

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



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

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

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: C 47648, C 39185**
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: ____/____/____

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

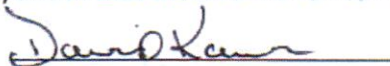
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Bill Ferber/BK Water Right Consulting, LLC			PHONE NO. 503.910.9212	ADDITIONAL CONTACT NO.
ADDRESS PO Box 13434				FAX NO.
CITY Salem	STATE Oregon	ZIP 97309	E-MAIL bill@bkwrc.com	
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 water right place of use to lands that had their water rights temporarily transferred off earlier this year. This move is due to the fields being decimated by mice and the fields needing water to aid in the rehabilitation of the fields for next year's planting.

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
Print Name (and Title if applicable)

8-14-20
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Affidavits of Consent attached.

Received by OWRD

SEP 14 2021

Salem, OR

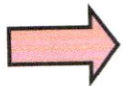
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

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 Polk county	ADDRESS 850 Main Street	
CITY Dallas	STATE Oregon	ZIP 97338

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 47648

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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)		
P.O.D. #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		8	S	6	W		36	NE NE	1	1180' S and 720' W from NE Corner Section 36.
A.P.O.D	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		8	S	5	W		31	N S W W	2	2330' N and 80' E from SW Corner Section 31.
	<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):

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

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

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

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

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

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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 # 47648

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																					
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 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	8	S	6	W 36 NW NE	200	1	0.05	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NW NE	506	1	0.05	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NW NE	506	56	6.9	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 SW NE	506	56	6.5	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 SW NE	200	56	1.0	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 SE NW	506	56	11.5	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 SE NW	603	56	0.1	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 SE NW	200	56	0.9	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NE SW	506	56	0.3	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NE SW	603	56	0.2	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NW NE	200	56	1.3	Irrig	A.P.O.D.	1975	
										POU	8	S	6	W 36 NW NE	506	56	0.4	Irrig	A.P.O.D.	1975	

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For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 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)

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. **13520**

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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)
P.O.D.	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E of SW Corner Section 31
	<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 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?

- 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 # 39185

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 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 NW SE	200	56	0.5				POU	8	S	6	W 36 NE NE	200	56	0.5	Irrig	P.O.D.	1969			
8	S	6	W 36 NW SE	603	56	0.1				POU	8	S	6	W 36 NW NE	506	56	1.1	Irrig	P.O.D.	1969			
8	S	6	W 36 SW SE	200	56	23.0				POU	8	S	6	W 36 NW NE	200	56	0.4	Irrig	P.O.D.	1969			
8	S	6	W 36 SW SE	603	56	1.0				POU	8	S	6	W 36 SW NE	200	56	22.6	Irrig	P.O.D.	1969			
8	S	6	W 36 SE SW	200	56	3.9				POU	8	S	6	W 36 SE NE	200	56	1.7	Irrig	P.O.D.	1969			
8	S	6	W 36 SE SW	603	56	4.7				POU	8	S	6	W 36 SE NW	200	56	1.6	Irrig	P.O.D.	1969			
9	S	6	W 1 NW NE	101	58	4.0				POU	8	S	6	W 36 NE SW	200	56	0.2	Irrig	P.O.D.	1969			
9	S	6	W 1 NE NW	101	58	0.4				POU	8	S	6	W 36 NW SE	200	56	7.4	Irrig	P.O.D.	1969			
8	S	6	W 36 SW SE	200	3	10.1				POU	8	S	6	W 36 SW NE	200	56	1.0	Irrig	P.O.D.	1969			
18	S	6	W 1 NW NE	101	2	1.3				POU	8	S	6	W 36 SE NE	200	56	11.4	Irrig	P.O.D.	1969			
5	S	6	W 36 SE SE	200	---	1.4				POU	8	S	6	W 36 SE NE	200	2	0.9	Irrig	P.O.D.	1969			
										POU	8	S	6	W 36 NE SE	200	56	1.6	Irrig	P.O.D.	1969			
						TOTAL ACRES	50.4							TOTAL ACRES	50.4								

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Additional remarks: _____

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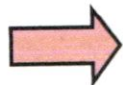
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For Place of Use Changes

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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)

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

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 TENANT 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:

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 # 47648, 39185; **OR**

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # ____ has been issued within the past five years; **OR** Received by OWRD
- 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** SEP 14 2020
Salem, OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

