

**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.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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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? 2 List them here: Cert. 42535 & 89189 (Attachment A)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2019 End Year: 2023.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map. **Attachment B**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment C**
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **Attachment D**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) **Attachment E**
- 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. **Attachment F**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/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. OWRD

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°).

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>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter »	2	\$260.00
3	Do you propose to change the place of use for a non-irrigation use? <input checked="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 3c 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="checked" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>229</u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 »	4	\$526.70
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » » » » Subtotal:	5	\$1,596.70
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	\$1,596.70

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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:

- 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
- 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 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

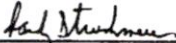
APPLICANT/BUSINESS NAME Green Spring Farms		PHONE NO. 503-838-7333	ADDITIONAL CONTACT NO.
ADDRESS 8930 Suver Rd.			FAX NO.
CITY Monmouth	STATE OR	ZIP 97361	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Kimberly Grigsby, GSI Water Solutions, Inc.		PHONE NO. 541-257-9004	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Blvd., Suite 240			FAX NO.
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

<p>Explain in your own words what you propose to accomplish with this transfer application and why: <u>The Applicant is requesting to change the place of use and points of diversion for five years</u></p> <p>If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".</p>
--

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

	Randy Struckmeier, President	_____
Applicant signature	Print Name (and Title if applicable)	Date
_____	_____	_____
Applicant signature	Print Name (and Title if applicable)	Date

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

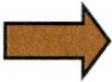
If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed. **See Attachment E**

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 N/A	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 N/A	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 Polk County	ADDRESS 850 Main Street	
CITY Dallas	STATE OR	ZIP 97338

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 # 42535

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Description of Water Delivery System

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System capacity: 2.04 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped using a 75 hp pump into a 6-inch aluminum mainline then into 4-inch hoses that distribute water to 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	9 S	4 W	17	NE	SW	TL 600	1000 feet South and 1,420 feet East from NE corner of DLC 61
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	17	SW	SE	Lot 6	1,980 feet South and 1,670 feet East from NE corner of DLC 61
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	18	SE	SW	Lot 2	2,130 feet South and 4,280 feet West from NE corner of DLC 61
POD 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	20	SW	NW	DLC 63	4,500 feet South from the NE corner, Steeprow DLC 61
PPOD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9 S	4 W	29	NE	SW	400	1,000 feet North and 100 feet West from the SE corner of DLC 46

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 42535

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 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						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	4	W	17	SW	NE	600	43	28.3	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	SW	SW	300	3	22.7	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SE	NE	600	43	3.0	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	NW	SW	300	46	8.8	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SE	NW	600	43	2.3	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	NE	SW	300	46	2.5	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SE	NW	600	Lot 1	1.6	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	SE	SW	300	4	6.0	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	NE	SW	600		4.8	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	SW	SW	300	46	8.8	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SE	SW	600	Lot 5	0.7	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	29	SE	SW	300	46	3.5	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	NE	SE	600		14.1	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	30	SE	SE	600	1	0.5	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	NW	SE	600		34.2	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	31	NE	NE	100	1	1.1	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SW	SE	600	Lot 6	9.4	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	32	NE	NW	300	1	9.4	Irrigation	PPOD 1	4/5/1968
9	S	4	W	17	SE	SE	600	Lot 7	3.8	Irrigation	POD 4	4/5/1968	POU/POD	9	S	4	W	32	NW	NW	300	1	38.9	Irrigation	PPOD 1	4/5/1968
TOTAL ACRES									102.2	TOTAL ACRES													102.2			

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: **Permit S-54880 is appurtenant to the “TO” lands but has an irrigation season that ends June 30 each year.**



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: N/A

- 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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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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 # **89189**

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Description of Water Delivery System

System capacity: **2.04** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from the Luckiamute River via a 75-hp pump into a 6-inch aluminum mainline then into 4-inch hoses that distribute water to 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	9	S	4	W	20	SW	NW	DLC 63	2,530 feet South and 30 feet East from the NW corner of DLC 63
PPOD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	29	NE	SW	400	1000 feet North and 100 feet West from the SE corner of DLC 46

