

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



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

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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? 3 List them here: C 36427, C 37470, C 58749**  
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: 2024.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: ____/____/____



## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Dave Kauer/Kauer Family Farms, Triple K Farms</b>			PHONE NO. <b>503.835.1006</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>7325 SE Amity Dayton Hwy</b>				FAX NO.
CITY <b>Amity</b>	STATE <b>Oregon</b>	ZIP <b>97101</b>	E-MAIL <b>davidk755@yahoo.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.				

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

AGENT/BUSINESS NAME <b>Bill Ferber/BK Water Right Consulting, LLC</b>			PHONE NO. <b>503.910.9212</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 13434</b>				FAX NO.
CITY <b>Salem</b>	STATE <b>Oregon</b>	ZIP <b>97309</b>	E-MAIL <b>bill@bkwrc.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:  
 Temporarily transfer senior water rights place of use to lands planted with high value crop.  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

  
 Applicant signature

**David Kauer - Manager/Partner**  
 Print Name (and Title if applicable)

**4-15-20**  
 Date

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\_\_\_\_\_  
 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.

Affidavits of Consent attached.

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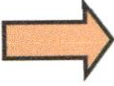


Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS	
<b>Polk county</b>	<b>850 Main Street</b>	
CITY	STATE	ZIP
<b>Dallas</b>	<b>Oregon</b>	<b>97338</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 # 36427**

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**Description of Water Delivery System**

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System capacity: 4.02 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

**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)
Div. Pt.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		8 S	5 W	31	N W	S W	2	1250' N and 870' W from NW Corner Bowman DLC 55.
Div. PT. 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		9 S	5 W	7	SE	N W	51	1730' N and 670' W from NW Corner, Lot 1 (NW SE), Section 7
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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- 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.

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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 Temporary Changes to Water Right Certificate # 36427**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	6	W	36	SW	NE	200	56	1.0	Irrigation	Div.Pt.	1962	POU	9	S	5	W	6	SE	SW	600	51	0.4	N/A	Div. Pt. 1	1962
8	S	6	W	36	SE	NE	200	56	11.7	Irrigation	Div. Pt.	1962	POU	9	S	5	W	6	SE	SW	600	52	4.9	N/A	Div. Pt. 1	1962
8	S	6	W	36	SE	NE	200	2	0.6	Irrigation	Div. Pt.	1962	POU	9	S	5	W	7	NE	NW	500	52	0.7	N/A	Div. Pt. 1	1962
8	S	6	W	36	NE	SE	200	56	1.6	Irrigation	Div. Pt.	1962	POU	9	S	5	W	7	SE	NW	600	51	0.3	N/A	Div. Pt. 1	1962
													POU	9	S	5	W	7	SW	NE	600	51	1.4	N/A	Div. Pt. 1	1962
													POU	9	S	5	W	7	SE	NW	201	53	5.3	N/A	Div. Pt. 1	1962
													POU	9	S	5	W	7	NE	SW	201	53	0.3	N/A	Div. Pt. 1	1962
													POU	9	S	5	W	7	SW	NE	201	53	1.4	N/A	Div. Pt. 1	1962
													POU	9	S	5	W	7	NW	SE	201	53	0.2	N/A	Div. Pt. 1	1962
													APOD	9	S	5	W	7	SE	NW	201	51	N/A	N/A	Div. Pt. 1	1962
TOTAL ACRES									14.9	TOTAL ACRES									14.9							

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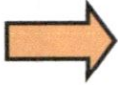
Additional remarks: \_\_\_\_\_



**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: The POU on tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37427, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestic use for another entity. These rights are not part of this Temporary Transfer.



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

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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 # 37470**

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**Description of Water Delivery System**

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System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6"**

**mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

**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)
DIV. PT.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		8	S	5	W	31	N W	S W	2	2640' S and 880' E from most southerly SE Corner of Hart DLC 39
Div. PT. 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		9	S	5	W	7	SE	N W	51	1730' N and 670' W from NW Corner, Lot 1 (NW SE), Section 7
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

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

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- 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 # 37470**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

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Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
<b>EXAMPLE</b>																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901	
													POU	9	S	5	W	7	SW	NW	201	53	16.5	N/A	Div. Pt. 1	1963	
													POU	9	S	5	W	7	SE	NW	201	53	20.1	N/A	Div. Pt. 1	1963	
													POU	9	S	5	W	7	NE	SW	201	53	0.5	N/A	Div. Pt. 1	1963	
													POU	9	S	5	W	7	NW	SW	201	53	0.1	N/A	Div. Pt. 1	1963	
													APOD	9	S	5	W	7	SE	NW	201	51	N/A	N/A	Div. Pt. 1	1963	
<b>RECEIVED</b>																											
<b>APR 24 2020</b>																											
<b>OWRD</b>																											
TOTAL ACRES													37.2	TOTAL ACRES													37.2

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Additional remarks: The total POU of this Water Right is part of this Temporary Transfer.



**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: The POU on tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37427, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestic use for another entity. These rights are not part of this Temporary Transfer.