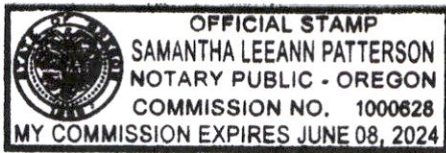
3. The water right was used for: (e.g., crops, pasture, etc.): IRRIGATION OF CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

David Khan
Signature of Affiant

8-10-2020
Date

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



Samantha Leeann Patterson
Notary Public for Oregon

My Commission Expires: June 08, 2024

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 type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <div style="text-align: center;"> <p>RECEIVED</p> <p>SEP 04 2020</p> <p>OWRD</p> </div>	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13520



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

(541) 929-3124 • (800) 872-9036

94 1 SP 0.500
 TRIPLE K LLC
 7145 SE AMITY DAYTON HWY
 AMITY OR 97101-2004

4 94
 C-1 P-2

Account Number 11956401	
Statement Date 07/08/2020	Due Date 08/01/2020

Billing Summary	
LAST MONTH'S BILL	\$1,030.14
PAYMENTS - THANK YOU	\$1,030.14 CR
BALANCE FORWARD	\$0.00
Current Charges	\$1,153.39
Account Balance	\$1,153.39

Page 1 of 2



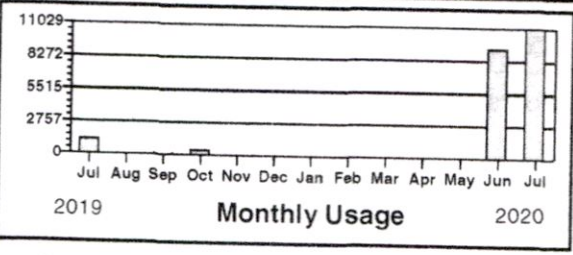
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: A great way to use that summer heat and lower your bill is by using a heat pump water heater. These hot water heaters efficiently transfer the heat from the air to heat the water, which lowers your electric bill. CPI also offers substantial rebates, so call or visit us online for more information.

Location **J L HENDRICKSON PL - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/30/20	06/30/20	31	KWH	48620	37591	1	11029		034
TD875	05/30/20	06/30/20	31	KW	70.490		1	70.490		034



Average KWH per Day: 356
 This Month Last Year: 43

Detail of Charges - Electric	
Basic Service Charge	\$63.00
KWH Revenue	\$757.69
KW Revenue	\$332.70
Load Factor - 21%	
Total This Service	\$1153.39

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Please Return This Stub With Your Payment Please do not staple or paperclip

Comments: _____

Account:	11956401
Due Date for Current Bill:	08/01/2020
Amount Due:	\$1,153.39
Amount Paying	_____

One-Time Operation Roundup Donation:
 \$ _____

TRIPLE K LLC
 7145 SE AMITY DAYTON HWY
 AMITY OR 97101-2004

CONSUMERS POWER, INC.
 PO BOX 1180
 PHILOMATH OR 97370-1180



Call for information

NOTIFICATION ABOUT YOUR BILL
Please call us at (541) 929-3124 or (800) 872-9036 on Friday. In case of emergencies, answering service will take your call.

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

(541) 929-3124 • (800) 872-9036

82 1 SP 0.500
TRIPLE K LLC
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

4 82
C-1 P-2



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OWRD

Account Number 11956401	
Statement Date 06/08/2020	Due Date 07/01/2020

Billing Summary	
LAST MONTH'S BILL	\$0.00
NO PAYMENTS RECEIVED	\$0.00
BALANCE FORWARD	\$0.00
Current Charges	\$1,030.14
Account Balance	\$1,030.14

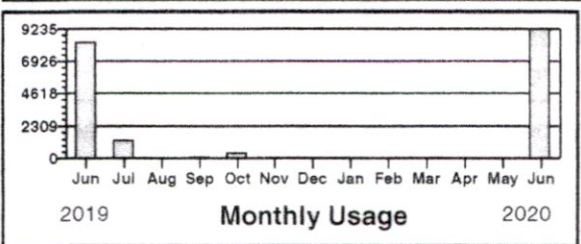
Page 1 of 2

Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages
CPI offers rebates for your many home improvement projects. This includes windows to heat pumps and insulation and heat pump water heaters. Visit our website at www.cpi.coop, or give us a call for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	04/30/20	05/30/20	30	KWH	37591	28356	1	9235		034
TD875	04/30/20	05/30/20	30	KW	70.490		1	70.490		034



