



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.

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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: certificates 29565 & 90327**
Please include a separate Part 5 for each water right. (See instructions on page 6)

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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 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.
- 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):

- | | |
|--|---|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Part _____ is incomplete |
| <input type="checkbox"/> Additional signature(s) required | |

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

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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°).

FEE WORKSHEET for PERMANENT TRANSFER (Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> If only one change, this will be 0 RECEIVED MAY 23 2019 OWRD		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	930
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> If only one water right this will be 0		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	520
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.37 (=0.20+0.17) (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.63 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » » » Subtotal:	6	2610
7	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
8	Subtract line 7 from line 6 » Transfer Fee:	8	2610

*Example for Line 5a 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:

- For irrigation calculate cfs for each water right involved as follows:
 - Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($x 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$840.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) If only one well this will be 0		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Fessler Family, LLC			PHONE NO. 503.559.1471	ADDITIONAL CONTACT NO. N/A
ADDRESS 13009 McKee School Road			FAX NO. N/A	
CITY Woodburn	STATE OR	ZIP 97101	E-MAIL See note below agent information:	
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 Aspen Rural Land Consulting c/o Eric Urstadt, PE/PLS			PHONE NO. 971.250.1520	ADDITIONAL CONTACT NO. 503.647.1919
ADDRESS 39290 NW Murtaugh Road			FAX NO. N/A	
CITY North Plains	STATE OR	ZIP 97133	E-MAIL See note below	
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.				
Note: We do not want all correspondence sent electronically; however, please send correspondence via both regular mail and email to: tomf@woodburnnursery.com and ericurstadt@gmail.com.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
This transfer proposes to move a portion of the Place of Use for certificate 29565 (with the supplemental rights per certificate 90327) to another property. To accomplish this, an Additional Point of Diversion for 29565 is proposed that is downstream of the current Point of Diversion.. The APOD is an existing POD that is utilized currently by cert. 20865. The irrigation acres of 25965 & 90327 that are to remain on the FROM property are being be moved around to best utilize the water on that property.

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)

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.

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By my signature below, I confirm that I understand:

- 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: Capital Press.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

PERMISSION TO ACCESS DIVERSION POINTS AND CONVEYANCE SYSTEMS

I, Robert F. Fessler, President of Woodburn Nursery, Inc. by my signature below, do hereby give Fessler Family, LLC and it heirs and assigns permanent permission to access and/or maintain both Well #5 and POD 1 as shown on the attached maps and the water conveyance systems that are on the FROM property that is subject of this transfer (and commonly known as Tax lot 900 of Section 33, T5S, R1W, WM, Marion County, OR) in order to use the water from these sources for use on lands owned by Fessler Family, LLC.

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



Robert F. Fessler
Applicant Signature

Robert F. Fessler*
Print Name (and Title if applicable)

5-13-19
Date

*Robert F. Fessler is both the Managing Member of Fessler Family, LLC and President of Woodburn Nursery, Inc.

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.

Robert F. Fessler can sign for both deeded landowners.

Check the following boxes that apply:

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- 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>

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ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	


Describe any special ownership circumstances here: **Robert F. Fessler is both the Managing Member of Fessler Family, LLC and the President of Woodburn Nursery, Inc., so he can sign for both the FROM and TO land ownerships. All intervening tax lots that the conveyance system crosses are owned by Fessler Family, LLC.**

- 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 None Known	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 None Known	ADDRESS
----------------------------------	---------

 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 Marion County	ADDRESS 5155 Silverton Rd NE	
CITY Salem	STATE OR	ZIP 97305

ENTITY NAME	ADDRESS
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Part 5a 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 # 29565

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Description of Water Delivery System

System capacity: 0.20* cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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*Per certificate; and the owner states the system can pump this amount or more.

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. **There is a pump in the river which delivers water via both underground and above ground pipes to both sprinklers (via handlines) and Big Guns.**

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	N/A	5 S	1 W	33	SE NW	900 of S33	1695' S & 2295' E OF NW S33
(Additional) POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5 S	1 W	28	NW SW	1500 of S28	1830' NORTH AND 260' EAST FROM NW S33.

