

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? 1 List them here: 49439**
 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 2023.**
- 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.
- Current recorded deed for the land **from** which the authorized place of use is ~~to~~ **being moved.**
- 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 Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. 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.

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N/A Water V point(s)

(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: _____ Date: ____/____/____

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.

- X N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- X Permanent quality printed with dark ink on good quality paper.
- X 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.
- X A north arrow, a legend, and scale.
- X 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.
- X Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- X Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- X Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- X Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- X 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.
- X 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.
- X 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.

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- x 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

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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 1 (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) If only one water right this will be 0 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? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (4a) Subtract 1.0 from the number in 4a above: _____ (4b) If 4b is 0, enter 0 on line 4 » » » » » » » » » » » » » » » » If 4b is greater than 0, round up to the nearest whole number: _____ (4c) and multiply 4c by \$200.00, then enter on line 4 (or \$0.50 if submitted in a Department approved digital format) » » » » » » » » » »	4	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>60.6</u> (5a) Multiply the number of acres in 5a above by \$2.30 and enter on line 5 » »	5	139.38
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	949.38
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 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
7	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	949.38

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	

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*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 (x 45 ac = 0.56 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 <i>Geoff + Maria Bale / Umpqua Valley Hemp, LLC</i>		PHONE NO. <i>951 265 3807</i>	ADDITIONAL CONTACT NO. <i>530 559 3632</i>
ADDRESS <i>5631 Oak Hill Rd</i>			FAX NO.
CITY <i>Roseburg</i>	STATE <i>OR</i>	ZIP <i>97471</i>	E-MAIL <i>geoff@umpquaValleyhemp.com</i>
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		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	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.			

Explain in your own words what you propose to accomplish with this transfer application; and why:
For the purposes of irrigating hemp which is grown in compliance with ODA PAWS + Farm Act of 2018.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

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

Geoff Bale
Applicant signature

Maria Bale
Applicant signature

Geoff Bale
Print Name (and Title if applicable)

Maria Bale
Print Name (and Title if applicable)

2/18/19
Date

2/18/19
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.

*Randy + Annie Harper
5631 Oak Hill Rd
Roseburg, OR 97471*

*Annette Harper
Randall S. Harper*

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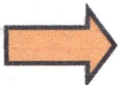
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

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, conveyed or used.

ENTITY NAME Douglas County Planning Department/Land Use	ADDRESS 1036 SE Douglas Ave	
CITY Roseburg	STATE Oregon	ZIP 97470

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

Using the **Tools** menu => click **Unprotect Document**;

OR

Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

Using the **Tools** menu => click **Protect Document**;

OR

Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**

To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing** in the document: **Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.

To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

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Other Alternatives:

Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).

You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

add additional rows to tables using the Table tools, and

select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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.

Description of Water Delivery System

System capacity: 1.007 cubic feet per second (cfs) **OR**
 _____ 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. **Surface diversion from Calapooya Creek; Current System is being exercised under an instream lease.**

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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		25 S	6 W	27	N N W W	44	620 ft S and 600 ft E from NW Cor, Sec 27
2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		25 S	6 W	27	N N W W	55	1040 ft S and 600 ft E from NW Cor, Sec 27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							RECEIVED APR 04 2019
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							OWRD

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 checked="" 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.

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 # 49439

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
25	S	6	W	22	NW	SW	1600	44	2.0	Irrigation	1	1948	POU	25	S	6	W	27	NW	NW	0300	44	14.4	Irrigation	2	1948
25	S	6	W	22	SW	SW	1600/ 1700	44	27.8	Irrigation	1	1948	POU	25	S	6	W	27	SW	NW	0600	55	20.5	Irrigation	2	1948
25	S	6	W	22	SE	SW	1600/ 1700	44	14.4	Irrigation	1	1948	POU	25	S	6	W	27	NE	NW	0200	44	5.7	Irrigation	2	1948
25	S	6	W	28	NE	NE	0100	44	16.4	Irrigation	1	1948	POU	25	S	6	W	27	SE	NW	0600	55	20	Irrigation	2	1948
TOTAL ACRES							60.6	TOTAL ACRES																60.6		

Additional remarks: _____

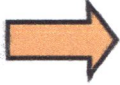
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For Place of Use Changes

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: **96304 for Domestic uses**



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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Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 25 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 DOUGLAS)

I, KERRY WAY, in my capacity as LANDOWNER OF RECORD,
 mailing address 478 CROUCH ROAD, OAKLAND, OREGON 97462

telephone number (541)817-5899, 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. I attest that:

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

- 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: IL-1366 (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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(continues on reverse side)

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

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.