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**AND/OR**

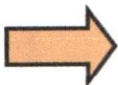
- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a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

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**Description of Water Delivery System**

System capacity: 4.02 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

**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)
Div. Pt.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E from SW Corner of Section 31
Div. PT. 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		9	S	5	W	7	SE	N W	51	1730' N and 670' W from NW Corner, Lot 1 (NW SE), Section 7
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

- Place of Use (POU)  Point of Appropriation/Well (POA)
- Character of Use (USE)  Additional Point of Appropriation (APOA)
- Point of Diversion (POD)  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 # 58749**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	9	S	6	W	1	SE	SE	500	38	0.3	N/A	Div. Pt. 1	1952
													POU	9	S	5	W	6	SW	SW	500	52	27.3	N/A	Div. Pt. 1	1952
													POU	9	S	5	W	6	SE	SW	500	52	7.0	N/A	Div. Pt. 1	1952
													POU	9	S	5	W	7	NE	NW	500	52	0.9	N/A	Div. Pt. 1	1952
													POU	9	S	5	W	7	NW	NW	500	52	3.4	N/A	Div. Pt. 1	1952
													APOD	9	S	5	W	7	SE	NW	600	51	N/A	N/A	Div. Pt. 1	1952
							TOTAL ACRES	38.9														TOTAL ACRES	38.9			

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Additional remarks: The total POU of this Water Right is part of this Temporary Transfer.



**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: G 4480, G 8747 for Group Domestic use for another entity. These rights are not part of this Temporary Transfer.

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



STATE OF OREGON  
 COUNTY OF POLK  
**CERTIFICATE OF WATER RIGHT**

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**This Is To Certify, That** DR. C. J. MOSER

of 312 Wing Building, Grants Pass, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Little Luckiamite River a tributary of Willamette River for the purpose of irrigation of 94.5 acres under Permit No. 27996 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 26, 1962

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.18 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the Lot 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 31, T. 8 S., R. 5 W., W. M. Diversion point located 1250 feet North and 870 feet West from NW Corner, Bowman DLC 55.

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

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

7.4 acres Lot 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 7.2 acres Lot 3 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 3.2 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Bowman DLC 55  
 3.2 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Bowman DLC 55  
 Section 31  
 T. 8 S., R. 5 W., W. M.

13429



1.8 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Burns DLC 56  
11.4 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$  as projected within Burns DLC 56  
2.2 acres Lot 2 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ )  
19.5 acres Lot 2 (NE $\frac{1}{4}$  SE $\frac{1}{4}$ )  
7.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Burns DLC 56  
18.8 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Burns DLC 56  
0.1 acre Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
1.4 acres Lot 3 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
2.4 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$  as projected within Burns DLC 56  
6.5 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$

Section 36

T. 8 S., R. 6 W., W. M.

0.3 acre NE $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Bowman DLC 39  
1.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Bowman DLC 39  
0.3 acre Lot 1 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )

Section 6

T. 9 S., R. 5 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 13 day of October, 1969

CHRIS L. WHEELER  
State Engineer

Recorded in State Record of Water Right Certificates Volume 28, page 36427

13429



STATE OF OREGON  
COUNTY OF POLK  
**CERTIFICATE OF WATER RIGHT**

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**This Is to Certify, That** C. J. MOSER

of 124 N.W. Midland Avenue, Grants Pass, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Little Luckiamute River

a tributary of Luckiamute River for the purpose of irrigation of 37.2 acres

under Permit No. 28913 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 24, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.47 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 31, T. 8 S., R. 5 W., W. M. Diversion point located: 2640 feet South and 880 feet East from most southerly SE Corner, Hart DLC 39.

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

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.5 acre NE $\frac{1}{4}$  NE $\frac{1}{4}$   
3.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
22.6 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
1.7 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
1.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
0.2 acre NE $\frac{1}{4}$  SE $\frac{1}{4}$   
7.4 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$

all as projected within Burns DLC 56  
Section 36  
T. 8 S., R. 6 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. March 19, 1971

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37470

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STATE OF OREGON  
COUNTY OF POLK  
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

J. L. HENDRICKSON  
16405 AIRLIE ROAD  
MONMOUTH, OREGON 97361

confirms the right to use the waters of LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER, for the purpose of IRRIGATION OF 38.9 ACRES.

The right has been perfected under Permit 21626. The date of priority is JULY 21, 1952. The right is limited to not more than 0.49 cubic foot per second, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION; NE 1/4 SW 1/4, SECTION 6, T 9 S, R 5 W, W.M. or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 2 (NW 1/4 SW 1/4), SECTION 31, T 8 S, R 5 W, W.M.  
AND LOT 1 (NE 1/4 NE 1/4), SECTION 36, T 8 S, R 6 W, W.M.; 2330 FEET NORTH & 80 FEET EAST FROM SW CORNER SECTION 31, 1280 FEET SOUTH & 630 FEET WEST FROM NE CORNER SECTION 36.