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 89189

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 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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	4	W	17	SW	NW	600	2	0.7	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	SE	SE	1000	58	17.0	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	SE	NW	600	1	8.0	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	SW	SE	1000	58	21.9	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	NE	SW	600		24.0	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	NW	SE	1000	58	10.3	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	NW	SW	600	3	7.8	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	NE	SE	1000	58	12.3	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	SW	SW	600	4	1.2	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	SE	NE	100	2	5.0	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	SW	SW	700	DLC 63	7.0	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	NE	NE	100	1	0.1	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	SE	SW	600	5	7.1	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	31	NE	SE	100	7	1.8	Irrigation	PPOD 1	8/20/1973
9	S	4	W	17	SE	SW	700	DLC 63	25.0	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	32	SW	NW	300	2	40	Irrigation	PPOD 1	8/20/1973
9	S	4	W	20	NE	NW	300	DLC 63	30.4	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	32	NE	SW	300	3	0.7	Irrigation	PPOD 1	8/20/1973
9	S	4	W	20	NW	NW	300	DLC 63	7.5	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	32	NW	SW	300	4	6.5	Irrigation	PPOD 1	8/20/1973
9	S	4	W	20	SE	NW	300	DLC 63	7.3	Irrigation	POD 4	8/20/1973	POU/POD	9	S	4	W	32	SE	NW	300	2	8.7	Irrigation	PPOD 1	8/20/1973

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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				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU/POD	9	S	4	W	32	NE	NW	300	1	0.3	Irrigation	PPOD 1	8/20/1973
													POU/POD	9	S	4	W	32	NW	NW	300	1	1.4	Irrigation	PPOD 1	8/20/1973
TOTAL ACRES											126.0	TOTAL ACRES											126.0			

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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: **Permit S-54880 and Permit S-54879 are appurtenant to the "TO" lands but have irrigation seasons that end June 30 each year.**



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: N/A

- 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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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Attachment A
Water Right Certificates 42535 and 89189
Application for a Temporary Transfer – Green Spring Farms

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STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That PHILLIP D. & DELIA M. SPERLING

of Rt. 1, Box 159, Independence, State of Oregon 97351, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream and Luckiamute River a tributary of Willamette River for the purpose of irrigation of 153.7 acres under Permit No. 33441 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 5, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.93 cubic feet per second, being 1.28 c.f.s. from unnamed stream and 0.65 c.f.s. from Luckiamute River with any deficiency in the available supply from the unnamed stream to be made up by appropriation from Luckiamute River provided that the total quantity diverted from both sources shall not exceed 1.93 c.f.s.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the unnamed stream-NE $\frac{1}{4}$ SW $\frac{1}{4}$, & Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 17, Luckiamute River-Lot 2 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 18, & SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Vanderpool DLC 63, Section 20, T. 9 S., R. 4 W., W. M., unnamed stream-1000 ft. South & 1420 ft. East, 1980 ft. South & 1670 ft. East, Luckiamute River-2130*

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

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Unnamed Stream &
Luckiamute River

28.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

As projected within Davis DLC 43

1.6 acres Lot 1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
4.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.7 acre Lot 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
14.1 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
34.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
9.4 acres Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
3.8 acres Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 17
T. 9 S., R. 4 W., W. M.

* ft. South & 4280 ft. West, 4500 ft. South, all from NE Corner, Steeprow DLC 61.

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Luckiamute River

5.7 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

As projected within Steeprow DLC 61

10.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

17.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Both as projected within Davis DLC 43

11.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

3.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

1.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

All as projected within Steeprow DLC 61

Section 18

T. 9 S., R. 4 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 15 day of September, 1975.

James E. Sexson

Water Resources Director ~~State Engineer~~

Recorded in State Record of Water Right Certificates, Volume 34, page 42535

13236

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP AND DELIA SPERLING
8675 PARKER RD
INDEPENDENCE OR 97351

confirms the right to use the waters of LUCKIAMUTE RIVER, tributary of WILLAMETTE RIVER, for IRRIGATION of 126.0 ACRES.

This right was perfected under Permit S-37832. The date of priority is AUGUST 20, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.58 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	4 W	WM	20	SW NW	63	2530 FEET SOUTH & 30 FEET EAST FROM NW CORNER, VANDERPOOL DLC 63

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	4 W	WM	17	SW NW	2		0.7
9 S	4 W	WM	17	SE NW	1		8.0
9 S	4 W	WM	17	NE SW			24.0
9 S	4 W	WM	17	NW SW	3		7.8
9 S	4 W	WM	17	SW SW	4		1.2
9 S	4 W	WM	17	SW SW		63	7.0
9 S	4 W	WM	17	SE SW	5		7.1
9 S	4 W	WM	17	SE SW		63	25.0
9 S	4 W	WM	20	NE NW		63	30.4
9 S	4 W	WM	20	NW NW		63	7.5
9 S	4 W	WM	20	SE NW		63	7.3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available from the original points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	4 W	WM	19	NE NW	1	7120 FEET NORTH AND 1640 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42
9 S	4 W	WM	19	SE NE	5	6130 FEET NORTH AND 5220 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42
9 S	4 W	WM	20	SW SW	4	3170 FEET NORTH AND 6110 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42

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


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

The water user shall maintain a fish screen or fish by-pass device.

