

**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**

JUL 29 2020

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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
  - Part 4 – Completed Applicant Information and Signature.
  - Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** 1 **List them here:** C 50899
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year:** 2020 **End Year:** 2025
  - N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**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°).

### Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 3c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » <input type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>25.82</u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	59.38
5	Add entries on lines 1 through 4 above » Subtotal:	5	869.38
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 »	6	0
7	Subtract line 6 from line 5 » Transfer Fee:	7	869.38

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 »	2	
3	Add entries on lines 1 through 2 above » Transfer Fee:	3	

**\*Example for Line 2a calculation** to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (*In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0*).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

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APPLICANT/BUSINESS NAME <u>Jesse &amp; Rachel Dean</u>		PHONE NO. <u>(503) 319-7638</u>	ADDITIONAL CONTACT NO.
ADDRESS <u>2005 Green Valley Rd.</u>		FAX NO.	
CITY <u>Oakland</u>	STATE <u>OR</u>	ZIP <u>97462</u>	E-MAIL <u>thegreenvalleyfarmllc@gmail.com</u>
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		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:  
Irrigate 25.82 acres of agricultural crops.

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.

<u>[Signature]</u> Applicant signature	<u>Rachel Dean</u> Print Name (and Title if applicable)	<u>7-21-20</u> Date
<u>[Signature]</u> Applicant signature	<u>Jesse Dean</u> Print Name (and Title if applicable)	<u>7-21-20</u> 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.

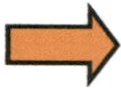
[Signature] Kurt Spencer, 6459 Oak Hill Rd, Roseburg OR 97471  
 Landowner Email: torsranch@gmail.com  
7/21/20

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 Douglas County	ADDRESS 1036 SE Douglas Ave.	
CITY Roseburg	STATE Oregon	ZIP 97470

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.

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**Water Right Certificate #** 50899

**Description of Water Delivery System**

System capacity: \_\_\_\_\_ cubic feet per second (cfs) OR  
1,000 gallons per minute (gpm)

is ran at half speed and is rated at 100hp.

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. 4-cylinder Perkins diesel with a Berkeley 5" discharge pump. Mainline is 5" with 3" laterals. 40-50 sprinklers with 7 gallon nozzles. The systems engine

**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		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD # 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		24	S	5	W	35	N E	100	4430' North and 4080' East from SW corner of Section 35
POD # 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		25	S	5	W	7	S W	800	1950' South and 2080' West from the NE Corner of 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.

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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 # 50899**

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					
24	S	5	W 35 NW NE	100	41	3.02	Irrigation	POD # 1	1950	POU	25	S	5	W 6 SW SE	500	55	9.32	Irrigation	POD #2	1966					
24	S	5	W 35 SW NE	100	41	13.4	Irrigation	POD # 1	1950	POU	25	S	5	W 7 NW NE	800	55	16.50	Irrigation	POD #2	1966					
24	S	5	W 35 NE NE	100	41	1.45	Irrigation	POD # 1	1950	POU															
24	S	5	W 35 SE NE	100	41	7.95	Irrigation	POD # 1	1950	POU															
						TOTAL ACRES	25.82													TOTAL ACRES	25.82				

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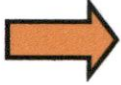
Additional remarks: \_\_\_\_\_

**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: C 50899 & C 38942



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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## Planning and Sanitation Pre-Application Worksheet

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### OTHER ACTION

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Worksheet Number <h2 style="margin: 0;">WS20-0591</h2>	Applicant <b>DEAN, RACHEL</b> 2005 GREEN VALLEY RD OAKLAND, OR 97462 (503) 319-7638	Owner <b>SPENCER, KURT M</b> 6459 OAK HILL LN ROSEBURG, OR 97471
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### SITE INFORMATION

