

**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](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: Certificate 94517**  
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: 2020 End Year: 2025.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

2024

**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):**

|   |                                    |
|---|------------------------------------|
| ___ Application fee not enclosed/or is insufficient | ___ Map not included or incomplete |
| ___ Land Use Form not enclosed or incomplete        | ___ Part ___ is incomplete         |
| ___ 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 |
|   | Number of water rights included in transfer: <u>1</u> (2a)<br>Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i>   |   |          |
| 2   | 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?<br><input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a)<br>Subtract 1.0 from the number in 3a above: _____ (3b)<br>If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » »<br>If 3b is greater than 0, round up to the nearest whole number: _____ (3c)<br>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?<br><input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » »<br><input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>10.9</u> (4a)<br>Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »   | 4 | \$25.07  |
| 5   | Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:  | 5 | \$835.07 |
| 6   | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »<br>If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »   | 6 | \$0      |
| 7   | Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:   | 7 | \$835.07 |

| 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*):<br>_____ (2a)<br>Subtract 1.0 from the number in 2a above: _____ (2b)<br>If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » »<br>If 2b is greater than 0, round up to the nearest whole number: _____ (2c)<br>and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » » » » » » | 2 | NA       |
| 3   | Add entries on lines 1 through 2 above » » » » » » » » » » » Transfer Fee:  | 3 | NA       |

\*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).

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**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

|   |                    |                     |                        |
|---|--------------------|---------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>Aurora Farms LLC c/o Mike Iverson</b>   |                    | PHONE NO.           | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>13490 Cedarwood Road NE</b>   |                    |                     | FAX NO.                |
| CITY<br><b>Aurora</b>   | STATE<br><b>OR</b> | ZIP<br><b>97002</b> | 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<br><b>Doann Hamilton / Pacific Hydro-Geology, Inc.</b>  |                    | PHONE NO.<br><b>(503) 632-5016</b> | ADDITIONAL CONTACT NO.<br><b>(503) 349-6946 (cell)</b> |
| ADDRESS<br><b>18487 S. Valley Vista Road</b>  |                    |                                    | FAX NO.<br><b>(503) 632-5983</b>                       |
| CITY<br><b>Mulino</b>   | STATE<br><b>OR</b> | ZIP<br><b>97042</b>                | E-MAIL<br><b>phgdmh@gmail.com</b>                      |
| 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:  
We have been working on getting permanent water rights on TL 300. While we work on that application, we need to temporary transfer the water rights from TL 100 to supply our needs.

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.

*Aurora Farms LLC by Mike Iverson* MIKE IVERSON (OWNER) 9/18/19  
 Applicant signature                      Print Name (and Title if applicable)                      Date

\_\_\_\_\_  
 Applicant signature                      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<br><b>NA</b> | 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<br><b>NA</b> | 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<br><b>Marion County Planning Division</b> | ADDRESS<br><b>5155 Silverton Road NE</b> |                     |
| CITY<br><b>Salem</b>                                  | STATE<br><b>Oregon</b>                   | ZIP<br><b>97305</b> |

|             |         |     |
|-------------|---------|-----|
| 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 # Certificate 94517**

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**Description of Water Delivery System**

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System capacity: 0.30 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 from Well 1 (MARI 65221) using a 20 Hp submersible pump to convey water through a six-inch PVC pipe heading west. Along this mainline, there are hydrants where portable aluminum 3- inch handlines with impact sprinklers are attached to irrigate the place of use.

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or Is it Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp |   | Rng |   | Sec | ¼ ¼ |    | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)                 |
|------------------------|---|--|-----|---|-----|---|-----|-----|----|---------------------------|--|
|                        |   |  |     |   |     |   |     |     |    |                           |  |
| Well 1                 | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | MARI 65221   | 4   | S | 1   | W | 12  | NW  | NE | TL 100                    | 1,160 feet south and 2,620 feet west from the NE corner, Section 12. |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |  |     |   |     |   |     |     |    |                           |  |