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

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 15, 2002, at Special Order Volume 56, Page 292, approving Transfer Application 8749, together with Certificate 79471, supercedes Certificate 45572, State record of Water Right Certificates.

Issued MAY 09 2014


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

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Attachment B
Temporary Transfer Application Maps
Application for a Temporary Transfer – Green Spring Farms

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Attachment C
Evidence of Use Affidavits and Documentation
Application for a Temporary Transfer – Green Spring Farms

13236

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) SS
 County of POLK)

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I, Dean Underwood, in my capacity as FARM MANAGER,
 mailing address 8930 SUVER RD. MONMOUTH, OR 97361

telephone number (503) 838-7333, 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 for Certificate 42535as modified by Temporary Transfer T-12018 (see attached transfer map):

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
42535	9	S	4	W	WM	17	SW	NE		28.3
42535	9	S	4	W	WM	17	SE	NE		3.0
42535	9	S	4	W	WM	17	SE	NW	DLC 43	2.3
42535	9	S	4	W	WM	17	SE	NW		1.6
42535	9	S	4	W	WM	17	NE	SW		4.8
42535	9	S	4	W	WM	17	SE	SW		0.7
42535	9	S	4	W	WM	17	NE	SE		14.1
42535	9	S	4	W	WM	17	NW	SE		34.2
42535	9	S	4	W	WM	17	SW	SE		9.4
42535	9	S	4	W	WM	17	SE	SE		3.8

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)

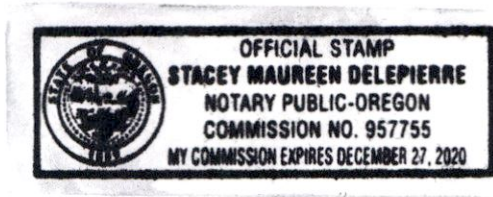
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3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Harold Dean Mulvender
Signature of Affiant

7/26/19
Date

Signed and sworn to (or affirmed) before me this 26th day of July, 2019.



Stacey Delepiere
Notary Public for Oregon

My Commission Expires: Dec. 27, 2020

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input 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

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of POLK)

I, DEAN UNDERWOOD, in my capacity as FARM MANAGER,
 mailing address 8930 SUVER RD. MONMOUTH, OR 97361

telephone number (503)838-7333, 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 # 89189 AS MODIFIED BY TEMPORARY TRANSFER T-12018 (SEE ATTACHED TRANSFER MAP); **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

- Confirming Certificate # has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (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

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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.

Harold Du Medica
Signature of Affiant

7/26/19
Date

Signed and sworn to (or affirmed) before me this 26th day of July, 2019.



Stacey Delepiere
Notary Public for Oregon

My Commission Expires: Dec. 27, 2020

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input 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

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Attachment D
Deeds for the Current Places of Use
Application for a Temporary Transfer – Green Spring Farms

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After Recording Return to:

Kami Anderson
First American Title Insurance Company
807 Main Street
Dallas, OR 97338

Grantor's Name and Address:

McKee Properties, L.L.C., an Oregon
limited liability company
ATTN: Bruce McKee, Manager
23350 SW McKee Road
Amity, OR 97101

Grantee's Name and Address:

Wendell P. Sperling and Sherry L. Sperling
8835 Parker Road
Independence, OR 97351

**After Recording, Future Tax Statements
to be Sent to:**

Wendell P. Sperling and Sherry L. Sperling
8835 Parker Road
Independence, OR 97351

Tax Account Nos.: 212625; and 218122

MAP NOS: 09420-00-00300 AND 09417-00-00700

CODE NOS.: 1305 and 1308

Consideration: \$600,000.00

RECORDED IN POLK COUNTY	2018-003728
Valerie Unger, County Clerk	03/28/2018 09:09:54 AM
REC-WD Cnt=1 Stn=5 C. PARIS	\$66.00
\$20.00 \$11.00 \$10.00 \$20.00 \$5.00	

FIRST AMERICAN TITLE 2974278

STATUTORY WARRANTY DEED

McKee Properties, L.L.C., an Oregon limited liability company, Grantor, conveys and warrants to, Wendell P. Sperling and Sherry L. Sperling, husband and wife, Grantee, the following described real property:

See EXHIBIT A attached hereto and incorporated herein by this reference.