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

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

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

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LOT 3 (SW 1/4 SW 1/4) 11.1 ACRES  
SW 1/4 SW 1/4 0.3 ACRE  
AS PROJECTED WITHIN BOWMAN DLC 55  
SECTION 31  
TOWNSHIP 8 SOUTH, RANGE 5 WEST, W.M.

LOT 1 (NW 1/4 NE 1/4) 0.1 ACRE  
NW 1/4 NE 1/4 6.9 ACRES  
SW 1/4 NE 1/4 7.5 ACRES  
SE 1/4 NW 1/4 12.5 ACRES  
NE 1/4 SW 1/4 0.5 ACRE  
LAST AS PROJECTED WITHIN BURNS DLC 56  
SECTION 36  
TOWNSHIP 8 SOUTH, RANGE 6 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 29, 1977, and supersedes certificate 24210, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 9, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58749

T-3541

13429



# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of POLK)

I, DAVE KAUER, in my capacity as TENENT FARMER, PARTNER IN TRIPLE K AND KAUER FAMILY FARMS,  
 mailing address 7145 SE AMITY DAYTON HWY, AMITY, OREGON 97101  
 telephone number (503)437-4027, 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 # 36427, 37470, 58749; **OR**

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

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

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

13429

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

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.

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Dave Kamm  
Signature of Affiant

4-10-20  
Date

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Signed and sworn to (or affirmed) before me this 10 day of April, 2020



Jeanne Marie Smith  
Notary Public for Oregon

My Commission Expires: July 14, 2023

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 <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. 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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> 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

13429





**CONSUMERS POWER INC.**

P.O. BOX 1180  
6990 WEST HILLS ROAD  
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

107 1 SP 0.500  
TRIPLE K LLC  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101-2004

4 107  
C-1 P-2

Account Number 11956401

Statement Date 06/10/2019 Due Date 07/01/2019

**Billing Summary**

LAST MONTH'S BILL	\$37,894.20
**NO PAYMENTS RECEIVED**	\$0.00
A/R Adjust	\$37,894.20 CR
BALANCE FORWARD	\$0.00
Current Charges	\$2,842.91
<b>Account Balance</b>	<b>\$2,842.91</b>



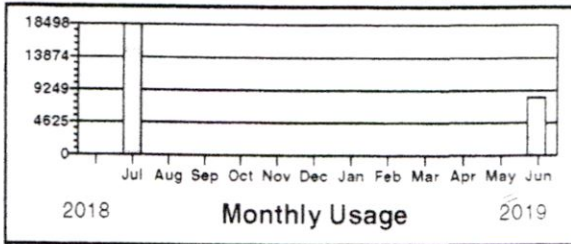
Any BALANCE FORWARD is subject to DISCONNECTION of services.

**Messages**

If you are working on a home improvement project be sure to give us a call to see if we offer a rebate. CPI offers rebates on everything from new windows and insulation to heat pumps and water heaters. For more information you can also visit us online at [www.cpi.coop/rebate](http://www.cpi.coop/rebate) or at our Philomath office.

**Location J L HENDRICKSON PL - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	04/30/19	05/31/19	31	KWH	26733	18498	1	8235		034
TD875	04/30/19	05/31/19	31	KW	67.500		1	67.500		034
TD875	04/30/19	05/31/19	31	KVAR	0.000		1	0.000		034



**Detail of Charges - Electric**

Basic Service Charge	\$59.00
KWH Revenue	\$527.04
KW Revenue	\$287.50
Load Factor - 16%	
<b>Total This Service</b>	<b>\$873.54</b>

Average KWH per Day: 266

Triple K Farms, LLC

Consumers Power Inc  
880.00 · Utilities

6/18/2019

1461

2,885.15

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US Bank

11956400 & 11956401

2,885.15

# Pennington Seed Proprietary Final Payment

01/06/2020

TRIPLE K FARMS LLC  
 7145 SE AMITY DAYTON HWY  
 AMITY OR 97101

Payment Amt: **134,506.38**  
 Contract: **3311** Crop Year: **2019**  
 Contract Pounds: 231,000  
 Contract Price/Cwt: 87.50  
 Contract Value: 202,125.00  
 Payments to Date: 134,506.38

## Payment Plan

Pmt Date	Paid Date	Plan %	Est. Pounds	Actual Pmt	Pmt Adj.	Comment
01/15/2020	01/15/2020	100.00%	154,000	134,506.38		Payment is based upon 154,000# clean weight.