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 type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" 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 # 29565

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) 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			
										POU/APOD	5	S	1	W	28	NE	NW	700	43	0.4	IRRIG	POD 2	1950
										POU/APOD	5	S	1	W	28	NW	NW	700	43	0.1	IRRIG	POD 2	1950
										POU/APOD	5	S	1	W	28	SW	NW	700	43	7.9	IRRIG	POD 2	1950
										POU/APOD	5	S	1	W	28	SE	NW	700	43	2.4	IRRIG	POD 2	1950
										POU/APOD	5	S	1	W	28	NE	SW	700	43	0.1	IRRIG	POD 2	1950
										POU/APOD	5	S	1	W	28	NW	SW	700	43	0.4	IRRIG	POD 2	1950
										POU	5	S	1	W	33	SW	NE	900	-	1	IRRIG	POD 1	1950
										POU	5	S	1	W	33	SE	NW	900	-	3.5	IRRIG	POD 1	1950
TOTAL ACRES:						15.8						TOTAL ACRES:						15.8					

Additional remarks: The entire right is being moved. POD 1 is the current POD used by certificate 29565. POD 2 is the northern authorized POD in certificate 20832.

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For Place of Use or Character of Use Changes

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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: cert. 90327.



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 # N/A.

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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
N/A										

Part 5b 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 # 90327

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Description of Water Delivery System

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System capacity: 1.37* cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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***Per certificate**

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. **There is a pump in the well which delivers water via both underground and above ground pipes to both sprinklers (via handlines), drip lines and Big Guns.**

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)
Well #5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 19214	5 S	1 W	33	SW NE	900	2390' S & 2800' E of the NW S33**

****Per certificate 90327**

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 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 # [REDACTED]

List the change proposed for the acreage in each ¼ ¼. 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) 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	¼	¼	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	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
5	S	1	W	33	SW	NE	900	-	4.4	IRRIG	WELL #5	1995	POU	5	S	1	W	28	NE	NW	700	43	0.4	SUPPL	POD 2	1950
5	S	1	W	33	SE	NW	900	-	9.3	IRRIG	WELL #5	1995	POU	5	S	1	W	28	NW	NW	700	43	0.1	SUPPL	POD 2	1950
5	S	1	W	33	SW	NE	900	-	4.4	SUPPL	WELL #5	1995	POU	5	S	1	W	28	SW	NW	700	43	7.9	SUPPL	POD 2	1950
5	S	1	W	33	SE	NW	900	-	11.4	SUPPL	WELL #5	1995	POU	5	S	1	W	28	SE	NW	700	43	2.4	SUPPL	POD 2	1950
													POU	5	S	1	W	28	NE	SW	700	43	0.1	SUPPL	POD 2	1950
													POU	5	S	1	W	28	NW	SW	700	43	0.4	SUPPL	POD 2	1950
													POU	5	S	1	W	33	SW	NE	900	-	6.7	IRRIG	WELL #5	1995
													POU	5	S	1	W	33	SE	NW	900	-	7.0	IRRIG	WELL #5	1995
													POU	5	S	1	W	33	SW	NE	900	-	1.0	SUPPL	WELL #5	1995
													POU	5	S	1	W	33	SE	NW	900	-	3.5	SUPPL	WELL #5	1995
TOTAL ACRES:									29.5	TOTAL ACRES:													29.5			

Additional remarks: The lands currently in Section 28 are unchanged; all lands moving are shown in this table and on the transfer TO map. The primary irrigation lands in tax lot 900 are being moved around on tax lot 900. All rights supplemental to certificate 29565 are moving with that right. Note that 2.0 acres of supplemental within the SE-NW is not moving, is not in the above table, but is shown and labelled on the TO map. Total acres moving : 13.7 acres primary and 15.8 acre suppl.

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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: cert. 29565.



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 # N/A.
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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
Well #5	Yes	MARI 19214	391'	8"	+1 to 318	0-30', 308-318'	N/A	98	Columbia River Basalt	0.34 cfs*

*The 0.34 cfs that is moving is computed as follows: (The cert rate is 0.228 cfs for irrigation x 11.3 ac moving / 18.2 ac in right) plus (the cert rate of 0.52 cfs for supplemental x 15.8 ac moving / 41.6 ac in right) = 0.14 + .020 cfs.

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

A-1/3

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)

RECEIVED
 MAY 23 2019
 OWRD

I, TOM FESSLER, in my capacity as FARMER,
 mailing address 13009 MCKEE SCHOOL ROAD, WOODBURN, OR 97071
 telephone number (503)559.1471, 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	1/4 1/4	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: (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)

(continues on reverse side)

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

RECEIVED

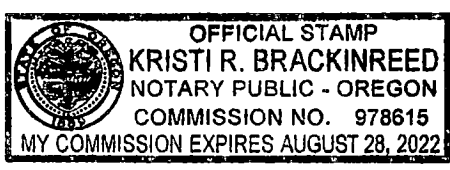
MAY 23 2019

OWRD

[Signature]
 Signature of Affiant

5-13-19
 Date

Signed and sworn to (or affirmed) before me this 13th day of May, 2019.