Subject to easements, conditions and restrictions of record, including the following:

1. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm. Use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Unnamed Creek.

4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Unnamed Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.

The true and actual consideration paid for this conveyance in dollars is \$600,000.00.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. 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. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 27 day of March, 2018.

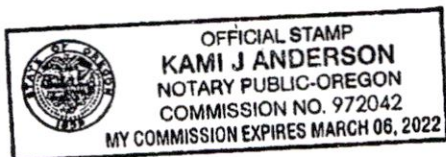
McKee Properties, L.L.C.,
an Oregon limited liability company

Bruce McKee, Manager
Bruce McKee, Manager

Doug McKee (Manager)
Douglas McKee, Manager

STATE OF OREGON)
) ss.
County of Polk)

This instrument was acknowledged before me on March 27, 2018, by Bruce McKee, Manager of McKee Properties, L.L.C., an Oregon limited liability company.



Kami J Anderson
Notary Public for Oregon
My commission expires: 3-6-22

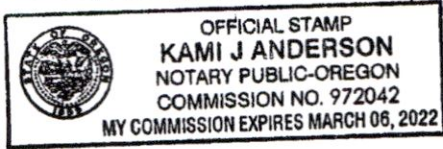
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STATE OF OREGON)
) ss.
County of Polk)

This instrument was acknowledged before me on March 27th, 2018, by Douglas McKee, Manager of McKee Properties, L.L.C., an Oregon limited liability company.



Kami J Anderson
Notary Public for Oregon
My commission expires: 3-6-22

N:\ATTYMG\LLC\McKee Properties, LLC\2nd Loan to Sperling\Sperling Place\Statutory Warranty Deed.docx

Exhibit "A"

Real property in the County of Polk, State of Oregon, described as follows:

COMMENCING AT THE NORTHWEST CORNER OF THE MEDDERS VANDERPOOL DONATION LAND CLAIM NO. 63, NOTIFICATION NO. 1539, IN TOWNSHIP 9 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN POLK COUNTY, OREGON;
THENCE RUNNING SOUTH 7° WEST 32.81 CHAINS;
THENCE SOUTH 70° EAST 4.30 CHAINS;
THENCE SOUTH 45° EAST 3.00 CHAINS;
THENCE SOUTH 63° EAST 5.00 CHAINS;
THENCE 21-1/2° EAST 8.00 CHAINS TO A STONE;
THENCE NORTH 87° EAST 12.00 CHAINS TO A STONE;
THENCE NORTH ALONG THE RIGHT OF WAY OF THE OREGON AND CALIFORNIA RAILROAD 40.00 CHAINS;
THENCE NORTH 4° WEST 5.00 CHAINS TO THE NORTH LINE OF THE VANDERPOOL DONATION LAND CLAIM;
THENCE WEST 21.23 CHAINS TO THE PLACE OF BEGINNING.

SAVING AND EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY 1.24 ACRES OF LAND DEEDED BY EMANUEL KING AND BERTHA R. KING, HIS WIFE, TO POLK COUNTY, OREGON, ON SEPTEMBER 26, 1913, BY DEED RECORDED OCTOBER 1, 1913, IN VOLUME 57, PAGE 631, OF DEED RECORDS OF POLK COUNTY, OREGON.

ALSO SAVING AND EXCEPTING A STRIP 60 FEET WIDE OFF THE EAST SIDE OF THE ABOVE DESCRIBED LAND, RUNNING PARALLEL WITH THE OREGON AND CALIFORNIA RAILROAD, DEEDED TO POLK COUNTY FOR ROAD PURPOSES.

ALSO SAVE AND EXCEPT THAT PORTION CONVEYED TO POLK COUNTY BY DEED RECORDED SEPTEMBER 23, 1957, IN BOOK 165, PAGE 77, DEED RECORDS OF POLK COUNTY, OREGON.

NOTE: This Legal Description was created prior to January 01, 2008.