Detail of Charges - Electric	
Basic Service Charge	\$63.00
KWH Revenue	\$634.44
KW Revenue	\$332.70
Load Factor - 18%	
Total This Service	\$1030.14

Average KWH per Day: 308
This Month Last Year: 266

13520



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

(541) 929-3124 • (800) 872-9036

2 1 SP 0.500
 TRIPLE K LLC
 7145 SE AMITY DAYTON HWY
 AMITY OR 97101-2004

4 2
 C-1 P-1



Account Number 11956401

Statement Date 07/08/2019

Due Date 08/01/2019

Billing Summary

LAST MONTH'S BILL	\$2,842.91
PAYMENTS - THANK YOU	<u>\$2,842.91</u> CR
BALANCE FORWARD	\$0.00
Current Charges	\$2,003.43

Account Balance \$2,003.43

Page 1 of 2

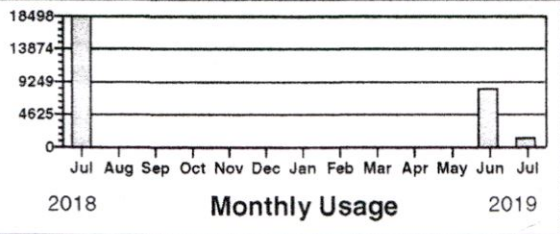
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: Stay cool this summer with low cost cooling with a ductless heat pump. CPI offers substantial rebates to have one installed in your home. Call us or visit us online for more information.

Location **J L HENDRICKSON PL - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/31/19	06/29/19	29	KWH	27977	26733	1	1244		034
TD875	05/31/19	06/29/19	29	KW	70.490		1	70.490		034
TD875	05/31/19	06/29/19	29	KVAR	0.000		1	0.000		034



Average KWH per Day: 43
 This Month Last Year: 385

Detail of Charges - Electric

Basic Service Charge	\$63.00
KWH Revenue	\$85.46
KW Revenue	<u>\$332.70</u>
Total This Service	\$481.16

Triple K Farms, LLC
 Consumers Power Inc
 880.00 · Utilities

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7/15/2019

1464

2,046.30

US Bank

11956400 & 11956401

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2,046.30

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

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RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-000299



\$46.00

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

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

01/07/2003 02:15:36 PM
REC-WD Cnt=1 Stn=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

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Fidelity National Title Ticon Acq 38832

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

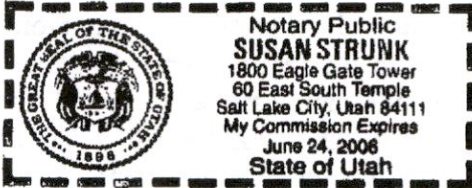
Dated this 31st day of December, 2002.

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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SEP 04 2020

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 Ligget 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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SEP 04 2020

