



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

Application for Water Right Temporary or Drought Temporary Transfer Part 1 of 5 – Minimum Requirements Checklist

This temporary 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.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary 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 Transferred Water Rights: **How many water rights are to be transferred? One List them here: Cert 88432**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year 2019 End Year 2024.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)
Attachments:
- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation NOV 01 2018
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **OWRD**
- 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 a district. Complete when the temporary transfer applicant is not the 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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient <input type="checkbox"/> Land Use Form not enclosed or incomplete <input type="checkbox"/> Additional signature(s) required Other/Explanation _____ Staff: _____ 503-986-0 _____	<input type="checkbox"/> Map not included or incomplete <input type="checkbox"/> Part _____ is incomplete Date: ____/____/____
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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- 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 temporary 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) to convey water to the new temporary place of use, 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°).

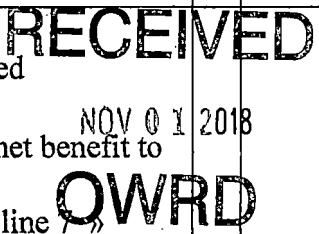
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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer <u>1</u> (2a) Subtract 1 from the number in 2a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? x No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 4a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 3c by \$200.00, then enter on line 3 (or \$0.50 if submitted in a Department approved digital format) » » » » » » » » » »	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » x Yes: enter the number of acres for the portions of the rights to be transferred: <u>17.2</u> (5a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	40.00
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	5	850.00
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 6 If no box is applicable, enter 0 on line 6 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	7	850.00



FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

***Example for Line 2a calculation** to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:
 1. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs ($45\text{ ac} \times 0.0125 = 0.56\text{ cfs}$).
 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
 3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (*In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0.*)

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TES Land LLC		PHONE NO. 503-873-2018	ADDITIONAL CONTACT NO.
ADDRESS 9510 Saratoga DR NE			FAX NO.
CITY Silverton	STATE OR	ZIP 97381	E-MAIL
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 Jim Schuette-CWR; JMS Engineering		PHONE NO. 503-559-1146	ADDITIONAL CONTACT NO.
ADDRESS 3000 Market St NE, #426			FAX NO.
CITY Salem	STATE OR	ZIP 97301	E-MAIL jmsengineering@qwestoffice.net
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:

This is for a Temporary Transfer of 17.2 acres of current water rights to property that currently has no water rights. The water rights set forth under this application are to be temporary transferred to the noted/shown location starting in 2019; and then back to their original location at the end of 2024.

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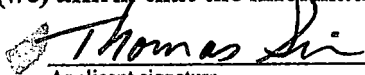
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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- Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)


OWRD

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


Applicant signature

Thomas J Sinn
Print Name (and Title if applicable)

October 05, 2018
Date


Applicant signature

Edith Kay Sinn
Print Name (and Title if applicable)

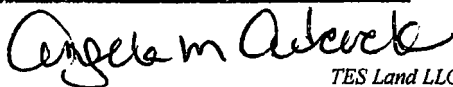
October 05, 2018
Date

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 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) has been conveyed.



State of Oregon
County of Marion



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.)

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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted,

ENTITY NAME Marion County Planning Dept	ADDRESS 5155 Silverton Rd NE	
CITY Salem	STATE Oregon	ZIP 97305

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 # 88432

Description of Water Delivery System

System capacity: 0.22 cubic feet per second (cfs) OR 100 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. 40-HP well pump w/6" main line & 3" hand lines & high pressure sprinklers

Table 1. Location of Authorized and Proposed Point(s) of 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	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		6 S	2 W	23	SE	NW	1000	is located 1200'S and 1700'W from the NW corner of Saunders DLC 42.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

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

- Yes Complete only the Proposed ("to" 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 Temporary Changes to Water Right Certificate # 88432