[Signature]
 Notary Public for Oregon

My Commission Expires: August 28 2022

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 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 • 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 checked="" 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

D-1/2



FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

R14178
051W28 00700
Marion

OWNER
Fessler Family LLC

DATE PREPARED
04/30/2019

PREPARED BY
cmurray@firstam.com



First American Title

Customer Service 503.219.8746
cs.oregon@firstam.com
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MAY 23 2019
OWRD
13190



First American Title™

Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 4/30/2019

D-2/12

OWNERSHIP INFORMATION

Owner: Fessler Family LLC
CoOwner:
Site: OR 97000
Mail: 13009 McKee School Rd NE Woodburn OR 97071

Parcel #: R14178
Ref Parcel #: 051W28 00700
TRS: 05S / 01W / 28
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010400 Block: 5008
Neighborhood:
School Dist: 103 Woodburn
Impr Type: A90 - AGRICULTURE - GENERAL - DIVERSIFIED
(MORE THAN ONE ACTIVITY), ALL FOREST
LANDS, WASTE OR WOODLOT in
Subdiv/Plat:
Land Use: 640 - Specially assessed forest land, land only,
designated forest land
Std Land Use: ATM - Timber
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.107746 / -122.822426
Watershed: Butte Creek-Pudding River
Legal: ACRES 24.57

ASSESSMENT AND TAXATION

Market Land: \$13,660.00
Market Impr: \$0.00
Market Total: \$13,660.00 (2018)
% Improved: 0.00%
Assessed Total: \$13,660.00 (2018)
Levy Code: 10300150
Tax: \$172.29 (2018)
Millage Rate: 12.6125
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 24.57 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 1,070,269 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
FESSLER FAMILY LLC	12/7/2018	4147-0307	\$200,000.00	Warranty		Conv/Unk

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D-5/12

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MAY 23 2019

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AFTER RECORDING RETURN TO:

Order No.: 471818077141-TK

Fessler Family LLC., an Oregon Limited Liability company
13009 McKee School Road NE
Woodburn, OR 97071

REEL 4147 PAGE 307
MARION COUNTY
BILL BURGESS, COUNTY CLERK
12-07-2018 11:12 am.
Control Number 533185 \$ 91.00
Instrument 2018 00058038

SEND TAX STATEMENTS TO:

Fessler Family LLC., an Oregon Limited Liability company
13009 McKee School Road NE
Woodburn, OR 97071

APN: R14178

Map: 051W28 00700

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Vanport Manufacturing, Inc., Grantor, conveys and warrants to **Fessler Family LLC., an Oregon Limited Liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

A tract of land located in Section 28, Township 5 South, Range 1 West of the Willamette Meridian, in the County of Marion and State of Oregon, being more particularly described as follows:

Beginning at the Southeast corner of the John McKay Donation Land Claim in Township 5 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; thence North 89°41' West along the South line of said claim 19.20 chains to the center of Pudding River; thence down the center of said river North 5.00 chains; thence North 7° East 3.06 chains; thence North 23° East 4.00 chains; thence North 57° East 2.90 chains; thence East 2.00 chains; thence South 40° East 1.60 chains; thence South 11°30' West 11.00 chains; thence South 74° East 2.20 chains; thence North 39° East 5.50 chains; thence North 22° East 3.50 chains; thence North 5.20 chains; thence North 22°30' East 11.00 chains to the line dividing said claim into North and South halves; thence leaving said river and running South 89°41' East 2.90 chains to a R.R. Rail in the East line of said claim; thence South 23.67 chains to the point of beginning being in the John McKay Donation Land Claim, in Section 28, Township 5 South, Range 1 West of the Willamette Meridian Marion County, Oregon.

ALSO: Beginning at a point sixteen rods North and 20 feet West from the post in the center of Section 28, Township 5 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; thence West about 75 rods to the East line of a tract owned by C.R. Shaner; thence South 20 feet; thence East about 75 rods; thence North 25 feet to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$200,000.00). (See ORS 93.030)..

Subject to:

The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Regulations, levies, liens, assessments, rights of way and easements of Marion Soil and Water Conservation District.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Pudding River, in the event the boundary of said Pudding River has been artificially raised or is now or at any time has been below the high watermark, if said Pudding River is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Pudding River, or has been formed by accretion to any such portion.

The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Pudding River.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Pudding River.