Kerry Way

Signature of Affiant

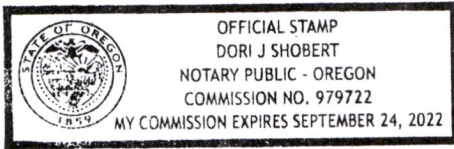
4-1-19

Date

Signed and sworn to (or affirmed) before me this 1st day of April, 2019.

Dai Shobert

Notary Public for Oregon



My Commission Expires: Sept 24, 2022

Supporting Documents	Examples
<input checked="" 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 type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<input type="checkbox"/> Power usage records for pumps associated with irrigation use <input type="checkbox"/> Fertilizer or seed bills related to irrigated crops <input type="checkbox"/> 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	<input type="checkbox"/> District assessment records for water delivered <input type="checkbox"/> Crop reports submitted under a federal loan agreement <input type="checkbox"/> Beneficial use reports from district <input type="checkbox"/> IRS Farm Usage Deduction Report <input type="checkbox"/> Agricultural Stabilization Plan <input type="checkbox"/> 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.terraserver.com</p>
<input checked="" type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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**Application for Water Right
Transfer
Consent by Deeded Landowner**



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

State of Oregon)
)ss
County of Douglas)

I Kerry Way in my/our capacity as Deeded Landowner of record,
mailing address 478 Crouch Road, Oakland, Oregon, 97462,
telephone number 541-817-5899, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 49439
described in a Transfer Application (T-_____) submitted by Umpqua Valley Hemp, LLC, c/o
Geoff and Maria Bale,
(transfer number, if known)
on the property in tax lot number(s) 200, 300 and 600, Section 22, 27, and 28, Township 25
South, Range 6 West, W.M., located at 478 Crouch Road, Oakland, Oregon 97462.
(site address)

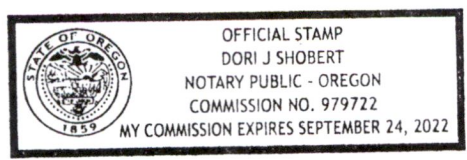
Kerry Way
Signature of Affiant

4-1-19
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 1st day of April, 2019.



Dori Shobert
Notary Public for Oregon

My commission expires 9/24/22

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STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HAROLD CROUCH

of Umpqua Route, Box 48, Oakland, State of Oregon 97462, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Calapooya Creek

a tributary of Umpqua River
irrigation of 80.45 acres

for the purpose of

under Permit No. 18106 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 26, 1948

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.007 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, both as projected within J.T. Daniel DLC No. 44, T. 25 S., R. 6 W., W.M.; 620 feet South and 600 feet East, 65 feet North and 875 feet East, both from NW Corner, Section 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Kerry + Holly Way

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2.55 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

2.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
1.00 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
14.40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
27.80 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 22

14.70 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
1.60 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 27

16.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 28

all as projected within J.T. Daniel DLC 44
T. 25 S., R. 6 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 20981, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 20, 1980, approving transfer application No. 4369.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. September 4, 1980


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43 , page 49439

13161 =

21

2000-23603

BOOK 1723 PAGE 239



JOSEPHINE COUNTY TITLE

118 N.E. "C" Street • P.O. Box 71
Grants Pass, Oregon 97526
(541) 476-6884 • Fax: (541) 479-4437

ORDER # 10003677CH

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Annette L. Harper, Grantor(s), in consideration of NONE DOLLARS \$0.00, paid by Randall S. Harper and Annette L. Harper, Husband and Wife as Tenants by the Entirety, Grantee(s), do hereby grant, bargain, sell and convey unto the said Grantee(s), their heirs and assigns all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Douglas, and State of Oregon, bounded and described as follows, to-wit:

All that portion of the John T. Daniels Donation Land Claim No. 44, in Sections 22 and 27, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, lying southerly of the centerline of Calapooia Creek.

ALSO all that portion of the East 25.89 chains of the Royal P. Daniels Donation Land Claim No. 55 in Section 27, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, lying northerly of the northerly right of way line of the Wilbur-Umpqua Road (County Road No. 32).