## Purchase Order Details

PO / Item	Variety Seed Lot	Pounds	Price/Cwt	Comm	Testing	Other	Adj Price
4500725452/1 0	REBEL XTREME Y28-19-TF86	52,500	87.50	-160.78	76.00		45,852.72
4500725452/2 0	REBEL XTREME Y28-19-TF87	52,500	87.50	-160.78	76.00		45,852.72
4500725452/3 0	REBEL XTREME Y28-19-TF88	49,000	87.50	-150.06	76.00		42,800.94
<b>Total</b>		<b>154,000</b>		<b>-471.62</b>	<b>228.00</b>		<b>134,506.38</b>

## Purchase Order Inbounds

Variety	Pounds
REBEL XTREME	154,000
<b>Total</b>	<b>154,000</b>

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INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
3311-19 9376	01/06/2020 12/26/2018	FINAL PAYMENT 3311-19 <i>seed</i>	134,506.38 -4,000.00	0.00 0.00	134,506.38 -4,000.00
		<i>Comms -</i>	<i>471.62</i>		
		<i>tests +</i>	<i>228.00</i>		
TRIPLE K FARMS LLC	1019444	TOTALS ---->	130,506.38	0.00	130,506.38

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**SHARED SERVICES AP**

<b>Vendor Name</b>				<b>Vendor Number</b>		<b>Check Number</b>	01678807
Triple K Farms				10722038		<b>Check Date</b>	01/10/20
						<b>Check Amount</b>	360,051.07
Date	Invoice Number	Description	PO	Invoice Amount	Discount	Net Amount	
01/10/20	85653			360,051.07	0.00	360,051.07	
				<b>Total</b>	360,051.07	0.00	360,051.07

THE ATTACHED CHECK IS IN PAYMENT FOR THE ITEMS DESCRIBED ABOVE

▼ REMOVE DOCUMENT ALONG THIS PERFORATION ▼

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068694

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 52,500

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF75  
CERTIFIED  
160 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 161.70

-----  
99.91 PURE .00 CROP .09 INERT .00 WEED 97 GERM  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND

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NOXIOUS WEEDS:  
NONE FOUND

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	52,500	46,200.00			
		=====			
		46,200.00	161.70		46,038.30
					<PAY THIS AMOUNT
					=====

01/15/20

13429

NOTICE TO BUYER

1. EXCLUSION OF WARRANTIES AND LIMITATION OF DAMAGES AND REMEDY. THE J.R. SIMPLOT COMPANY warrants that this seed conforms to the label description, as required by federal and state seed laws. WE MAKE NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR OTHERWISE, CONCERNING THE PERFORMANCE OF THIS SEED. LIABILITY for damages for any cause, including, but not limited to, breach of contract or breach of warranty or negligence, with respect to this sale of seed IS LIMITED TO A REFUND OF THE PURCHASE PRICE OF THE SEED. THIS REMEDY IS EXCLUSIVE. IN NO EVENT SHALL THE J.R. SIMPLOT COMPANY BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOSS OF PROFITS.

2. REQUIRED ARBITRATION. UNDER THE SEED LAWS OF SOME STATES, (INCLUDING IDAHO), ARBITRATION IS REQUIRED AS A PRECONDITION OF MAINTAINING CERTAIN LEGAL ACTIONS COUNTERCLAIMS OR DEFENSES AGAINST A SELLER OF SEED. THE BUYER MUST FILE A COMPLAINT ALONG WITH THE FILING FEE WITHIN SUCH TIME AS TO PERMIT INSPECTION OF THE CROPS, PLANTS OR TREES AND NOTIFY SELLER OF COMPLAINT BY CERTIFIED MAIL. None of these products may be exported outside the USA without written consent from Jacklin Seed.

3. If these commodities are exported from the United States, the export must be in accordance with the Export Administration Regulations. Diversion contrary to U.S. law is prohibited.

# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068695

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 52,500

DATE: 01/06/20

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF76  
CERTIFIED  
160 ACRES

\*\*\*\*\* CHARGES \*\*\*\*\*  
COMMISSIONS 161.70

RECEIVED  
APR 24 2020  
OWRD

-----  
99.86 PURE .00 CROP .14 INERT .00 WEED 98 GERM  
+++++ WEEDS +++++ +++++ CROPS +++++  
NONE FOUND NONE FOUND

EC O/PLANT SPEC  
NONE FOUND

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	52,500	46,200.00			
		46,200.00	161.70	46,038.30	<PAY THIS AMOUNT

01/15/20

13429

NOTICE TO BUYER

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068696

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 52,500

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF77  
CERTIFIED  
160 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 161.70

RECEIVED  
APR 24 2020  
OWRD

-----  
99.96 PURE .00 CROP .04 INERT .00 WEED 98 GERM  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	52,500	46,200.00			
		=====			
		46,200.00	161.70		46,038.30
					=====

<PAY THIS AMOUNT

01/15/20

13429

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068697

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 52,500

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF78  
CERTIFIED  
160 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 161.70

RECEIVED

APR 24 2020

OWRD

-----  
99.94 PURE .00 CROP .06 INERT .00 WEED 97 GERM  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND  
-----

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	52,500	46,200.00			
		46,200.00	161.70	46,038.30	<PAY THIS AMOUNT

01/15/20

13429

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068698

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

DATE: 01/06/20

CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 52,500

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF79  
CERTIFIED  
160 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 161.70

RECEIVED

APR 24 2020

OWRD

-----  
99.99 PURE .00 CROP .01 INERT .00 WEED 97 GERM  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	52,500	46,200.00			
		46,200.00	161.70	46,038.30	<PAY THIS AMOUNT

