

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



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

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 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: 59044**
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: 2019.**
- 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 temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- 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.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

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(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is 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: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

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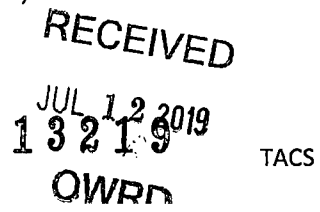
Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	422.97
5	Add entries on lines 1 through 4 above » Subtotal:	5	1232.97
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 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 »	6	0
7	Subtract line 6 from line 5 » Transfer Fee:	7	1232.97

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	N/A

*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 Willamette Valley Land, LLC c/o Paul Kuehne			PHONE NO. (503) 864-4422	ADDITIONAL CONTACT NO. (503) 437-4833
ADDRESS Po Box 99				FAX NO. N/A
CITY LAFAYETTE	STATE OR	ZIP 97127	E-MAIL N/A	
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.				

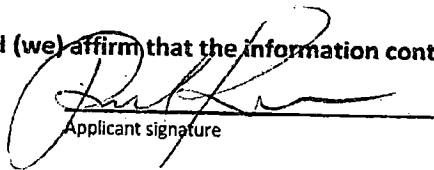
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME ASPEN RURAL LAND CONSULTING, C/O ERIC URSTADT			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 N/A	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

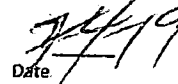
Explain in your own words what you propose to accomplish with this transfer application and why: This transfer is being done to allow watering on certain lands on what is known as the "Durham Farm" for the year of 2020 only. The Watermaster, Joel Plahn, is aware of this transfer and we are coordinating with him.

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

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


Applicant signature

Paul Kuehne, Farmer
Print Name (and Title if applicable)


Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

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	
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 and/or used.

ENTITY NAME Yamhill County Planning and Development	ADDRESS 525 NE 4th Street	
CITY McMinnville	STATE OR	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 59044

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Description of Water Delivery System

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System capacity: 3.70 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The water is pumped from the river into a reservoir and then pumped from the reservoir to the various fields.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec		1/4 - 1/4		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
"FROM" POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	5	S	5	W	14	SE	NE	2	250' S & 2100' W SW DLC 74 (Per Cert)	
"TO" POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	5	S	4	W	6	SE	NE	37	1600' S & 400' W OF NE S6	
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed											
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed											

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

- Place of Use (POU)
- Point of Diversion (POD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- 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 # 59044

List only the part of the right that will be changed. For the acreage in each ¼ ¼, 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 (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	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes CODES	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date	
5	S	4	W 12 NE SW		1	1.9	IRRIG	FROM	1979	POA/POU	4	S	4	W 31 NW NE	200	74	5.4	IRRIG	1	1979	
5	S	4	W 12 NW SW		-	6.2	IRRIG	FROM	1979	POA/POU	4	S	4	W 31 SW NE	200	74	12.4	IRRIG	1	1979	
5	S	4	W 12 SW SW		2	7.4	IRRIG	FROM	1979												
5	S	4	W 12 SW SW		66	15.3	IRRIG	FROM	1979	POA/POU	4	S	4	W 31 SE NE	600	59	3.2	IRRIG	1	1979	
5	S	4	W 12 SE SW		66	4.1	IRRIG	FROM	1979	POA/POU	4	S	4	W 31 SW NE	600	6	0.2	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 SW NE	600	5	2.8	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 NE SE	600	59	24.0	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 NW SE	600	-	21.0	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 NW SE	600	7	1.0	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 SW SE	600	-	21.0	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 SW SE	600	8	1.0	IRRIG	1	1979	
										POA/POU	4	S	4	W 31 SE SE	600	59	24.0	IRRIG	1	1979	
						34.9											116.0				

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5	S	4	W	13	NE	NE		66	13.5	IRRIG	FROM	1979	POA/POU	4	S	4	W	32	SW	NW	1002	59	2.1	IRRIG	TO	1979		
5	S	4	W	13	NW	NE		66	11.6	IRRIG	FROM	1979	POA/POU	4	S	4	W	32	NW	SW	1002	59	18.6	IRRIG	TO	1979		
5	S	4	W	13	SW	NE		66	22.1	IRRIG	FROM	1979	POA/POU	4	S	4	W	32	SW	SW	1002	59	4.8	IRRIG	TO	1979		
5	S	4	W	13	SE	NE		66	15.6	IRRIG	FROM	1979																
5	S	4	W	13	NE	NW		66	14.7	IRRIG	FROM	1979	POA/POU	4	S	4	W	32	SE	SW	1203	59	4.0	IRRIG	TO	1979		
5	S	4	W	13	NW	NW		66	35.6	IRRIG	FROM	1979	POA/POU	4	S	4	W	32	SW	SW	1203	59	12.5	IRRIG	TO	1979		
5	S	4	W	13	SW	NW		66	22.5	IRRIG	FROM	1979																
5	S	4	W	13	SE	NW		66	13.4	IRRIG	FROM	1979	POA/POU	5	S	4	W	6	NE	NE	600	37	10.0	IRRIG	TO	1979		
													POA/POU	5	S	4	W	6	NE	NE	600	-	0.7	IRRIG	TO	1979		
													POA/POU	5	S	4	W	6	NW	NE	600	-	15.2	IRRIG	TO	1979		
													POA/POU	5	S	4	W	6	SW	NE	600	-	7.2	IRRIG	1	1979		
																							67.9					
								149.0																	67.9			
TOTAL ACRES								183.9																	TOTAL ACRES	183.9		

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: CERTS. 48511, 48512, 48103.



