

Application for Permanent Water Right 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 transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 2712**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »		0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »	4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>1.2 (5a)</u> Subtract 1.0 from the number in 5a above: <u>.2 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>1 (5c)</u> and multiply 5c by \$350, then enter on line 5 » » » » » » » » » »		
5		5	<u>530</u>
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	1630
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » Transfer Fee:	8	1630

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Should be \$350

Should be \$1570

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

- For irrigation calculate cfs for each water right involved as follows:
 - Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 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 ac x 0.0125 cfs/ac = 0.56 cfs)
- Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Holland Lake Farms LLC			PHONE NO. 707-529-0281	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 454			FAX NO.	
CITY Cutten	STATE CA	ZIP 95534	E-MAIL tcasey1040@yahoo.com	
<p>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>				

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

AGENT/BUSINESS NAME Scott Fein Water Rights			PHONE NO. 541-842-0795	ADDITIONAL CONTACT NO.
ADDRESS 600 Tyler Creek Rd.			FAX NO.	
CITY Ashland	STATE OR	ZIP 97520	E-MAIL sfeinsurveyor@gmail.com	
<p>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: Place of use transfer to rectify ambiguities, uncertainties, omissions and errors in the original records of the state to bring the written record into conformance with the location in water has historically been beneficially used.

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

Check One Box

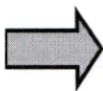
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Grants Pass Courier.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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



Tony Casey
Applicant signature

Tony Casey
Print Name (and Title if applicable)

11-16-19
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 deeded landowners (and mailing and/or e-mail*

addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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Describe any special ownership circumstances here: _____

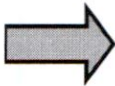
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- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS		
CITY	STATE	ZIP	

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	ADDRESS		
Josephine County Planning	700 NW Dimmich St. Suite C		
CITY	STATE	ZIP	
Grants Pass	OR	97526	

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 additional rows to tables within the form.

CERTIFICATE # 2712

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Description of Water Delivery System

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System capacity: **1.20** 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 diverted from Althouse Creek via the Holland Beach and Platter Ditch. At the crossing of said ditch with Kendall Rd. a diversion box allows for distribution to the subject lands via a 10 ins. diam. pipeline delivers water to an irrigation bulge from which water is pumped to 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)
POD 1 Holland Beach & Platter Ditch POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		40	S	7	W	9	NE	SE		NAD 83 (2011.2010) LAT 42-06-19.31266 (N) LONG 123-31-25.2981 (W)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

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No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 2712

List the change proposed for the acreage in each ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" 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.										The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	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	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
40	S	7	W	4	NW	NW	500	39	10.0	IRRIGATION DOMESTIC STOCK	1	1858	40	S	7	W	4	NW	NW	500	DLC 39	10.0	1	1858
40	S	7	W	5	NE	NE	102	39	10.0	IRRIGATION DOMESTIC STOCK	1	1858	40	S	7	W	5	NE	NE	102	DLC 39	10.0	1	1858
40	S	7	W	5	SE	NE	102	39	20.0	IRRIGATION DOMESTIC STOCK	1	1858	40	S	7	W	4	SW	NW	500	DLC 39	20.0	1	1858
40	S	7	W	5	SE	NE	102	39	20.0	IRRIGATION DOMESTIC STOCK	1	1858	40	S	7	W	5	SE	NE	102	DLC 39	20.0	1	1858
										RECEIVED														
										MAR 02 2020														
										OWRD														
										TACS														
										TOTAL ACRES: 60.0														
										TOTAL ACRES: 60.0														

Additional remarks: Based on field survey, research, topography, locations of the ditches on the property and historic aerial imagery it appears that the 20.0 acres being transferred have been historically used in T40S R7W Sec. 4 SWNW. It is unclear why this occurred in the decree, decree and inchoate maps and the certificate issued by the State of Oregon. A review of the original department maps clearly displays the void of survey data, blatant omissions, and ambiguity which exists in the written record. The intent of this transfer is to bring the written record into conformance with the historic place of use.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: **8917, 90932 (7127)**



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

03-04-2020
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Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1550687-95	DLLC	ACT	OREGON	04-24-2019	04-24-2020	
Entity Name	HOLLAND LAKE FARMS LLC					
Foreign Name						