01/15/20

NOTICE TO BUYER

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068699

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

DATE: 01/06/20  
CONTRACT: 9526  
ACRES: 160  
NET POUNDS: 44,750

QUEST TALL FESCUE

COND'NG COMPLTE

FIELD: 70.17 32NC+17-19 08 4

OR

LOT: Y28-19-TF80  
UNCERTIFIED  
160 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 137.83

-----  
99.72 PURE .00 CROP .28 INERT .00 WEED 96 GERM  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND

RECEIVED  
APR 24 2020  
OWRD

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
88.00	44,750	39,380.00			
		39,380.00	137.83		39,242.17
					<PAY THIS AMOUNT

01/15/20

13429

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068700

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9608  
ACRES: 85  
NET POUNDS: 52,500

TOP GUN II PER RYEGRASS

COND'NG COMPLTE

FIELD: 153.17 NC153.17

OR

LOT: Y28-19-PR45  
UNCERTIFIED  
85 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 78.75

-----  
98.51 PURE .00 CROP 1.49 INERT .00 WEED 97 GERM  
FLUORESCENCE: 4.15  
+++++ W E E D S +++++ +++++ C R O P S +++++  
NONE FOUND NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND

RECEIVED  
APR 24 2020  
OWRD

		GROSS		NET		
\$/CWT X POUNDS	=	PAYMENT	-	CHARGES	=	PAYMENT
78.00	52,500	40,950.00				
		40,950.00		78.75		40,871.25

<PAY THIS AMOUNT

01/15/20

13429

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068701

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9608  
ACRES: 85  
NET POUNDS: 45,500

TOP GUN II PER RYEGRASS

COND'NG COMPLTE

FIELD: 153.17 NC153.17

OR

LOT: Y28-19-PR46  
UNCERTIFIED  
85 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 68.25

-----  
97.75 PURE .04 CROP 2.21 INERT .00 WEED 91.5 GERM  
FLUORESCENCE: 2.46  
+++++ W E E D S +++++  
NONE FOUND  
NOXIOUS WEEDS:  
NONE FOUND  
+++++ C R O P S +++++  
ANNUAL RG .04

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APR 24 2020  
OWRD

		GROSS		NET	
\$/CWT X POUNDS	=	PAYMENT	- CHARGES	=	PAYMENT
78.00	45,500	35,490.00			
		35,490.00	68.25		35,421.75

<PAY THIS AMOUNT

01/15/20

13429

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# JACKLIN SEED

by **Simplot**

GROWER INVOICE 068702

REMIT TO: 23403 E MISSION AVE. #222  
LIBERTY LAKE, WA 99019

HEADQUARTERS  
P.O. Box 70013  
Boise, Idaho 83707-0113

LIBERTY LAKE SALES OFFICE  
Jacklin Seed-Simplot  
23403 E Mission Ave. #222  
Liberty Lake, Washington 99019  
Fax (509) 319-3181  
Phone (509) 321-8873  
Toll Free (800) 688-7333

DATE: 01/06/20

GROWER: TRIPLE K FARMS  
7145 SE AMITY DAYTON HWY  
AMITY OR 97101

GROWER #: 200284

CONTRACT: 9608  
ACRES: 85  
NET POUNDS: 18,400

TOP GUN II PER RYEGRASS

COND'NG COMPLTE

FIELD: 153.17 NC153.17

OR

LOT: Y28-19-PR47  
UNCERTIFIED  
85 ACRES

\*\*\*\*\* C H A R G E S \*\*\*\*\*  
COMMISSIONS 27.60

-----  
98.84 PURE .10 CROP 1.06 INERT .00 WEED 96 GERM  
FLUORESCENCE: 1.9  
+++++ W E E D S +++++  
NONE FOUND +++++ C R O P S +++++  
LESS THAN 0.01% TALL FESCUE .10  
NOXIOUS WEEDS: 175/LB  
RUBUS FRUTICO- 9  
SUS AGGREGATE

RECEIVED  
APR 24 2020  
OWRD

		GROSS		NET		
\$/CWT X POUNDS	=	PAYMENT	-	CHARGES	=	PAYMENT
78.00	18,400	14,352.00				
		14,352.00		27.60		14,324.40

<PAY THIS AMOUNT

01/15/20

13429

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RECEIVED  
APR 24 2020  
OWRD

After recording, return to:  
Wallace O. Felsted  
Kirton & McConkie  
60 East South Temple, #1800  
P. O. Box 45120  
Salt Lake City, UT 84145-0120

Tax statements to be sent to:  
GO LDS Church Tax Division  
50 East North Temple St., 22nd Floor  
Salt Lake City, Utah 84150-3620

RECORDED IN POLK COUNTY  
VALERIE UNGER, COUNTY CLERK

2003-000299



\$46.00

00005932280300002890050058

01/07/2003 02:15:36 PM

Property No. 544-1412  
(OR, Falls City - Orig Acq - Three Sisters)

REC-MD Cnt=1 Str=1 A. CAPTAIN  
\$25.00 \$10.00 \$11.00

**SPECIAL WARRANTY DEED**

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars (\$0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

Fidelity National Title Tiller Acq 238830



DETERMINE ANY LIMITS ON LAWSUTTS AGAINST FARMING OR FOREST PRACTICES  
AS DEFINED IN ORS 30.930.