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES 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		15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901				
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901				
6	S	2	W	23	NE	NW	900		2.0	Irrigation	Well	1924		6	S	2	W	23	NW	NE	600		2.0	Irrigation	Well	1924				
6	S	2	W	23	SE	NW	900 800		12.7	Irrigation	Well	1924		6	S	2	W	23	NW	NE	600		2.1	Irrigation	Well	1924				
														6	S	2	W	23	SW	NE	600		6.9	Irrigation	Well	1924				
														6	S	2	W	23	NE	SE	600		3.0	Irrigation	Well	1924				
														6	S	2	W	23	NE	SW	600		0.7	Irrigation	Well	1924				
6	S	2	W	23	SW	NW	800		0.1	Irrigation	Well	1924		6	S	2	W	23	NE	SW	600		0.1	Irrigation	Well	1924				
6	S	2	W	23	NE	SW	800		1.4	Irrigation	Well	1924		6	S	2	W	23	NE	SW	600		1.4	Irrigation	Well	1924				
6	S	2	W	23	NW	SW	800		1.0	Irrigation	Well	1924		6	S	2	W	23	NE	SW	600		1.0	Irrigation	Well	1924				
TOTAL ACRES							17.2																TOTAL ACRES							17.2

Additional remarks: _____

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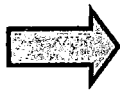
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For Place of Use Changes

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: _____



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation if necessary to convey the water to the new temporary place of use:

- 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

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TL 800
TL 900
TL 1000

REEL 3810 PAGE 71
MARION COUNTY
BILL BURGESS, COUNTY CLERK
04-22-2016 04:21 pm.
Control Number 409672 \$ 51.00
Instrument 2016 00018989

After recording return to *AND TAXES*

TES LAND LLC
9510 Saratoga Dr NE
Silverton, OR 97381

STATUTORY BARGAIN AND SALE DEED

Thomas J Sinn and Edith Kay Sinn, husband and wife, Grantors, conveys to TES Land LLC, Grantee, the following described real property:

Lots 7,8 and 9, Hayes Labish Farms Subdivision No. 5 Marion County, Oregon, Volume 14, Page 23 Record of Town Plats for said County and State.

Also the following described land: Beginning at the Southwest corner of that certain tract of land conveyed by Willard J. Jefferson et ux to R.C. Jefferson by deed recorded in Volume 123, Page 201, deed records for Marion County, Oregon; thence North 33 feet; thence East and parallel with the South line of said Jefferson Tract 14.15 chains to the Westerly line of a County Road; thence Southwesterly along said road to the Southerly line of said Jefferson Tract; thence West 13.90 chains to the place of beginning, situated in Section 23, in Township 6 South, Range 2 West of the Willamette Meridian, Marion County, Oregon.

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 & -0-

Until a change is requested, all tax statements are to be sent to the following address: 9510 Saratoga Dr NE
Silverton, OR 97381

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Dated this 2nd day of January, 2016.

OWRD

Thomas Sinn
Thomas J Sinn

Edith Sinn
Edith K Sinn

Dated this 2nd day of January, 2016.

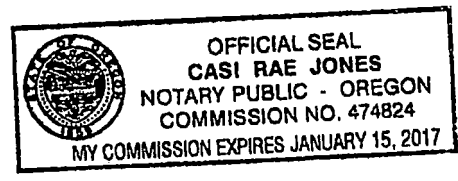
Thomas Sinn
Thomas J Sinn

Edith K Sinn
Edith K Sinn

State of Oregon

County of Marion

The foregoing instrument was acknowledged before me this 1 day of April, 2016, by
Thomas J Sinn and Edith K Sinn.



Casi Rae Jones
Notary Public for Oregon

My commission expires: Jan. 15, 2017

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REEL: 3810

PAGE: 71

April 22, 2016, 04:21 pm.

CONTROL #: 409672

**State of Oregon
County of Marion**

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 51.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

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MAP T65, 2W, 23

TL600

Reel 2571 Page 171

LEASED Property
FOR TEMP. TRANSFER

TICOR TITLE
691205002



After Recording Return To:
Chen He
60 Mc Lane Lane
Manchester NH 03104

Send Tax Statements To:
Chen He
60 Mc Lane Lane
Manchester NH 03104

Title Order No. 200502169
Escrow No. 200502169
Tax Account No. R18978 6-2W-23
TL 600

WARRANTY DEED
(ORS 93.850)

Ruth Kuenzi, an estate in fee simple, Grantor, conveys and warrants to Chen He, an estate in fee simple, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Situs address as disclosed by Marion County tax roll:

7983 82nd Avenue NE Silverton OR 97381

See Exhibit 'A' attached hereto and by reference made a part hereof.

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 consideration for this conveyance is \$475,600.00.

Dated this 7 day of November, 2005.

Ruth Kuenzi
Ruth Kuenzi

State of Oregon, County of Marion)ss.

This instrument was acknowledged before me on Nov 7, 2005
by Ruth Kuenzi.