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.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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										
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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

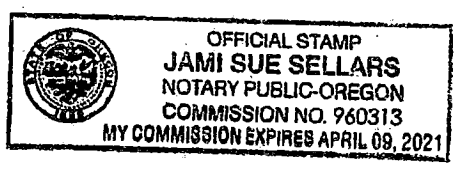
State of Oregon)
County of YAMHILL)ss)

I Gunner Hawthorn (name) in my/our capacity as General Manager (title),
of CT Yamhill, LLC, having
mailing address 833 N. Palmer Lane, Eagle Idaho 83616,
telephone number (208) 713-1325, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 59044
described in a Transfer Application (T-unknown) submitted by Paul Kuehne,
(transfer number, if known)
on the property in tax lot number(s) 900, 1000, Section 12, T5S, R5W, and Section 100, T5S,
R5W, W.M., located at 16430 SW Briedwell Rd., McMinnville, OR 97128
(site address)

Gunner Hawthorn
Signature of Affiant

7-4-19
Date

Subscribed and Sworn to before me this 4th day of July, 2019.



Jami Sellars
Notary Public for Oregon

My commission expires April 9, 2021.

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Application for Water Right Transfer

Evidence of Use Affidavit



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

B-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 **YAMHILL**)

I, WILLAMETTE VALLEY LAND, LLC C/O PAUL KUEHNE, in my capacity as FARMER,

mailing address PO BOX 99, LAFAYETTE, OR 97132

telephone number (503)864-4422, 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 # 59044; **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)

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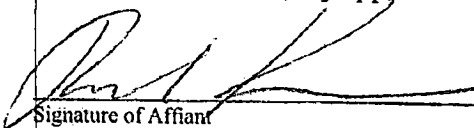
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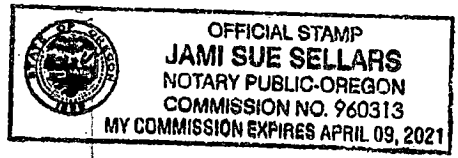
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- 3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
- 4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


 Signature of Affiant

7/4/19
 Date

Signed and sworn to (or affirmed) before me this 4th day of July, 2019.



Jami Sue Sellars
 Notary Public for Oregon

My Commission Expires: April 09, 2021

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.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Land Use Information Form



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

Applicant(s): Willamette Valley Land, LLC c/o Paul Kuehne

Mailing Address: PO BOX 99

City: LAFAYETTE

State: OR

Zip Code: 97127

Daytime Phone: (503) 864-4422

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>4S</u>	<u>4W</u>	<u>31</u>	<u>NA</u>	<u>200</u>	<u>EF80</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>4S</u>	<u>4W</u>	<u>31</u>	<u>NA</u>	<u>600</u>	<u>EF80</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
<u>4S</u>	<u>4W</u>	<u>32</u>	<u>NA</u>	<u>1203</u>	<u>EF80</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Yamhill

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Water Right Transfer
- Permit Amendment or Ground Water Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) South Yamhill River

Estimated quantity of water needed: 2.31 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The applicant is doing a temporary transfer to move the point of diversion and place of use of a part of certificate 59044.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): SECTION 402.02(A) of YCZO.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: LANCE WOODS Title: ASSOCIATE PLANNER
 Signature: [Signature] Phone: (503) 434-7516 Date: 7/9/2019
 Government Entity: YAMHILL COUNTY PLANNING DEPT.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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WHEN RECORDED, PLEASE RETURN TO:

Givens Pursley LLP
Attn: Clint R. Bolinder
601 W. Bannock Street
Boise, ID 83702

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:

CT Yamhill LLC
c/o Charles and Tonia Howarth
833 N. Palmer Lane
Eagle, Idaho 83616

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK

201004794



\$55.00

DNR-DDMR Cnt=1 Stn=2 ANITA
\$20.00 \$10.00 \$11.00 \$15.00

04/14/2010 01:02:11 PM

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, by and between Charles H. Howarth, M.D. and Tonia L. Howarth, husband and wife, whose mailing address is 833 N. Palmer Lane, Eagle, Idaho 83616 ("Grantor"), hereby conveys and specially warrants unto CT Yamhill LLC, an Idaho limited liability company, whose current address is 833 N. Palmer Lane, Eagle, Idaho 83616 (collectively, "Grantee"), all of Grantor's interest in that parcel of land located in Yamhill County, Oregon, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (hereinafter referred to as the "Premises").

TOGETHER WITH all of Grantor's right, title and interest in and to all water and water rights, ditch or irrigation company shares, streets, alleys and rights of way adjacent thereto, all mineral rights appurtenant thereto, and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anyway appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the Premises, as well as in law and in equity.