Site Address <b>2005 GREEN VALLEY RD OAKLAND, OR 97462</b>	MTL <b>25-05W-06-00500</b>	Property ID Number (Primary) <b>R20288</b>	Size (Acres) <b>147.32</b>
Improvement <b>LUCS FOR WRD</b>	Proposed Use <b>Land Use Compatibility Statement</b>		
Existing Structures (Number and Type) <b>N/A</b>	Distance of Building Site from River, Creek, or Stream Bank <b>&gt;50 FEET</b>		
Directions <b>N/A</b>			

As, for, or on behalf of, all property owners:  
**APPLICANT SIGNATURE:** *[Signature]* **DATE:** 7-23-20

### PLANNING DEPARTMENT INFORMATION

Zoning <b>F2;FG</b>	Overlays <b>FP</b>		
<b>SETBACKS (EFU (Cropland) 40A)</b>			
Front Property Line of Right of Way <b>30 Feet</b>	Rear Line <b>10 Feet</b>	Side Line <b>10 Feet</b>	Exterior Side Line <b>N/A</b>
Sign Code <b>NO SIGN PROPOSED - N/A</b>	Special Setback <b>N/A</b>	Riparian Setback <b>50 FEET</b>	
Parking Spaces Required <b>N/A</b>	Building Height <b>None</b>	Flood Plain <b>No</b>	Floor Height Above Ground <b>N/A</b>
Conditions of Approval <b>LUCS FOR OWRD TRANSFER (SURFACE WATER FOR IRRIGATION); MUST MEET ZONE SETBACK REQUIREMENTS; MUST ACQUIRE ALL APPLICABLE STATE PERMITS; NO STRUCTURAL DEVELOPMENT AUTHORIZED.</b>			

Sanitation <b>N/A</b>	Sanitary District	Water <b>N/A</b>	Access Permit Required? <b>NOT REQ'D</b>
Report Codes <b>NONSTRUCTURAL N/A N/A COUNTY ACCESS</b>			
Refer To <b>NONE</b>			
Approved By: <b>KNW</b>	Date: <b>7/23/2020</b>	Receipt #: <b>P37015</b>	Amount: <b>\$ 165.00</b>
		Expiration Date: <b>7/22/2021</b>	

### SANITATION INFORMATION

SE#	STP#	Existing System	System:    Approved ___ Denied ___
Remarks			
By:	Date:	CSC Date:	13544

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2005-017347



\$31.00

00116747200500173470030037

07/13/2005 03:39:01 PM

DEED-WD Cnt=1 Str=1 RECEIPTCOUNTER  
\$15.00 \$11.00 \$5.00

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# DOUGLAS COUNTY CLERK



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# CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

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Mail Tax Statements: Jeffrey Baxter 2138 Driver Valley Rd Roseburg OR 97470  
After recording return to: First American Title PO Box 1325 Roseburg, OR 97470  
True consideration for this conveyance is : \$240,000.00

WARRANTY DEED  
(ORS 93.850)

Phyllis <sup>Ms</sup> Baxter, Trustee, ~~Creighton Baxter, Jr. Revocable Trust~~, <sup>\*under the Restated Creighton Baxter, Jr. Revocable Trust of 2000</sup> Grantors, convey and warrant to Jeffrey Baxter and Penny Baxter, husband and wife as tenants by the entirety, Grantees, the real property located in Douglas County, Oregon, and legally described on Exhibit A, attached hereto, subject to conditions, restrictions and rights of way of record.

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 BUILDING DEPARTMENT TO VERIFY APPROVED USES.

DATED this 8<sup>th</sup> day of July, 2005.