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

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

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

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

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

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

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 # 94517**

List only the part of the right that will be changed. For the acreage in each 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)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |      |            |                      |       |   |   |                  |            | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |      |     |            |                      |       |                    |  |                  |        |            |
|--|-----|-----|------|------------|----------------------|-------|---|---|------------------|------------|---|---|------|-----|------------|----------------------|-------|--------------------|--|------------------|--------|------------|
| Twp  | Rng | Sec | ¼ ¼  | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        |   | Rng   | Sec  | ¼ ¼ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |        |            |
| 4  | S   | 1   | W 12 | NW NE      | 100                  | NA    | 1.2                                     | IR  | Well 1           | 10-30-2014 | POU   | 4   | S    | 1   | W 12       | NE NW                | 300   | NA                 | 10.9   | IR               | Well 1 | 10-30-2014 |
| 4  | S   | 1   | W 12 | NE NW      | 100                  | NA    | 1.7                                     | IR  | Well 1           | 10-30-2014 | POU   |   |      |     |            |                      |       |                    |  |                  |        |            |
| 4  | S   | 1   | W 12 | SE NW      | 100                  | NA    | 8.0                                     | IR  | Well 1           | 10-30-2014 | POU   |   |      |     |            |                      |       |                    |  |                  |        |            |
| TOTAL ACRES  |     |     |      |            |                      | 10.9  | TOTAL ACRES                             |   |                  |            |   |   | 10.9 |     |            |                      |       |                    |  |                  |        |            |

Additional remarks: None

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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: NA

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](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 |
|---|------------------------------------|---|-------------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
| Well 1                                    | Yes                                | MARI 65221                                      | See Well Log MARI 65221 |                 |                         |                           |  |  |   |  |
|   |                                    |   |                         |                 |                         |                           |  |  |   |  |
|   |                                    |   |                         |                 |                         |                           |  |  |   |  |

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) SS  
 County of MARION)

I, MIKE IVERSON, in my capacity as OPERATOR,  
 mailing address 13490 CEDARWOOD ROAD NE, AURORA, OR, 97002

telephone number (503)849-0662, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_; **OR**

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

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

**OR**

- Confirming Certificate # 94517 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)

\*

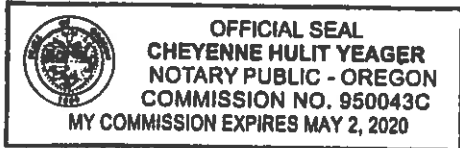
3. The water right was used for: (e.g., crops, pasture, etc.): ROW CROPS

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 [Handwritten Signature]

Date 9/17/19

Signed and sworn to (or affirmed) before me this 18<sup>th</sup> day of September, 2019.



[Handwritten Signature]  
Notary Public for Oregon

My Commission Expires: May 2, 2020

| Supporting Documents   | Examples   |
|--|--|
| <input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate) | Copy of <b>confirming</b> 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"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>   |
| <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"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>  |
| <input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph   | <p>Multiple photos can be submitted to resolve different areas of a water right.<br/>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:<br/>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br/>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br/>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br/>TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></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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STATE OF OREGON  
COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SALEM NURSERY LLC  
PO BOX 820524  
VANCOUVER WA 98682

confirms the right to the use of water perfected under the terms of Permit G-17701. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17953  
SOURCE OF WATER: WELL 1 (MARI 65221/L114791) IN MILL CREEK BASIN  
PURPOSE OR USE: IRRIGATION 24.0 ACRES  
MAXIMUM RATE: 0.30 CUBIC FOOT PER SECOND  
PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31  
DATE OF PRIORITY: OCTOBER 30, 2014

WELL LOCATION:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|-----|-----|-----|-----|-------|--|
| 4 S | 1 W | WM  | 12  | NW NE | WELL 1 - 1160 FEET SOUTH AND 2620 FEET WEST FROM NE CORNER, SECTION 12 |

The amount of water used for irrigation under this right, 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, and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| Twp | Rng | Mer | Sec | Q-Q   | Acres |
|-----|-----|-----|-----|-------|-------|
| 4 S | 1 W | WM  | 12  | NW NE | 3.5   |
| 4 S | 1 W | WM  | 12  | NE NW | 3.3   |
| 4 S | 1 W | WM  | 12  | NW NW | 1.5   |
| 4 S | 1 W | WM  | 12  | SW NW | 0.2   |
| 4 S | 1 W | WM  | 12  | SE NW | 15.5  |