[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	425 KENDALL RD					
Addr 2						
CSZ	CAVE JUNCTION	OR	97523		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT		Start Date	04-24-2019	Resign Date	
Of Record	757883-99	REGISTERED AGENTS INC					
Addr 1	5305 RIVER RD N STE B						
Addr 2							
CSZ	KEIZER	OR	97303		Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS				
Addr 1	PO BOX 454					
Addr 2						
CSZ	CUTTEN	CA	95534		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	TONY		CASEY			
Addr 1	1040 KINGS PEAK RD					
Addr 2						
CSZ	WHITETHORN	CA	95589		Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date	
Name	EVAN		TROYER			
Addr 1	PO BOX 454					
Addr 2						

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CSZ	CUTTEN	CA	95534	Country	UNITED STATES OF AMERICA
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[New Search](#)


Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
HOLLAND LAKE FARMS LLC	EN	CUR	04-24-2019	

Please [read](#) before ordering [Copies](#).

[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	04-24-2019		FI	Agent	

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Business Registry Business Name Search

[New Search](#)

Business Entity Data

03-04-2020

14:31

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1550687-95	DLLC	ACT	OREGON	04-24-2019	04-24-2020	
Entity Name	HOLLAND LAKE FARMS LLC					
Foreign Name						

[New Search](#)

Associated Names

Type	PPB PRINCIPAL PLACE OF BUSINESS					
Addr 1	425 KENDALL RD					
Addr 2						
CSZ	CAVE JUNCTION	OR	97523		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT REGISTERED AGENT	Start Date	04-24-2019	Resign Date	
Of Record	757883-99 REGISTERED AGENTS INC				
Addr 1	5305 RIVER RD N STE B				
Addr 2					
CSZ	KEIZER	OR	97303		Country UNITED STATES OF AMERICA

Type	MAL MAILING ADDRESS					
Addr 1	PO BOX 454					
Addr 2						
CSZ	CUTTEN	CA	95534		Country	UNITED STATES OF AMERICA

Type	MEM MEMBER	Resign Date	
Name	TONY	CASEY	
Addr 1	1040 KINGS PEAK RD		
Addr 2			
CSZ	WHITETHORN	CA	95589
Country	UNITED STATES OF AMERICA		

Type	MEM MEMBER	Resign Date	
Name	EVAN	TROYER	
Addr 1	PO BOX 454		
Addr 2			

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CSZ	CUTTEN	CA	95534	Country	UNITED STATES OF AMERICA
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[New Search](#)


Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
HOLLAND LAKE FARMS LLC	EN	CUR	04-24-2019	

Please [read](#) before ordering [Copies](#).

[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	04-24-2019		FI	Agent	

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Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

- [Main](#) [Help](#)
- [Return](#) [Contact Us](#)

Today's Date: Wednesday, March 4, 2020		Fee Calculation				
Base Fee (includes one type of change to one water right for up to 1 cfs)		\$1,160.00				
Fill in information below-- Check each box that applies.						
Types of Change Proposed:						
<input checked="" type="checkbox"/> Place of Use						
<input type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD						
<input type="checkbox"/> Character of Use		\$0.00				
Enter total number of water rights included in transfer. <input style="width: 50px;" type="text" value="1"/>		\$0.00				
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.		<input style="width: 80px;" type="text"/>				
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.						
<input checked="" type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.						
Enter the following for the primary certificates on the land included in the transfer. (If a supplemental certificate also covers the same land as an included primary right, only list the primary.)						
Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR	If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
<input style="width: 50px;" type="text" value="2712"/>	<input style="width: 50px;" type="text" value="110"/>	<input style="width: 50px;" type="text" value="60"/>	<input style="width: 50px;" type="text" value="2.2"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text" value="1.2"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>		<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>
Total Transfer CFS(rounded up to the next whole cfs): 2.00						\$350.00
Subtotal:						\$1,510.00
Check each box that applies.						
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.						
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.						
Discount:						<input style="width: 80px;" type="text"/>
Transfer Fee:						\$1,510.00
<input type="button" value="Return to Edit"/>	<input type="button" value="Clear"/>					

13387 -

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 JOSEPHINE)