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.

To Have and to Hold, the above described and granted premises unto the said Grantee(s), their heirs and assigns forever.

Witness our hand(s) and seal(s) this 16th day of November, 2000.

Annette L. Harper
Annette L. Harper

STATE OF OREGON)
) ss.
County of Josephine)

This instrument was acknowledged before me the 16th day of November, 2000 by Annette L. Harper



Carol Holland
Notary Public for Oregon
My commission expires:

Until a change is requested, send all tax statements to: SAME AS OF RECORD

Return document to:
Josephine County Title Company
118 N.E. "C" Street, P.O. Box 71
Grants Pass, OR 97526

COMMERCIAL TITLE CO.
P.O. BOX 1325
ROSEBURG, OR 97470
92138

STATE OF OREGON) ss
COUNTY OF DOUGLAS)
I, DOYLE SHAVER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, DO HEREBY CERTIFY
THAT THIS INSTRUMENT WAS RECORDED.
00 NOV 21 AM 10:54
DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY *[Signature]*
DEPUTY

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First American Title Insurance Company
Commercial Title Division 171006 CV
P.O. Box 1325
Roseburg, OR 97470



DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2003-015867



\$36.00

00029388200300158670040044

06/16/2003 02:39:51 PM

DEED-PRD Cnt=1 Stn=18 RECORDINGDESK
\$20.00 \$11.00 \$5.00

After recording return to:

Until a change is requested all tax statements shall be sent to the following address:

Kerry Way and Holly Way
P.O. Box 77
Adel, OR 97620

File No.: 7391-171006 (cv)
Date: June 06, 2003

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this **Sixth day of June, 2003** by and between **Loren L. McClure and Robert W. Boyles** the duly appointed, qualified and acting personal representative of the estate of **Mildred R. Comfort**, deceased, hereinafter called the first party and **Kerry Way and Holly Way, tenants by the entirety**, hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and second party's heirs, successors and assigns all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in the County of **Douglas**, State of Oregon, described as follows, to-wit:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is **\$900,000.00**.

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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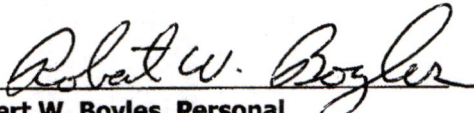
APN:

Personal Representative's Deed
- continued

File No.: 7391-171006 (cv)
Date: June 06, 2003

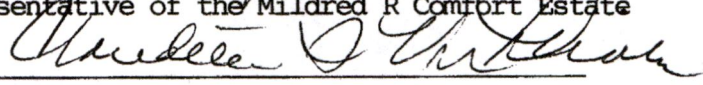
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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


Loren L. McClure, Personal Representative


Robert W. Boyles, Personal Representative

STATE OF Oregon)
)ss.
County of Douglas)

This instrument was acknowledged before me on this 9th day of June, 2003
by Loren L McClure, Personal Representative of the Mildred R Comfort Estate

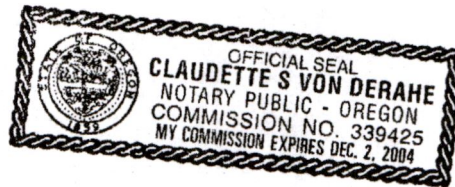

Notary Public for Oregon

My commission expires:

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STATE OF OREGON
County of Douglas } ss.
On June 10 2003 before me personally appeared Robert W Boyles
Personal Representative of the Mildred R. Comfort Estate
whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.

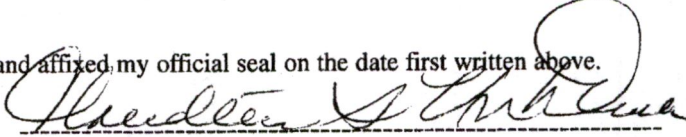

Notary Public for Oregon
My commission expires _____

EXHIBIT A

LEGAL DESCRIPTION:

PARCEL A:

TRACT 1A:

Lot eleven (11) of Section 15; the Northeast quarter of the Northeast quarter and Lot one (1) of Section 21; the Northwest quarter of the Northwest quarter and Lots two (2) and three (3) of Section 22, all in Township 25 South, Range 6 West of the W.M., Douglas County, Oregon.