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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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement devices, and recording/reporting of annual water use conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of appropriation.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Static Water Level Conditions

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Following the first year of water use, the user shall report seven consecutive annual static water-level measurements. Based on an analysis of the data collected, the Director may require the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement;
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface;
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The Department may require the discontinuance of groundwater use, or reduce the rate or volume of withdrawal, from the well(s) if any of the following events occur:

- (A) Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- (B) Annual water-level measurements reveal , a water-level decline of 15 or more feet in fewer than five consecutive years; or
- (C) Annual water-level measurements reveal , a water-level decline of 25 or more feet; or
- (D) Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 81.0 feet below land surface.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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The OWRD Well Identification Number (Well ID tag) L-114791 shall be permanently attached to the well. L-114791 shall be referenced in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

If substantial interference with surface water or a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine the water-level elevation in the well at all times.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The Director may require water level or pump test results every ten years.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

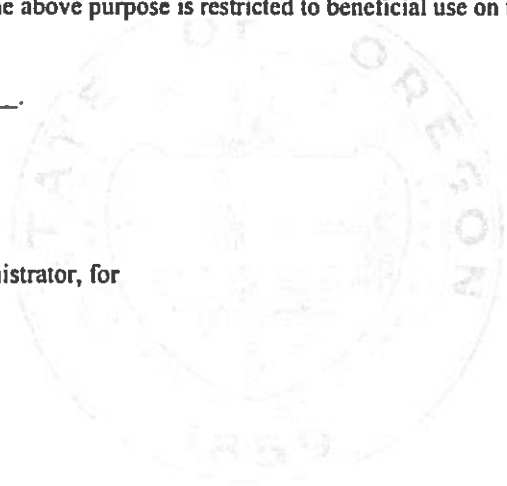
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued     AUG 21 2019    



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department



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After recording return to:  
Salem Nursery, LLC  
PO Box 820524  
Vancouver, WA 98682

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Salem Nursery, LLC  
PO Box 820524  
Vancouver, WA 98682

File No.: NCS-545602-OR1 (ch)  
Date: June 14, 2012

THIS SPACE RESERVED FOR RECORDER'S USE

APPROVED AS TO CONTENT AND FORM:

*Cecil Finney*

### STATUTORY WARRANTY DEED

**Kathryn Reubendale, Trustee of the Reubendale Revocable Living Trust**, Grantor, conveys and warrants to **Salem Nursery, LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

**Subject to:** Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$700,000.00**. (Here comply with requirements of ORS 93.030)

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 15 day of June, 2012

Reubendale Revocable Living Trust

Kathryn Reubendale Trust  
Kathryn Reubendale, Trustee

STATE OF WASHINGTON )  
County of King ) ss.

This instrument was acknowledged before me on this 15<sup>th</sup> day of June, 2012 by Kathryn Reubendale as Trustee of Reubendale Revocable Living Trust, on behalf of the trust.

Miles F Holden

Notary Public for KIRKLAND, WA 98034  
My commission expires: JUL 17 2012

MILES F. HOLDEN  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
07-17-12

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**EXHIBIT A**

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

**BEGINNING AT A POINT IN THE CENTER OF A COUNTY ROAD, 17.29 CHAINS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON;  
THENCE NORTH 15° 30' WEST ALONG SAID CENTER LINE 22.73 CHAINS TO A STAKE AND STONE ABOUT 30 POUNDS IN WEIGHT;  
THENCE EAST 29.07 CHAINS TO THE EAST BOUNDARY OF SAID QUARTER SECTION;  
THENCE SOUTH 21.90 CHAINS TO THE SOUTH LINE OF SAID QUARTER SECTION;  
THENCE WEST ALONG SAID SOUTH LINE 23.00 CHAINS TO THE PLACE OF BEGINNING.**