The Grantee is a limited liability company wholly owned by the Grantor. The true consideration for this conveyance is one hundred percent (100%) of the ownership interest in the Grantee.

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. 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.

TO HAVE AND TO HOLD said Premises, unto the said Grantee and to the Grantee's successors and assigns forever Grantor, for himself, his heirs and assigns, does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said Premises; that Grantee, its successors and assigns shall be entitled to the quiet and peaceable possession of said Premises; that Grantor will warrant and defend, including attorneys' fees, the title to the Premises against all persons who may lawfully claim the same by, through or under Grantor; and that the Premises is free from all encumbrances except: a) general taxes and assessments, including utility assessments for the current year, which are not yet due and payable, and will be prorated between Grantor and Grantee as of the date of execution of this deed; (b) any easements, restrictions and conditions of record or shown on the recorded plat, if any, for the Premises or that may be determined by an inspection of the Premises; and (c) building, zoning and other applicable ordinances and regulations of the County of Yamhill, State of Oregon.

[end of text]

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Witness the hand of said Grantor, this 15 day of January, 2010.

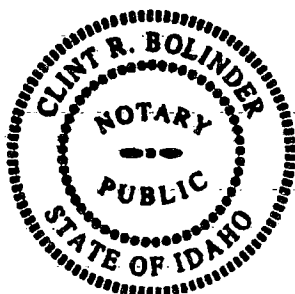
GRANTOR:

Charles H. Howarth M.D.
Charles H. Howarth

Tonia L. Howarth
Tonia L. Howarth

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 15 day of January, in the year of 2010, before me, a Notary Public in and for said State, personally appeared Charles H. Howarth and Tonia L. Howarth, known or identified to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho
Residing at BOISE ID
My Commission expires 7-14-11

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EXHIBIT A

PARCEL 1:

Being a parcel of land in Yamhill County, State of Oregon, and beginning at a stake on the Section line between Sections 11 and 12 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon and 8.85 chains North from the Southeast corner of Section 11; thence North 62° East 31.12 chains to the A.E. Garrison's corner, thence North 3.50 chains to the river; thence West up the South Yamhill River, with meanderings to the Northeast corner of Pratt's tract of land; thence South 9.20 chains to the place of beginning.

Excepting therefrom the following tract of land:

Commencing at the most Northerly corner of the A.E. and Margaret Garrison Donation Land Claim No. 66 on John Monroe's West line; thence South 62° West 31.13 chains to Section line between Sections 11 and 12; thence North 3.30 chains to an ash 12 inches in diameter; thence North 58 3/4° East 18.05 chains to an ash 12 inches in diameter; thence North 80 3/4° East 14 chains to the place of beginning.

Parcel 2:

A tract of land lying in Section 14, Township 5 South, Range 5 West in Yamhill County, Oregon, more particularly described as follows:

Beginning at a point 25.04 chains South from the most Northerly Northeast corner of D. S. Holman Donation Land Claim No. 48, in Township 5 South, Range 5 West of the Willamette Meridian and running thence South 2.14 chains; thence East to the West line of the A.E. Garrison Donation Land Claim; thence North 23° West to a point due East of the place of beginning, and at the Southwest corner of a tract of land sold by Elijah J. Wright to A. J. Baker; thence West 18.00 chains and 85 links to the place of beginning.

Parcel 3:

Being the North half of Donation Land Claim of A.E. Garrison and wife, Notification No. 1252, Claim No. 66 in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon.

Saving and Excepting therefrom a tract of land described as beginning at a point on the division line of said A.E. Garrison Donation Land Claim, 34.34 chains West of the Southeast corner of the North half of said Donation Land Claim and running thence West on said division line, 21.50 chains; thence North 8.94 chains; thence East 23.24 chains to a stone in the center of County Road; thence South 11° West 9.11 chains to the place of beginning.

Parcel 4:

Commencing at the most Northerly corner of the A.E. and Margaret Garrison Donation Land Claim No. 66 on John Monroe's West line; thence South 62° West 31.13 chains to the Section line between Sections 11 and 12; thence North 3.30 chains to an ash 12 inches in diameter; thence North 58 3/4° East 18.05 chains to an ash 12 inches in diameter; thence North 80 3/4° East 14 chains to the point of beginning.

Situs address as disclosed by the Yamhill County Tax Roll:

16430 SW Briedwell Rd
Amity, Oregon 97101

Yamhill County Tax Account Number: R5512-00900
R5514-00700
R5513-00100
R5512-01000

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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

July 2, 2019

Subject: Temporary Transfer pertaining of part of one certificate

To Whom It May Concern,

Enclosed is an application for a temporary transfer together with the following attachments:

- A. Consent from Landowner
- B. Evidence of Use Affidavit
- C. Land Use Compatibility Statement
- D. Transfer FROM and TO maps
- E. General Land Office map
- F. Current Deeds of FROM lands
- G. A check made out to "Oregon Water Resources Department" for \$1335.50.

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

Respectfully,
Aspen Rural Land Consulting

Eric Urstadt, PE, PLS

13219
check is actually
for \$1232.97
which is the
correct amount

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