[Signature]
Notary Public

My commission expires 01/16/07



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Title No. 200502169

Escrow No. 200502169

EXHIBIT 'A'

Legal Description:

Beginning on the West boundary of the Asa Saunders Donation Land Claim in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon at a point which is South 22.474 chains from the Northwest corner thereof; thence South along the said West boundary 13.861 chains; thence West 22.10 chains; thence North 10.155 chains; thence North 89° 46' East 10.02 chains to the Center of Section 23 in the aforesaid Township and Range; thence North 3.706 chains; thence East 12.064 chains to the place of beginning. Except the West 454.9 feet of the above described property, which said 454.9 feet, was heretofore conveyed by the Grantor herein to David L. Masee and Judith M. Masee, husband and wife, be deed dated November 3, 1980 and recorded April 8, 1981 in Reel 246, Page 723, of the Records of Marion County, Oregon.

Also: Beginning at the Northwest corner of the Asa Saunders Donation Land Claim in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence South along the West line of the said Asa Saunders D. L. C. 22.474 chains; thence West 12.064 chains; thence North 22.474 chains; thence East 11.97 chains to the place of beginning.

Subject to:

Taxes for the fiscal year 2005-2006, a lien in an amount to be determined, but not yet payable.

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The following matters are excluded from the coverage of the policy based on the proximity of the property to.

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of.
- b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of or has been formed by accretion to such portion.

Manufactured Home Removal Agreement, including the terms and provisions thereof,
Recorded: December 21, 1994
Reel: 1212 Page: 91
Records of Marlon County, Oregon.

Manufactured Home Removal Agreement, including the terms and provisions thereof,
Recorded: January 7, 1999
Reel: 1556 Page: 357
Records of Marlon County, Oregon.

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REEL:2571

PAGE: 171

November 23, 2005, 04:39 pm.

CONTROL #: 155312

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

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STATE OF OREGON
 COUNTY OF MARION
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SINN BROTHERS
 9821 SARATOGA DR NE
 SILVERTON OR 97381

confirms the right to use the waters of LITTLE PUDDING RIVER, tributary to PUDDING RIVER for IRRIGATION of 17.2 ACRES.

This right was perfected under Permit S-6535. The date of priority is JUNE 17, 1924. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.22 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
6 S	2 W	WM	23	SE NW	13	ORIGINAL - NONE GIVEN
6 S	2 W	WM	23	SE NW		NEW (A WELL) - 1200 FEET SOUTH AND 1700 FEET WEST FROM NW CORNER, A SAUNDERS DLC 42

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

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	2 W	WM	23	NE NW	2.0
6 S	2 W	WM	23	SW NW	0.1
6 S	2 W	WM	23	SE NW	12.7
6 S	2 W	WM	23	NE SW	1.4
6 S	2 W	WM	23	NW SW	1.0

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The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion.

Water shall be acquired from the same surface source as the original point of diversion.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

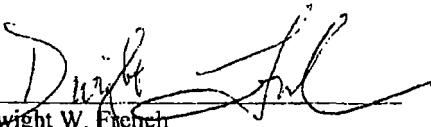
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 10, 1997, at Special Order Volume 51, Page 14, approving Transfer Application 6865, and together with Certificate 73970, supercedes Certificate 55534, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued SEP 13 2013


Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

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Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) SS
 County of MARION)

We, **TES Land LLC**, in our capacity as current OWNERS OF SUBJECT PROPERTY, mailing address **9510 Saratoga Drive NE, SILVERTON, OREGON 97381**, telephone number **503-873-2018**, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. We attest that:

- Water was used during the previous five years on the _____ place of use for Certificate # _____; **OR**
- Our knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	1/4-1/4		Gov't Lot or DLC	Acres (if applicable)
88432	6	S	2	W	W	23	NE	NW		2.0
						23	SE	NW		12.7
						23	SW	NW		0.1
						23	NE	SW		1.4
						23	NW	SW		1.0
									Total	17.2

OR

- Confirming Certificate # _____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

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3. The water right was used for: (e.g., crops, pasture, etc.): Bennis

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Thomas Liu Signature of Affiant 10/31/ Date, 2018

Edith Senne Signature of Affiant 10/31/ Date, 2018

Signed and sworn to (or affirmed) before me this 31 day of October, 2018.



Angela M Adcock
Notary Public for Oregon

My Commission Expires: April 10, 2020

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use <u>2017 Irrigation Season</u> ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number RECEIVED

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