		13 S	30 E	14	SW NW	306	3400 ft. N & 1050 ft. E. of SE Cor. sec. 15 3740 ft. N. & 1580 ft. W. of S1/4 Cor. Sec. 14 (Measured this survey)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

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- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 25439

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)																					
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES																					
List only that part or portion of the water right that will be changed.										are made.																					
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date										
EXAMPLE																															
2	S	9	E	15	NW	100	15.0	Irrigation	POD #1 POD #2	1901	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901									
											2	S	9	E	2	SW	NW	500		5.0	POD #6	1901									
13	S	30	E	14	NW	307	2.56	Irrigation	POD#1	1878	13	S	30	E	15	NE	SE	306	NA	2.56	POD #3	1878									
13	S	30	E	14	NW	307	0.14	Irrigation	POD #2	1878	13	S	30	E	15	NE	SE	306	NA	0.14	POD #3	1878									
13	S	30	E	14	NE	307	1.15	Irrigation	POD #2	1878	13	S	30	E	14	NW	SW	306	NA	1.15	POD#3	1878									
13	S	30	E	14	NE	307	1.45	Irrigation	POD#2	1878	13	S	30	E	15	NE	SE	306	NA	1.45	POD#3	1878									
																				TOTAL ACRES:			5.30	TOTAL ACRES RECEIVED BY OWRD							

Additional remarks: See ADDITIONAL REMARKS on page 4.

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: C-82409.



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

SALEM, OR

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 82401

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Description of Water Delivery System

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System capacity: 2.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Water is diverted from Fall Creek via a gravity flow ditch to flood irrigate the field.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD # 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	13 S	30 E	14	SW NW	306	3400 ft. N. & 1050 ft. E. of SW Co. Sec. 14 3740 ft. N. & 1580 ft. W. of S1/4 Cor. Sec. 15 (Measured this survey)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 82401

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																					
2	S	9	E	15	NW	100	Irrigation	POD #1 POD #2	1901	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901
										2	S	9	E	2	SW	NW	500		5.0	POD #6	1901
13	S	30	E	15	SE	306	Irrigation	POD #3	1983	13	S	30	E	14	NW	SW	307	NA	2.56	POD #1	1983
13	S	30	E	15	SE	306	Irrigation	POD #3	1983	13	S	30	E	14	NW	SW	307	NA	0.14	POD #2	1983
13	S	30	E	14	NW	306	Irrigation	POD#3	1983	13	S	30	E	14	NE	SW	307	NA	1.15	POD#2	1983
13	S	30	E	15	SE	306	Irrigation	POD#3	1983	13	S	30	E	14	NE	SW	307	NA	1.45	POD#2	1983
TOTAL ACRES: 5.30										TOTAL ACRES: 5.30											

Additional remarks: _____

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: C-25439.

⇒ Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

SALEM, OR

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right

20061934

TO Bob Bissett

EASEMENT AGREEMENT

MIKE KILPATRICK, Grantor, conveys to GEORGE MEREDITH and PRISCILLA MEREDITH, Husband and Wife, their successors and assigns, a non-exclusive easement, for ditch purposes to use, maintain, repair and reconstruct ditches, head gates and such diversion dam structures and/or push up dams as are necessary to convey water to Grantees' property located South of Highway 395 in Section 14, on two ditches which come out of Fall Creek, a tributary of Beech Creek.

These ditches are located in the Southwest quarter of Section 14, Township 13 South, Range 30 East, Willamette Meridian.

These ditches serve approximately eight acres of Grantees' land. One ditch is located on the westerly side of Fall Creek, with the point of diversion approximately 200 to 300 feet north of the Highway 395. The other ditch is located immediately easterly of Fall Creek, with the point of diversion approximately 150 to 200 feet north of the Highway 395.

This easement is intended to go from the point of diversion across Grantor's land to Highway 395.

These easements shall be no wider than is necessary to use and maintain the ditches, but not to exceed 15 feet in width.

Consideration: Purchase of property.

DATED this 4 day of AUGUST, 2006.

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SALEM, OR

Mike Kilpatrick
MIKE KILPATRICK

19693

STATE OF OREGON, County of Grant)ss.

The foregoing instrument was acknowledged before me this 4th day of AUGUST, 2006, by MIKE KILPATRICK, Grantor.



Linda Smarr
Notary Public for Oregon
My Commission Expires: 9-30-08

STATE OF OREGON }
County of Grant } ss EXHIBIT A

Seller ~~58-2707~~

For Bob &
Re Mike Kilpatrick

FALL CREEK WATER RIGHTS:

The parties have discussed and agreed that Water Right Certificate No. 41017, which is an 1878 Water Right to irrigate 8 acres out of Fall Creek, will be transferred so that the water and the priority right covered under that Certificate shall be transferred to and applied upon Seller's land that Seller retains on the north side of Highway 395.

Both parties agree that they will cooperate to effectuate this transfer. The cost of such transfer including surveys that may be necessary, shall be borne by Seller. Seller makes no warranties about how many acres are irrigated south of Highway 395, from Fall Creek. Whatever acres are irrigated south of Highway 395, which will be owned by Purchaser, those water rights that are moved or transferred to Seller's property north of Highway 395 shall be covered by transferring an equal acreage of water rights from Buyers' 1983 Fall Creek Water Rights.

The effect of the above is that the lands presently irrigated by Fall Creek south of the Highway which will be purchased by Buyers, will have 1983 Fall Creek Water Rights, and the 1878 Water Rights presently serving that property will be transferred to Seller's property north of the Highway. The parties shall cooperate to accomplish this and recognize it will continue for a considerable time after closing.

There are two ditches, one to the east of Fall Creek and one west of Fall Creek, which deliver water to the south side of the Highway. Seller shall prepare, execute and deliver at closing to Buyers, easements for the use and maintenance of those ditches and any necessary diversion dams or structures to allow utilization of those ditches.

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SALEM, OR

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