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 MAR 02 2020
 OWRD

I, TONY CASEY, in my capacity as MANAGING MEMBER OF HOLLAND LAKE FARMS LLC,
 mailing address PO BOX 454, CUTTEN CA 95534
 telephone number (707)529-0281, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
2712	40	S	7	W	WM	4	NW	NW	39	10
2712	40	S	7	W	WM	5	NE	NE	39	10
2712	40	S	7	W	WM	4	SW	NW	39	20
2712	40	S	7	W	WM	5	SE	NE	39	20

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)

13387 -

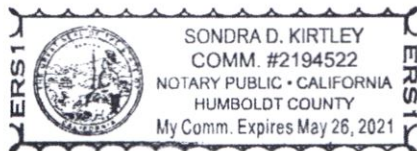
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS AND PASTURE, STOCK, AND DOMESTIC USES

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]
Signature of Affiant

11/21/19
Date

Signed and sworn to (or affirmed) before me this 21 day of November, 2019.



[Signature]
Notary Public for ~~Oregon~~ California

My Commission Expires: 5-26-21

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 checked="" 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 JOSEPHINE)

I, NICHOLAS VAN DEN BRANDEN, in my capacity as MANAGING MEMBER OF WESTERN INVESTMENTS LLC,
 mailing address 4734 HATHAWAY DR. MEDFORD OR 97501-

telephone number (702)701-1135, 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

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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)
2712	40	S	7	W	WM	4	NW	NW	39	10
2712	40	S	7	W	WM	5	NE	NE	39	10
2712	40	S	7	W	WM	4	SW	NW	39	20
2712	40	S	7	W	WM	5	SE	NE	39	20

OR

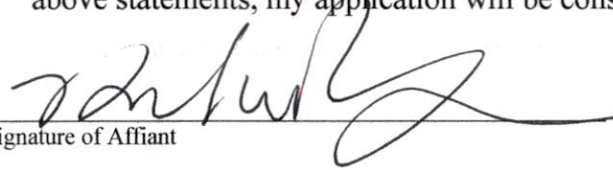
- Confirming Certificate # ____ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use 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)

13387 -

3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS AND PASTURE, STOCK, AND DOMESTIC USES

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

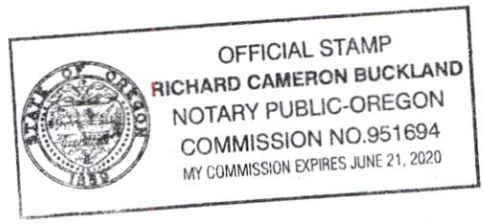
1-24-20
Date


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Signed and sworn to (or affirmed) before me this 24 day of January, 20 20.




Notary Public for Oregon

My Commission Expires: June 21, 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 checked="" 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



After recording return to:
Holland Lake Farms, LLC
PO Box 454
Cutten, CA 95534

Until a change is requested all tax
statements shall be sent to the
following address:
Holland Lake Farms, LLC
PO Box 454
Cutten, CA 95534

File No.: 7151-3221738 (RAC)
Date: April 10, 2019

THIS SPACE RESERVED FOR RECORDER'S USE

JOSEPHINE COUNTY OFFICIAL RECORDS
RHIANNON HENKELS, COUNTY CLERK **2019-005426**

DED-WRD
Cnt=1 Pgs=4 Stn=2 GCHRISTENSEN 05/10/2019 09:29 AM
\$20.00 \$11.00 \$10.00 \$60.00 \$5.00 **\$106.00**

I, Rhiannon Henkels, County Clerk, certify that the within
document was received and duly recorded in the official
records of Josephine County.

STATUTORY WARRANTY DEED

106-

Western Investments, LLC, a Nevada limited liability company, Grantor, conveys and warrants to **Holland Lake Farms, LLC, a California limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

THE SOUTH HALF OF THAT PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE A.H. PLATTER DONATION LAND CLAIM NO. 41 IN SECTION 4, TOWNSHIP 40 SOUTH, RANGE 7 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON; THENCE WEST TO A POINT 1551 FEET WEST OF THE WEST QUARTER CORNER OF SAID SECTION 4; THENCE NORTH TO THE NORTH LINE OF THE A.H. PLATTER DONATION LAND CLAIM IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 7 WEST OF THE WILLAMETTE MERIDIAN; THENCE EAST ALONG THE NORTH LINE OF THE SAID A.H. PLATTER DONATION LAND CLAIM TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF THE SAID A.H. PLATTER DONATION LAND CLAIM TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION LYING WITHIN THE KENDALL ROAD.