ALSO Lot ten (10) in Section 15, Township 25 South, Range 6 West, and Lot one (1) in Section 22, Township 25 South, Range 6 West, W.M., Douglas County, Oregon.

EXCEPTING THEREFROM that portion as conveyed to Douglas County, for road purposes, as described in deed recorded July 15, 1952 in Volume 210 of the Deed Records of Douglas County, Oregon, Recorder's No. 144554.

ALSO EXCEPTING THEREFROM: Beginning at the Southwest corner of DLC No. 50 in Township 25 South, Range 6 West, W.M., in Douglas County, Oregon; thence North along the West line of said DLC 315.02 feet to a 5/8" diameter steel pin; thence West 186.33 feet to a 5/8" diameter steel pin; thence South 3° 40' 22" West 229.00 feet to a 5/8" diameter steel pin; thence South 60° 25' 34" East 225.21 feet to a 5/8" diameter steel pin; thence North 86° 30' 48" East 5.14 feet to a 5/8" diameter steel pin; thence North 24.35 feet to the point of beginning, situated in Section 22, Township 25 South, Range 6 West, W.M., Douglas County, Oregon.

TRACT 2A:

The DLC of John T. Daniels, being parts of Sections 21, 22, 27 and 28 in Township 25 South, Range 6 West, W.M., Douglas County, Oregon, and bounded and described as follows, to-wit: Beginning at a point 1.40 chains North and 19.75 chains West from the quarter position the line between said Section 21 and 22; running thence South 61.68 chains East 51.88 chains North 61.68 chains, West 51.88 chains to the place of beginning, situated in Douglas County, Oregon.

EXCEPTING therefrom that portion in Deed to Douglas County, known as Relocated County Road No. 9, recorded in Book 210, Page 501, records of Douglas County, Oregon, Recorder's No. 144557.

ALSO EXCEPTING all that portion of the above described property lying South of the relocated County Road No. 9

PARCEL B:

The DLC of John T. Daniels, being parts of Sections 21, 22, 27 and 28 in Township 25 South, Range 6 West, W.M., Douglas County, Oregon, and bounded and described as follows, to-wit: Beginning at a point 1.40 chains North and 19.75 chains West from the quarter position the line between said Section 21 and 22; running thence South 61.68 chains East 51.88 chains North 61.68 chains, West 51.88 chains to the place of beginning, situated in Douglas County, Oregon.

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APN:

Personal Representative's Deed
- continued

File No.: 7391-171006 (cv)
Date: June 06, 2003

EXCEPTING the following described land lying Easterly of relocated County Road: Beginning at the Northwest corner an iron pipe set in the ground from which the Northeast corner of the John T. Daniels DLC No. 44 in Township 25 South, Range 6 West, W.M., bears North 424.2 feet and South 89° 39' East 1327.2 feet; thence South 509.2 feet to an iron pipe set in the ground on the Northerly right of way line of the old county road; thence North 88° 01' East 622.0 feet along said right of way line to a point; thence North 80° 31' East 106.0 feet along said right of way line to a point; thence North 41° 11' East 267.0 feet along said right of way line to a point; thence North 11° 48' East 112.0 feet along said right of way line to a point; thence North 8° 37' East 161.8 feet along said right of way line to an iron pipe set in the ground; thence leaving said county road right of way line West 949.13 feet to the place of beginning, all located in Section 22, Township 25 South, Range 6 West, W.M., Douglas County, Oregon.

ALSO EXCEPTING the following described land, lying Easterly of relocated County Road: Beginning at the Northwest corner on the North line of the John T. Daniels DLC No. 44, said point being an iron pipe from which the Northeast corner of the John T. Daniels DLC No. 44, Township 25 South, Range 6 West, W.M., Douglas County, Oregon, bears South 89° 39' East 1327.2 feet; thence South 424.2 feet to an iron pipe set in the ground; thence East 949.13 feet to an iron pipe set in the ground on the Westerly right of way line of the old County Road; thence North 8° 37' East 154.2 feet along the Westerly right of way line of the County Road to a point; thence North 25° 00' East 129.0 feet along the Westerly right of way line of the County Road to a point; thence North 49° 28' East 226.41 feet along right of way line to an iron pipe set in the ground; thence leaving said County Road right of way line North 89° 39' West 1198.85 feet to the place of beginning, all located in Section 22, Township 25 South, Range 6 West, W.M., Douglas County, Oregon.