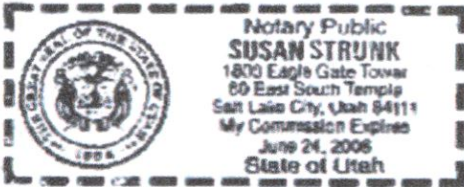
Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF  
THE CHURCH OF JESUS CHRIST OF LATTER-  
DAY SAINTS, a Utah corporation sole

By: John W. Creer  
Its Authorized Agent

STATE OF UTAH            )  
                                  : ss  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 31st day of December, 2002,  
by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of  
Jesus Christ of Latter-day Saints, a Utah corporation sole.



Susan Strunk  
Notary Public

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z/s

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EXHIBIT A

LEGAL DESCRIPTION

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PARCEL I:

A tract of land in Sections 6 and 7, Township 9, South, Range 5 West of the Willamette Meridian and in Section 1, Township 9 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, said tract being bound by the following:

Beginning at a 2 inch brass disk set in concrete at the Southeast corner of the Julianna Jones Donation Land Claim No. 52 in said Section 7; thence North  $05^{\circ}33'15''$  West, on an Easterly line of said Claim No. 52, 1475.18 feet to a 1 inch pipe; thence North  $89^{\circ}36'36''$  West 2027.47 feet to the Easterly right of way line of Airlie Road (Market Road No. 8); thence South  $12^{\circ}28'44''$  East, on the said right of way line, 577.62 feet to a 5/8 inch rod which is 40 feet from the centerline of said Airlie Road; thence South  $09^{\circ}49'07''$  East, on the said right of way line, 200.54 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence South  $12^{\circ}27'41''$  East, on the said right of way line, 1299.03 feet to a 5/8 inch rod; thence South  $14^{\circ}03'45''$  East, on the said right of way line, 349.76 feet to a 5/8 inch rod which is 40 feet from the said centerline; thence South  $11^{\circ}49'09''$  East, on the said right of way line, 450.13 feet to a point which is 35 feet from the said centerline; thence South  $11^{\circ}37'53''$  East, on the said right of way line, 339.74 feet to a point which is 30 feet from a point of spiral curve on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline), the chord of which bears South  $16^{\circ}56'36''$  East 441.19 feet; thence continuing on the said right of way line, 346.54 feet on a 924.93 foot radius circular curve left, the chord of which bears South  $36^{\circ}43'13''$  East 344.52 feet to a 5/8 inch rod; thence South  $57^{\circ}46'15''$  East, on the said right of way line, 440.99 feet to a 5/8 inch rod which is 40 feet from a point of tangent on the said centerline; thence South  $60^{\circ}57'08''$  East, on the said right of way line, 1840.64 feet; thence South  $89^{\circ}43'54''$  East 513.08 feet to a 5/8 inch rebar; thence North  $01^{\circ}18'21''$  East, on an Easterly line of the Jonathan Liggett Donation Land Claim No. 53 in said Section 7, 264.14 feet to a 2 inch brass disk set in concrete marking the Northwest corner of the David R. Lewis Donation Land Claim No. 55; thence North  $22^{\circ}45'19''$  West, on an Easterly line of said Claim No. 53, 214.14 feet to a 2 inch brass disk set in concrete marking the Southwest corner of the Sarah Bowman Donation Land Claim No. 51; thence North  $22^{\circ}43'22''$  West, on an Easterly line of said Claim No. 53, 3283.36 feet to the point of beginning.

PARCEL II:

A tract of land in Section 36, Township 8 South, Range 6 West of the Willamette Meridian, the North 1/2 of Section 1, Township 9 South, Range 6 West of the Willamette Meridian, the Northwest 1/4 of Section 6, Township 9 South, Range 5 West of the Willamette Meridian, and the Southwest 1/4 of Section 31, Township 8 South, Range 5 West of the Willamette Meridian, all in Polk County, Oregon, said tract being bound by the following:

Beginning at a point on the center of the present channel of the Little Luckiamute River which is 95.65 feet North  $42^{\circ}15'$  East and 264.00 feet, more or less, South  $42^{\circ}09'29''$  East from the angle corner on the Northeast boundary of the William Burns Donation Land Claim No. 56 in said Section 36; thence Easterly, on the center of the said present channel, 890 feet, more or less, to the point at which the said center of the present channel intersects the center of an old channel of the said river; thence North  $15^{\circ}52'40''$  East, on the center of the said old channel, 314 feet, more or less, to an angle point on the said center of the old channel; thence North  $31^{\circ}16'09''$  East on the center of the said old channel, 108.46 feet to the point at which the center of