SEE EXHIBIT'S "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

Subject to:

1. 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 **\$1,600,000.00**. (Here comply with requirements of ORS 93.030)

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EXHIBIT "A"

RESERVATION OF WATER RIGHT

Grantor reserves that portion of the water rights of Sucker Creek, Mulvaney Gulch, and Holland Ditch Wastewater in record of the Oregon Water Resources Department (FKA: State Engineer) in Water Rights Certificate Volume 7, Page 7127 and Water Rights Certificate 90932 recorded in the official records in Salem, Oregon.

The portion of the above water rights appurtenant to that land described in document 2015-006656 of the official records of Josephine County, Oregon shall be 10.0 Acres in the Northeast Quarter of the Northeast Quarter of Section 5; 10.0 Acres in the Northwest Quarter of the Northwest Quarter of Section 4; all located in Township 40 South, Range 7 West, W.M.

The Grantor and their heirs and assigns reserves and retains the right to transfer the place of use and/or change the point of diversion of said water rights to other lands and diversion points (existing and proposed) within the Sucker Creek Basin in Township 39 South, Range 7 West; Township 39 South, Range 8 West; Township 40 South, Range 7 West; Township 40 South Range 8 West, Willamette Meridian; Josephine County, Oregon.

The Grantor and their heirs and assigns reserves and retains the right to lease said water rights instream or voluntarily cancel said rights as part of mitigation for any new water right application the Grantor may file with the Oregon Water Resources within the Sucker Creek Basin in Township 39 South, Range 7 West; Township 39 South, Range 8 West; Township 40 South, Range 7 West; Township 40 South Range 8 West, Willamette Meridian; Josephine County, Oregon.

The Grantee, shall continue to exercise the water rights in the authorized place of use continuously. The Grantee shall sign all required forms necessary to complete any action required by the Oregon Water Resources Department or any other agencies.

The Grantor Reserves the right to temporarily lease the water rights in stream as necessary. Any temporary in stream lease shall not bar any future permanent modification or permanent in stream lease or use for mitigation as required by the Oregon Water Resources Department.

This reservation shall be appurtenant to the land described in 2015-006656 of the official records of Josephine County, Oregon and run with the land and be binding until such time that the Grantor or their heirs or assigns has fully exercised their rights contained herein.

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EXHIBIT "B"
WATER USE & TEMPORARY IN STREAM LEASE OPTION AGREEMENT

The Grantee, shall continue to exercise the water rights in the authorized place of use continuously or be required to temporarily lease in stream the whole or portion any unexercised water rights that are appurtenant to the lands described in 2015-006656 of the official records of Josephine County, Oregon. The water rights appurtenant and affected by this agreement are described as follows:

Certificate 2712 (Althouse Creek, Irrigation, Domestic, Stock)

40.0 Acres in the SENE of Section 5, T40S R7W, W.M.
10.0 Acres in the NENE of Section 5, T40S R7W, W.M.
10.0 Acres in the NWNW of Section 4, T40S R7W, W.M.

Certificate 8917 (Emerald Tunnel, Domestic)

SENE of Section 5, T40S R7W, W.M.
SWNW of Section 4, T40S R7W, W.M.

Certificate 7127 & Certificate 90932 (Sucker Creek, Mulvaney Gulch, Holland Ditch Wastewater)

10.0 Acres in the NENE of Section 5, T40S R7W, W.M.
10.0 Acres in the NWNW of Section 4, T40S R7W, W.M.

The Grantor Reserves the right to temporarily lease the water rights in stream as necessary. Any temporary in stream lease shall not bar any future permanent modification or permanent in stream lease or use for mitigation as required by the Oregon Water Resources Department on behalf of the Grantor as outlined in exhibit "A". The Grantee shall sign all required forms necessary to complete any action required by the Oregon Water Resources Department or any other agencies.

This agreement shall be appurtenant to the lands described in 2015-006656 of the official records of Josephine County, Oregon and run with the land and be binding until such time that the Grantor or their heirs or assigns no longer retains any interest in the land.

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