**ALSO, THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LYING AND BEING IN MARION COUNTY, OREGON.**

**SAVE AND EXCEPT THE FOLLOWING: BEGINNING AT AN IRON PIN IN THE CENTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON;  
THENCE WEST 22.83 CHAINS TO A STONE IN THE CENTER OF THE COUNTY ROAD;  
THENCE NORTH 15° 29' WEST ALONG THE CENTER OF SAID ROAD, 9.935 CHAINS TO AN IRON PIPE;  
THENCE SOUTH 83° 18' EAST 6.46 CHAINS TO A STEEL SHAFT; THENCE SOUTH 4° 15' EAST 78.4 LINKS;  
THENCE SOUTH 77° 05' EAST 2.95 CHAINS TO AN IRON PIPE;  
THENCE NORTH 89° 48' EAST 3.43 CHAINS TO AN IRON PIPE;  
THENCE SOUTH 60° 22' EAST 1.80 CHAINS;  
THENCE SOUTH 29° 32' EAST 1.96 CHAINS;  
THENCE NORTH 85° EAST 10.28 CHAINS TO AN IRON PIPE;  
THENCE NORTH 70° 40' EAST 2.12 CHAINS TO AN IRON BAR;  
THENCE SOUTH 63° 45' EAST 3.74 CHAINS TO AN IRON BAR;  
THENCE NORTH 73° 13' EAST 2.06 CHAINS TO AN IRON BAR;  
THENCE NORTH 4° 16' EAST 4.22 CHAINS TO AN IRON BOLT;  
THENCE NORTH 29° 49' WEST 5.37 CHAINS TO THE CENTER OF MILL CREEK;  
THENCE DOWN SAID CREEK TO THE CENTER OF PUDDING RIVER;  
THENCE UP SAID RIVER IN A SOUTHERLY DIRECTION TO THE EAST AND WEST LINE THROUGH THE CENTER OF SECTION 12;  
THENCE WEST 13.50 CHAINS TO THE PLACE OF BEGINNING.**

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**ALSO, SAVE AND EXCEPT: BEGINNING AT A POINT IN THE CENTER OF THE COUNTY ROAD WHICH IS EAST 1141.14 FEET AND NORTH 15° 29' WEST 655.71 FEET FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 12 IN TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON, WHICH POINT OF BEGINNING IS THE MOST WESTERLY SOUTHWEST CORNER OF THE TRACT CONVEYED TO CLYDE H. LOWRIE AND WIFE BY DEED RECORDED IN VOLUME 432, PAGE 0253, MARION COUNTY DEED RECORDS;  
THENCE SOUTH 83° 18' EAST 197.50 FEET;  
THENCE NORTH 14° 44' WEST 573.21 FEET TO AN IRON PIPE;  
THENCE WEST 197.50 FEET TO THE CENTER OF SAID ROAD;  
THENCE SOUTH 15° 29' EAST 551.32 FEET TO THE POINT OF BEGINNING.**

**THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.**

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



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

State of Oregon )  
 )ss  
County of Marion )

I Sara Ori in my/our capacity as owner of Salem Nursery LLC,  
mailing address PO Box 820524, Vancouver, WA 98682,  
telephone number (503) 989-9977, duly sworn depose and say that I  
consent to the proposed change(s) to Water Right Certificate Number 94517  
described in a Transfer Application (T-NA) submitted by Aurora Properties LLC c/o Mike Iverson,

*(transfer number, if known)*

on the property in tax lot number(s) 100, Section 12, Township 4 South, Range 1 West, W.M.,  
located at 22256 Airport Rd NE., Aurora, OR 97002  
*(site address)*

  
\_\_\_\_\_  
Signature of Affiant

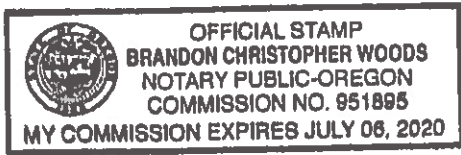
9/10/2019  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 10 day of September <sup>EWTD</sup>, 2019.

  
\_\_\_\_\_  
Notary Public for Oregon



My commission expires July 06, 2020

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STATE OF OREGON  
WATER SUPPLY WELL REPORT  
(as required by ORS 537.765 & OAR 690-205-0210)

MARI 65221

WELL I.D. LABEL# L 114791  
START CARD # 1022841  
ORIGINAL LOG #

5/9/2014

(1) LAND OWNER Owner Well I.D. \_\_\_\_\_  
First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
Company SALEM NURSERY  
Address 5050 SE STARK RD  
City PORTLAND State OR Zip 97215

(2) TYPE OF WORK  New Well  Deepening  Conversion  
 Alteration (complete 2a & 10)  Abandonment (complete 5a)