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the said old channel intersects the Westerly line of the John Chamberlain Donation Land Claim No. 40 in said Section 36 at a point 82.00 feet South  $14^{\circ}16'05''$  East from the most Southerly Southeast corner of the Thomas Hart Donation Land Claim No. 39 in said Section 36; thence South  $14^{\circ}16'05''$  East, on the said Westerly Claim Line, 477.88 feet to a point on the center of the said old channel; thence South  $06^{\circ}55'36''$  West, on the center of the said old channel, 225 feet, more or less, to the center of the said present channel; thence Southerly, on the center of the said present channel, 610 feet, more or less, to the point at which the center of an old channel of the said river intersects the center of the said present channel; thence South  $60^{\circ}33'23''$  East, on the center of the said old channel, 185 feet, more or less, to the said Westerly line of said Claim No. 40; thence South  $14^{\circ}16'05''$  East, on the said Westerly Claim Line, 529.06 feet to an angle corner on the said Westerly Claim Line; thence South  $40^{\circ}54'41''$  East, on the said Westerly Claim Line, 2400.45 feet to the Southwest corner of the John Chamberlain Donation Land Claim No. 54 in said Section 31; thence North  $80^{\circ}00'16''$  East, on the South line of said Claim No. 54, 380 feet, more or less, to the center of the said river; thence Southerly, on the center of the said river 1770 feet, more or less, to a point which is 71.10 feet North  $01^{\circ}23'40''$  East and 1280.00 feet, more or less, North  $61^{\circ}30'58''$  East from the most Westerly Southwest corner of the Preston Bowman Donation Land Claim No. 39 in said Section 6; thence South  $61^{\circ}30'58''$  West 3930 feet, more or less, to the Northerly right of way line of Airlie Road (Market Road No. 8); thence North  $40^{\circ}31'07''$  West, on the said right of way line, 41.55 feet to a 5/8 inch rod which is 40 feet from a point of spiral curve on the centerline of said Airlie Road; thence North  $43^{\circ}28'41''$  West, on the said right of way line, 182.77 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence North  $40^{\circ}22'56''$  West, parallel with said centerline, 599.69 feet to a 5/8 inch rod; thence North  $37^{\circ}32'31''$  West, on the said right of way line, 204.69 feet to a 5/8 inch rod which marks a point 40 feet from a point of tangent on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North  $43^{\circ}04'15''$  West 405.11 feet; thence continuing on the said right of way line 55.86 feet on a 1472.39 foot radius circular curve left, the chord of which bears North  $49^{\circ}28'22''$  West 55.85 feet; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North  $55^{\circ}52'56''$  West 405.05 feet to a 5/8 inch rod which is 40 feet from a point of spiral on the said centerline; thence North  $61^{\circ}32'19''$  West, on the said right of way line, 191.20 feet to a point 30 feet from the said centerline; thence North  $58^{\circ}33'26''$  West, on the said right of way line, 205.96 feet to a 5/8 inch rebar with a yellow plastic cap; thence North  $27^{\circ}49'03''$  East 2273.81 feet to a point which is 892.29 feet North  $42^{\circ}10'45''$  West and 2200.79 feet South  $27^{\circ}49'03''$  West from the Northeast corner of the said Claim No. 56 in said Section 36; thence North  $47^{\circ}12'35''$  West 1229.94 feet; thence South  $38^{\circ}08'27''$  West 2198.51 feet to the Northerly right of way line of said Airlie Road; thence North  $34^{\circ}49'10''$  West, on the said right of way line, 178.58 feet to a point which is 40.00 feet from a point of curve to spiral on the said centerline; thence continuing on the said right of way line, 192.08 feet on a 1185.92 foot radius circular curve left, the chord of which bears North  $45^{\circ}35'16''$  West 191.87 feet; thence North  $56^{\circ}21'02''$  West, on the said right of way line, 203.34 feet to a 5/8 inch rod which is 30 feet from a centerline point of spiral; thence North  $55^{\circ}13'08''$  West, on the said right of way line, 179.08 feet to the point of intersection of the said Northerly right of way line with the Easterly right of way line of King's Valley Highway (State Highway No. 223); thence continuing on the said Easterly right of way line, 136.59 feet on a 2814.79 foot radius circular curve right, the chord of which bears North  $37^{\circ}36'25''$  East 136.58 feet; thence continuing on the said right of way line on a non-circular curve right (50 feet from a spiral curve on the centerline of the said highway) the chord of which bears North  $41^{\circ}41'32''$  East 396.22 feet; thence North  $43^{\circ}00'57''$  East, 50 feet from and parallel with the said highway centerline, 3790

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feet, more or less, to the center of the Little Luckiamute River; thence Easterly on the center of the said river, 350 feet, more or less, to the point of beginning.