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

D-6/12

STATUTORY WARRANTY DEED

(continued)

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MAY 23 2019

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Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric
Purpose: Easement for Utility
Recording Date: February 8, 1954
Recording No: Volume 459, Page 617
Affects: Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company
Purpose: Electric Power Distribution Lines
Recording Date: April 29, 1968
Recording No: Volume 646, Page 311
Affects: Exact location not disclosed

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.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 12/5/2018; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Vanport Manufacturing, Inc.

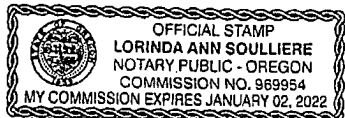
BY: Martin Hertrich
Martin Hertrich
President

State of Oregon
County of Clackamas

This instrument was acknowledged before me on December 5, 2018 by Martin Hertrich, as President of Vanport Manufacturing, Inc.

Lorinda A. Soulliere
Notary Public - State of Oregon

My Commission Expires: 01-02-2022



D-7/12

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MAY 23 2019
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REEL: 4147

PAGE: 307

December 07, 2018, 11:12 am.

CONTROL #: 533185

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: \$ 91.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

D-8/12

RECEIVED

MAY 23 2019

OWRD

FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

11948 Baron Rd NE
R14323
051W33 00900
Marion

OWNER

Woodburn Nursery Inc

DATE PREPARED

04/30/2019

PREPARED BY

cmurray@firstam.com



First American Title

Customer Service 503.219.8746
cs.oregon@firstam.com

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Customer Service Department
Phone: 503.219.2100 (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 4/30/2019

D-9/12

RECEIVED

MAY 23 2019

OWRD

OWNERSHIP INFORMATION

Owner: Woodburn Nursery Inc
CoOwner:
Site: 11948 Baron Rd NE Mt Angel OR 97362
Mail: 12096 Monitor McKee Rd NE Woodburn OR 97071

Parcel #: R14323
Ref Parcel #: 051W33 00900
TRS: 05S / 01W / 33
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010400 Block: 5012
Neighborhood:
School Dist: 91 Mt Angel
Impr Type: A93A - AGRICULTURE - Class OF RESIDENCE 3
Subdiv/Plat:
Land Use: 641 - Specially assessed forest land, improved, designated forest land
Std Land Use: ATIM - Timber
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.094273 / -122.815800
Watershed: Butte Creek-Pudding River
Legal: ACRES 42.62

ASSESSMENT AND TAXATION

Market Land: \$41,460.00
Market Impr: \$216,720.00
Market Total: \$258,180.00 (2018)
% Improved: 84.00%
Assessed Total: \$156,660.00 (2018)
Levy Code: 09100150
Tax: \$2,124.00 (2018)
Millage Rate: 13.5581
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms: 5	Total SqFt: 1,440 SqFt	Year Built: 1967
Baths, Total: 2.00	First Floor: 1,440 SqFt	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 42.62 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 1,856,527 SqFt
Total Units: 2	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
WOODBURN NURSERY INC	10/16/1989	72400201	\$95,000.00			Conv/Unk

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

13190

0-12/12

134950

W.V.T.

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 16th day of October, 19 89., by and between BARBARA REIS the duly appointed, qualified and acting personal representative of the estate of LILLIAN BOEN deceased, hereinafter called the first party, and WOODBURN NURSERY, INC., an Oregon corporation hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of Marion, State of Oregon, described as follows, to-wit:

.Beginning at a point 20.07 chains North 89° 56' West and 24.59 chains South 15' East from the quarter section corner on the North line of Section 33 in Township 5 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence South 15' East 15.50 chains to the South line of the North half of Section 33; thence North 89° 51' East 35.41 chains; thence North 8' East 11.38 chains to the center line of a creek; thence down said creek in a Westerly direction to a point 1 chain East of the point of beginning; thence West 1 chain to the point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

43761-000

TO HAVE AND TO HOLD the same unto the said 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 \$95,000.00.

However, the actual consideration consists of or includes other property or value given or promised which is part of the whole consideration (indicate which).

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunto by order of its Board of Directors.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Barbara Reis BARBARA REIS Personal Representative of the Estate of LILLIAN BOEN Deceased

NOTE-The sentence between the symbols @, if not applicable, should be deleted. See OES 93.030.

STATE OF OREGON, County of Marion, October 16, 19 89. Personally appeared the above named BARBARA REIS and acknowledged the foregoing instrument to be her voluntary act and deed.