ALSO EXCEPTING therefrom that portion in Deed to Douglas County, known as Relocated County Road No. 9, recorded in Book 210, Page 501, records of Douglas County, Oregon, Recorder's No. 144557.

ALSO EXCEPTING therefrom that portion conveyed to Robert Monett, et al, in Exchange Agreement recorded in Book 695, Page 627, records of Douglas County, Oregon, Recorder's No. 78-19801.

ALSO EXCEPTING therefrom that portion of John T. Daniels DLD No. 44 lying Southerly and Easterly of Calapooia Creek as described in Deed to Martin D. Crouch, et al, recorded December 1, 1976, in Book 617, Page 807, Recorder's No. 76-19483, Deed Records, Douglas County, Oregon.

ALSO EXCEPTING therefrom all that portion of the above described property lying North of the relocated County Road No. 9

END OF DOCUMENT

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Douglas County Official Records
Patricia K. Hitt, County Clerk

2016-002131

01/28/2016 02:34:45 PM

DEED-BS Cnt=1 Stn=1 CAROL
\$20.00 \$11.00 \$10.00 \$20.00

\$61.00

DOUGLAS COUNTY CLERK



CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL
DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

First American Title
1700 NW Garden Valley Blvd. #204
Roseburg, OR 97471

257 3159(jh)

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After recording return to:
Kerry Way and Holly Way
478 Crouch Road
Oakland, OR 97462

Until a change is requested all tax
statements shall be sent to the
following address:
Kerry Way and Holly Way
478 Crouch Road
Oakland, OR 97462

File No.: 7391-2573159 (jt)
Date: January 26, 2016

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY BARGAIN AND SALE DEED

James R. Nichols and Nancy Charlene Nichols, Trustees of The James R. Nichols and Nancy Charlene Nichols Revocable Living Trust, U/D/T March 30, 2010, Grantor, conveys to **Kerry Way and Holly Way as tenants by the entirety**, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **Boundary Line Adjustment File M15-041**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 27 day of Jan, 2016.

Page 1 of 3

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APR 04 2019

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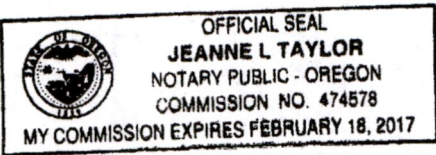
James R. Nichols and Nancy Charlene Nichols, Trustees of The James R. Nichols and Nancy Charlene Nichols Revocable Living Trust, U/D/T March 30, 2010

James R. Nichols
James R. Nichols, Trustee

Nancy Charlene Nichols
Nancy Charlene Nichols, Trustee

STATE OF Oregon)
)ss.
County of Douglas)

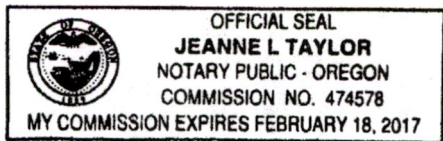
This instrument was acknowledged before me on this 27 day of Jan, 2016 by ~~James R. Nichols and~~ Nancy Charlene Nichols as Trustees of The James R. Nichols and Nancy Charlene Nichols Revocable Living Trust, U/D/T March 30, 2010, on behalf of the trust.



Jeanne Taylor
Notary Public for Oregon
My commission expires: 2-18-17

STATE OF Oregon)
)ss.
County of Douglas)

This instrument was acknowledged before me on this 28 day of Jan, 2016 by James R. Nichols as Trustees of The James R. Nichols and Nancy Charlene Nichols Revocable Living Trust, U/D/T March 30, 2010, on behalf of the trust.



Jeanne Taylor
Notary Public for Oregon
My commission expires: 2-18-17

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APN: R27624

Bargain and Sale Deed
- continued

File No.: 7391-2573159 (jt)
Date: 01/26/2016

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Douglas, State of Oregon, described as follows:

ALL THAT PORTION OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2015-14903, OFFICIAL RECORDS FOR DOUGLAS COUNTY, OREGON WHICH LIES WESTERLY OF THE CENTER OF CALAPOOYA CREEK. SAID TRACT IS LOCATED IN SECTION 22, TOWNSHIP 25 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, SAID COUNTY AND STATE.

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APR 04 2019

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