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Attachment E
Transfer Consents by the Deeded Landowners
Application for a Temporary Transfer – Green Spring Farms

13236

**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

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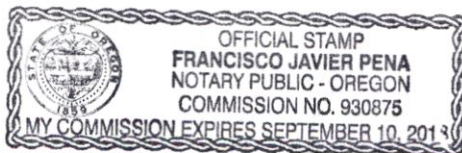
State of Oregon)
)ss
County of Polk)

Sherry & Wendall Sperling
I Phillip Sperling on behalf of Phillip Sperling Living Trust in my capacity as landowner,
mailing address 8675 Parker Road Independence, OR 97351,
telephone number 503-838-2299, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 89189
described in a Transfer Application (T-) submitted by Green Spring Farms,
(transfer number, if known)
on the property in tax lot number(s) 600 & 700, Section 17 & 20, Township 9
South, Range 4 West, W.M., located at _____
(site address)

Wendall P Sperling
Signature of Affiant
Sherry L Sperling
Signature of Affiant

7-22-19
Date
7/22/2019
Date

Subscribed and Sworn to before me this 22 day of July, 2019.



[Signature]
Notary Public for Oregon

My commission expires 9/10/19.

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Attachment F
Land Use Information Forms
Application for a Temporary Transfer – Green Spring Farms

13236

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

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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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

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 OWRD

Applicant(s): Green Spring Farms

Mailing Address: 8930 Suver Rd.

City: Monmouth

State: OR

Zip Code: 97361

Daytime Phone: 503-838-7333

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>9S</u>	<u>4W</u>	<u>29</u>	<u>SW 1/4</u>	<u>300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>30</u>	<u>SE 1/4</u>	<u>600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>31</u>	<u>NE 1/4</u>	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>31</u>	<u>SE 1/4</u>	<u>100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>31</u>	<u>SE 1/4</u>	<u>1000</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>32</u>	<u>SE 1/4</u>	<u>300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>9S</u>	<u>4W</u>	<u>32</u>	<u>NE 1/4</u>	<u>300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Polk County

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) Luckiamute River & unnamed stream

Estimated quantity of water needed: 2.86
 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 requesting to temporarily change the place of use and point of diversion for two water rights (Certificates 42535 and 89189) to allow irrigation of different lands.



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.

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): PC 20 136.030(A) - Farm Use, Irrigation
- 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

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.

See Attachment A

Name: Justin Peterson Title: Associate Planner
 Signature: *Justin Peterson* Phone: 503-623-9237 Date: 6-20-19
 Government Entity: Polk County

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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Attachment A

- The only construction proposed/evaluated is new pipelines for irrigation.
- A portion of the subject properties are located within the regulated floodplain. Any non-structural floodplain development, such as mining, dredging, excavating, filling, etc. within the floodplain would require a land use permit to show compliance with PCZO 178.060.
- A portion of the subject properties contain inventoried fish bearing streams. Any activities listed as a conflicting use pursuant to PCZO 182.070(A), such as loss of streamside vegetation, within the setback area may require a management plan coordinated with DSL and ODFW to demonstrate compliance with PCZO 182.040(E). The width of the riparian management area shall average three times the stream width, but shall not average less than 25 feet or more than 100 feet. Stream width is the average of the main channel width of the stream during its high water level flow.



July 30, 2019

Oregon Water Resources Department
725 NE Summer Street, Suite A
Salem, OR, 97301

To Whom It May Concern:

Enclosed you will find a Temporary Transfer Application. The application signature page (pg.4), is missing the date it was signed. I have spoken with Lisa Jaramillo about this and she indicated the Department can accept the application with the understanding I will submit a replacement signature page with the date. We will have it in the mail to you very soon.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is fluid and cursive.

Kimberly Grigsby
Principal Water Resources Consultant
GSI Water Solutions, Inc.

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July 29, 2019

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Temporary Transfer Application - Green Spring Farms

Dear Mr. Starnes:

Green Spring Farms (Applicant) is seeking to temporarily change the place of use and point of diversion for Certificate 89189 and a portion of Certificate 42535 for five years. The proposed change will allow irrigation of a portion of the Applicant's farm near Independence, Oregon.

Please find enclosed a temporary transfer application and related documents. Also enclosed is the required fee of \$1,596.70.

Please contact me if you have any questions or concerns. My number is 541-257-9004.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Grigsby".

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Water Right Transfer Application;
Check in the amount of \$1,596.70

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AUG 01 2019

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