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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 corper 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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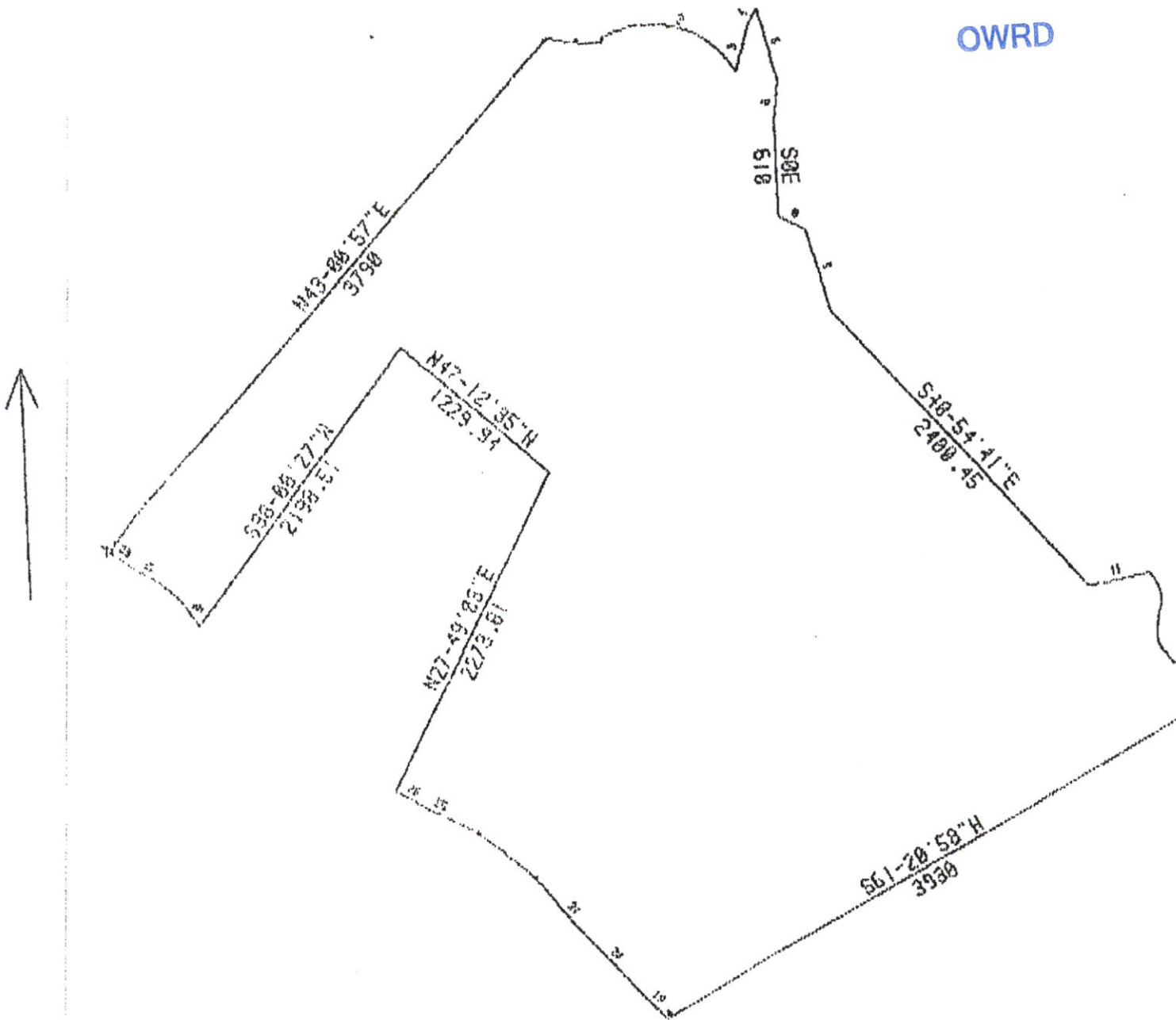
5/5

EXHIBIT "A"
Continued

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Client: DALLAS

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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SEP 04 2020

OWRD

State of Oregon Washington)
)ss
County of Benton)

I Patrick Tolman in my/our capacity as Vice President, Farmland Reserve, Inc.,
mailing address PO Box 2308 Pasco, WA 99302,
telephone number (509) 734-1195, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number C 39185, C 47648
described in a Transfer Application (T-unknown) submitted by Dave Kauer,
(transfer number, if known)
on the property in tax lot number(s) 200, 506, Section 36, Township 8
South, Range 6 West, W.M., located at not assigned.
(site address)

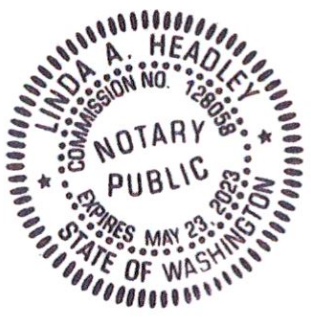
[Signature]
Signature of Affiant

8/31/20
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 31st day of Aug, 2020.



[Signature]
Notary Public for Washington

My commission expires 5/23/23

13520

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



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

State of ~~Oregon~~ Washington)
)ss
County of Benton)

Received by OWRD

SEP 14 2020

Salem, OR

I Patrick Tolman in my/our capacity as Vice President, Farmland Reserve, Inc.,

mailing address PO Box 2308 Pasco, WA 99302.

telephone number (509) 734-1195, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number C 39185, C 47648

described in a Transfer Application (T-unknown) submitted by Dave Kauer,
(transfer number, if known)

on the property in tax lot number(s) 200, 506, Section 36, Township 8

South, Range 6 West, W.M., located at not assigned.
(site address)

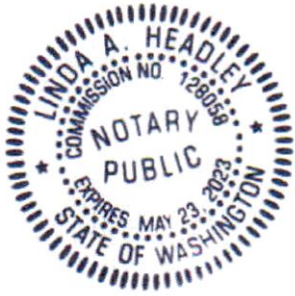
Patrick Tolman
Signature of Affiant

8/31/20
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 31st day of Aug, 2020.



Linda A. Headley
Notary Public for Washington

My commission expires 5/23/23

13520