STATE OF OREGON, County of Marion, 19 89. Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Before me: [Signature] Notary Public for Oregon My commission expires: 2/26/92

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. Before me: [Signature] Notary Public for Oregon My commission expires: (If executed by a corporation, affix corporate seal)

Barbara Reis GRANTOR'S NAME AND ADDRESS Woodburn Nursery, Inc., an Oregon corporation GRANTOR'S NAME AND ADDRESS James D. Fournier Attorney at Law P. O. Box 680 Mt. Angel, OR 97382 After recording return to: Woodburn Nursery 11796 Monitor-McKee Rd. Woodburn, OR 97071

STATE OF OREGON, County of Marion STATE OF OREGON County of Marion REEL PAGE 724 201 I hereby certify that the within was received and duly recorded by me in Marion County records: Fee \$ 150 Hand Returned []

RECEIVED MAY 23 2019 OWRD

OCT 17 12 26 PM '89 ALAN H. D. WILSON MARION COUNTY CLERK BY CAP

STATE OF OREGON
WATER WELL REPORT
 (as required by ORS 537.765)

RECEIVED

55/1w/3300

Marion
 19214

SEP 20 1994

(START CARD) # 65250

WATER RESOURCES DEPT.

(1) OWNER: Well Number 1
 Name Bob Fessler Woodburn Nursery
 Address 11796 Monitor-McKee NE
 City Woodburn State OR Zip 97071

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

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other

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

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 391 ft.
 Explosives used Yes No Type N/A Amount N/A

HOLE			SEAL			Amount
Diameter	From	To	Material	From	To	sacks or pounds
12"	0'	30'	Bentonite	0	30'	25 sacks
8	30	308	Neat Cemt	308	318	8 sacks
10"	308	318	Underreamed			
8	318	391				

How was seal placed: Method A B C D E
 Other Bentonite Poured Dry

Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing:	8"	+1	318	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 318

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

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

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian
 Yield gal/min 400 Drawdown N/A Drill stem at 390 Time 1 hr.

Temperature of Water 57 Depth Artesian Flow Found N/A
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: upper Alluvium

(9) LOCATION OF WELL by legal description: E-1/1
 County Marion Latitude _____ Longitude _____
 Township 5 S N or S. Range 1 W E or W. WM. _____
 Section 33 SW 1/4 NE 1/4
 Tax Lot _____ Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Barron Road

(10) STATIC WATER LEVEL:
98 ft. below land surface. Date 8-11-94
 Artesian pressure N/A lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found	FROM	TO	EST. FLOW RATE	SWL
<u>56</u>	56	65	1 GPM	38
	70	75	6 GPM	38
	160	171	5 GPM	38
	330	345	250 GPM	98
	375	388	150 GPM	98

(12) WELL LOG: **RECEIVED**
 Ground elevation MAY 23 2019

Material	From	To	SWL
Clay Sticky Brown OWRD	1	55	
Clay Sticky Blue	55	56	
Gravels Large with course Red	56		
Brown Sand		65	38
Claystone Med Green	65	70	
Sand Med Fine Grey some Gravels	70	75	38
Clay Sticky Grey	75	117	
Claystone Soft Grey & Brown	117	122	
Clay Sticky Grey & Brown	122	160	
Silt Grey with Wood	160	171	38
Clay Sticky Grey & Brown	171	267	
Claystone Med Grey & Dk Grey with Wood		272	
Clay Sticky Yellowish Brown	272	275	
Claystone Med Grey & Dk Gray	275	277	
Clay Sticky Yellowish Brown	277	312	
Basalt Hard Black	312	330	
Basalt Med Pourous Black	330	345	98
Basalt Hard Grey	345	375	
Basalt Med Pourous Black with	375		
Claystone Hard Dk Green		388	98
Claystone Hard Blue	388	391	

Date started 8-2-94 Completed 8-11-94

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
 Signed: [Signature] WWC Number 1633
 Date 8-11-94

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
 Signed: [Signature] WWC Number 1358
 Date 9-21-94

13190

Aspen

Rural Land Consulting

Water Resources, Water Rights, Land
Surveying, Engineering, Land Use Planning

ERICURSTADT@HOTMAIL.COM
971-250-1520 (MOBILE)

Water Resources Department
Attn: Transfer Section
725 Summer Street NE, Ste. A
Salem, OR, 97301

29 April 2019

Subject: New Application for a transfer of certificates 29565 & 90327

To Whom It May Concern,

Enclosed is an application to transfer two certificates along with the following attachments:

- A. Evidence of Use Affidavit
- B. Land Use Information Form
- C. FROM and TO Transfer Maps
- D. Deeds for both properties
- E. Well Log
- F. A check made out to Oregon Water Resources Department for \$2610.00.

Please let me know if there is any concerns or you need any more information.

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

RECEIVED

MAY 23 2019

OWRD

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