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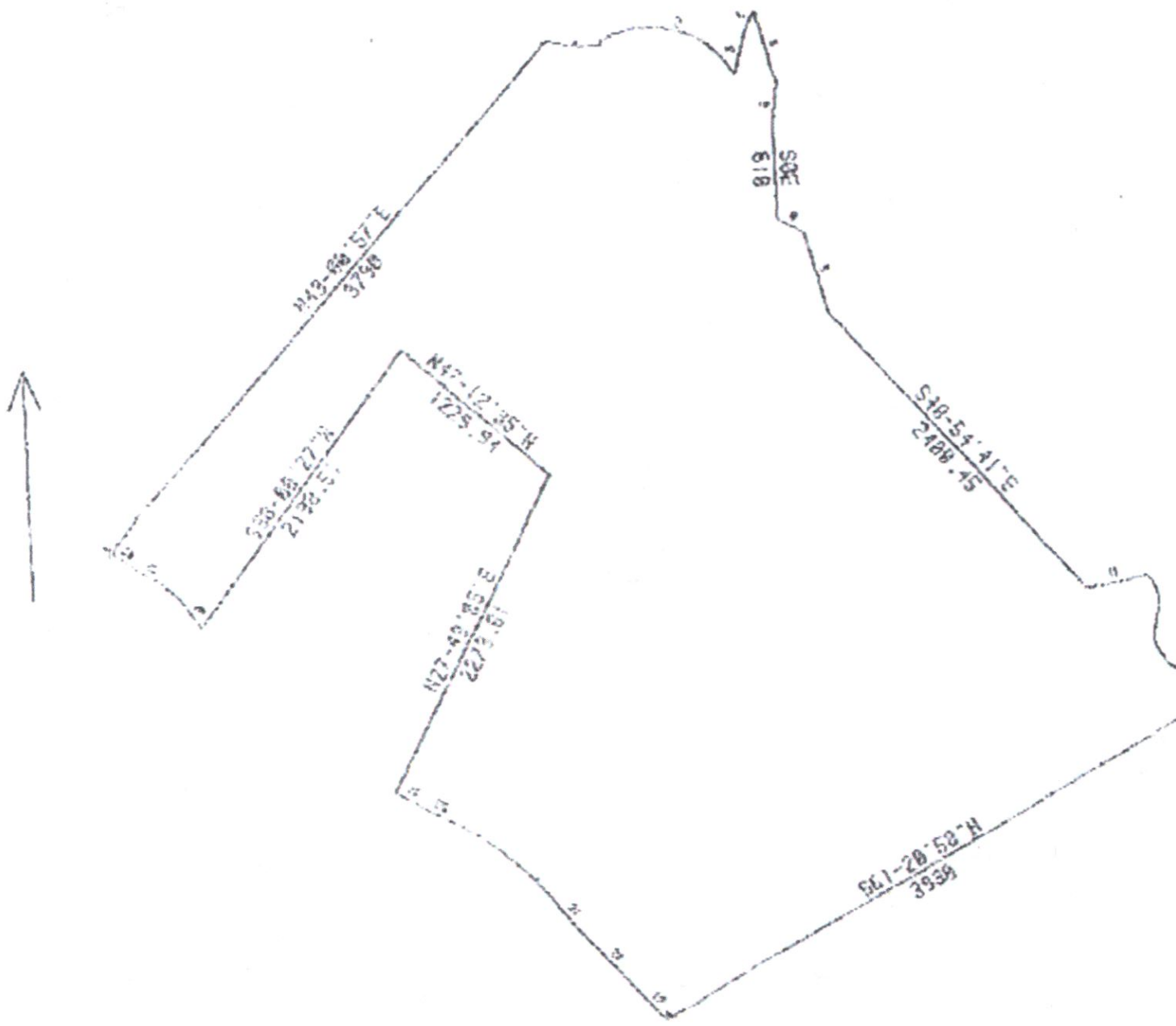
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EXHIBIT "A"  
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**Application for Water Right  
Transfer  
Consent by Deeded Landowner**



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

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State of Washington )  
  )ss  
County of Benton )

I Patrick Tolman in my/our capacity as Farmland Reserve, Inc – Vice President,  
mailing address 6716 W Rio Grande Kennewick, WA 99336,  
telephone number (509) 734-1195, duly sworn depose and say that I  
consent to the proposed change(s) to Water Right Certificate Number 36427, 37470, 58749  
described in a Transfer Application (T-unknown) submitted by Kauer Family Farms,  
(transfer number, if known)  
on the property in tax lot number(s) 201, 500, 600, Township 9 South, Range 5 West, Sections 6  
& 7 AND Township 9 South, Range 6 West, Section 1. Located at unassigned(site address).

*Patrick Tolman*  
Signature of Affiant

04/21/2020  
Date

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

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 21<sup>st</sup> day of April, 2020.



*Linda A. Headley*  
Notary Public for Washington

My commission expires 5/23/23



**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 Washington )  
 )ss  
County of Benton )

I Patrick Tolman in my/our capacity as Farmland Reserve, Inc – Vice President,  
mailing address 6716 W Rio Grande Kennewick, WA 99336,  
telephone number (509) 734-1195, duly sworn depose and say that I  
consent to the proposed change(s) to Water Right Certificate Number 36427, 37470, 58749  
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on the property in tax lot number(s) 201, 500, 600, Township 9 South, Range 5 West, Sections 6  
& 7 AND Township 9 South, Range 6 West, Section 1. Located at unassigned(site address).

*Patrick Tolman*  
Signature of Affiant

04/21/2020  
Date

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

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 21st day of April, 2020.



*Linda A. Headley*  
Notary Public for Washington

My commission expires 5/23/23

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