(2a) PRE-ALTERATION  
Dia + From To Gauge Stil Plstc Wld Thrd  
Casing: \_\_\_\_\_  
Material From To Amt sacks/lbs  
Seal: \_\_\_\_\_

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  Auger  Cable Mud  
 Reverse Rotary  Other \_\_\_\_\_

(4) PROPOSED USE  Domestic  Irrigation  Community  
 Industrial/ Commercial  Livestock  Dewatering  
 Thermal  Injection  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION Special Standard  (Attach copy)  
Depth of Completed Well 210.00 ft.  
BORE HOLE SEAL  
Dia From To Material From To Amt sacks/ lbs  
16 0 50 Cement 0 50 3200 P  
8 50 210  
How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Filter pack from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_ Size \_\_\_\_\_  
Explosives used:  Yes Type \_\_\_\_\_ Amount \_\_\_\_\_

(5a) ABANDONMENT USING UNHYDRATED BENTONITE  
Proposed Amount \_\_\_\_\_ Actual Amount \_\_\_\_\_

(6) CASING/LINER  
Casing Liner Dia + From To Gauge Stil Plstc Wld Thrd  
  8  2.5 210 250      
  6  0 160 200      
Shoe  Inside  Outside  Other Location of shoe(s) 210  
Temp casing  Yes Dia 12 From 0 To 50

(7) PERFORATIONS/SCREENS  
Perforations Method Mills knife  
Screens Type Alloy machine works Material Stainless steel  
Perf/ Casing/ Screen Screen/ slot Slot # of Tele/  
Screen Liner Dia From To width length slots pipe size  
Perf Casing 8 102 137 .25 2 365  
Perf Casing 8 160 170 .25 2 260  
Perf Casing 8 180 200 .25 2 360  
Screen Liner 7.75 160 210 .1

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Flowing Artesian  
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)  
400 \_\_\_\_\_ 210 2  
Temperature 58 °F Lab analysis  Yes By \_\_\_\_\_  
Water quality concerns?  Yes (describe below) TDS amount  
From To Description Amount Units

(9) LOCATION OF WELL (legal description)  
County MARION Twp 4.00 S N/S Range 1.00 W E/W WM  
Sec 12 NW 1/4 of the SE 1/4 Tax Lot 100  
Tax Map Number \_\_\_\_\_ Lot \_\_\_\_\_  
Lat \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
Long \_\_\_\_\_ " or \_\_\_\_\_ DMS or DD  
 Street address of well  Nearest address  
22256 AIRPORT RD

(10) STATIC WATER LEVEL  
Date SWL (psi) + SWL (ft)  
Existing Well / Pre-Alteration \_\_\_\_\_  
Completed Well 5/9/2014 \_\_\_\_\_ 82  
Flowing Artesian?  Dry Hole?

WATER BEARING ZONES Depth water was first found 100.00

| SWL Date  | From | To  | Est Flow | SWL (psi) | + SWL (ft) |
|-----------|------|-----|----------|-----------|------------|
| 4/21/2014 | 100  | 137 | 140      |           | 82         |
| 4/21/2014 | 160  | 170 | 150      |           | 82         |
| 4/22/2014 | 180  | 200 | 110      |           | 82         |

(11) WELL LOG Ground Elevation \_\_\_\_\_

| Material           | From | To  |
|--------------------|------|-----|
| Top soil           | 0    | 2   |
| Brown silty clay   | 2    | 100 |
| Sand & gravel      | 100  | 137 |
| Black sand         | 137  | 140 |
| Gray clay          | 140  | 160 |
| Multi colored sand | 160  | 170 |
| Gray clay          | 170  | 180 |
| Sandstone          | 180  | 200 |
| Blue clay          | 200  | 210 |

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Date Started 4/18/2014 Complete 5/8/2014

(unbonded) Water Well Constructor Certification  
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
License Number \_\_\_\_\_ Date \_\_\_\_\_  
Signed \_\_\_\_\_

(bonded) Water Well Constructor Certification  
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
License Number 1771 Date 5/9/2014  
Signed GEORGE YOUNGBERG (E-filed)  
Contact Info (optional) Youngberg pump & well drilling ph.503-630-3970