Phyllis M Baxter, Trustee

Phyllis Baxter, Trustee,  
~~Creighton Baxter, Jr. Revocable Trust~~  
under the restated Creighton Baxter, Jr Revocable Trust of 2000

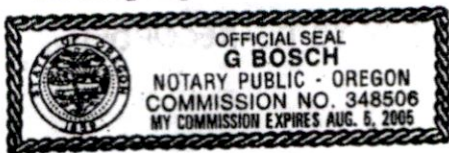
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STATE OF OREGON            )  
  )        ss  
County of Douglas         )

On this 8<sup>th</sup> day of July, 2005, personally appeared before me the above named Phyllis Baxter, Trustee, Creighton Baxter, Jr. Revocable Trust, and acknowledged the foregoing instrument to be her voluntary act and deed in her representative capacity.



G Bosch  
Notary Public for Oregon

My Commission Expires: 8/5/05

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First American Title Insurance Company

P.O. Box 1325  
Roseburg, OR 97470

587401cv

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**EXHIBIT A**

LEGAL DESCRIPTION:

Beginning at a 5/8 inch diameter steel rebar monumenting a point on the Northwesterly right of way line of Driver Valley County Road Number 22, said rebar bears North 65° 54' 47" East 2490.21 feet from the Southeast corner of Section 34, Township 24 South, Range 5 West of the W.M., Douglas County, Oregon; thence North 8° 00' West 1444.77 feet to a 5/8 inch diameter steel rebar witness monument; thence continue North 8° 00' West to a point in the center of the main thread of Calapooia Creek; thence upstream, along said creek center thread in a Northeasterly, Easterly and Southerly direction, to a point on said Northwesterly right of way line of Driver Valley County Road Number 22; thence Southwesterly along said right of way to the point of beginning.

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**13544** END OF DOCUMENT

~~13251~~

July 24, 2020

Rachel and Jesse Dean  
2005 Green Valley Rd  
Oakland, Oregon 97462

Cell: (503) 319-7638  
Email: thegreenvalleyfarmllc@gmail.com

OWRD 2019 Evidence of Use AFFIDAVIT

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To Whom It May Concern at OWRD:

I, Jesse Dean and I, Rachel Dean state officially that we used our irrigation pump to water agricultural crops on our farm in June, July and August of 2019. We used water rights that we leased through the approved water transfer T-13251.

Enclosed with our transfer renewal application are pages from our official accounting paperwork to prove we paid for the power through Douglas Electric Cooperative that powered our irrigation pump. We have also included our account numbers with Douglas Electric Cooperative and copies of the bills from June, July and August of 2019 for further proof of evidence of use, as well as this affidavit statement.

  
Jesse Dean

  
Rachel Dean

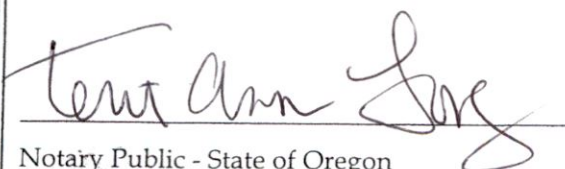
State of OREGON

County of DOUGLAS

= 13544

This instrument was acknowledged before me on JULY 24, 2020

by \_\_\_\_\_.

  
Notary Public - State of Oregon



DC Debit Card   
  ATM Teller Withdrawal   
  AD Automatic Deposit   
  AP Automatic Payment   
  BP Online Bill Pay   
  T Online or Phone Transfer

NUMBER OR CODE	DATE	TRANSACTION DESCRIPTION	PAYMENT, FEE, WITHDRAWAL (-)	✓	FEE	DEPOSIT, CREDIT (+)
		5 <sup>th</sup> St. Taxes	\$ 885.27			
		Ann. title - 5 <sup>th</sup> St.	577.87			
3-10		Avista	75.44			
3-10		State Farm/Ford	220.03			
3-10		Verizon	185.62			
3-28		Toyota Ins.	191.28			
4-8		Dodge Ins.	47.22			
		Verizon	183.44			
		Avista	95.49			
		Electric	132.45			
5-15		DMV-Ford	112			
		Avista	43			
		Verizon	155			
June 2019		Pong. Electric	162.17			

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June 2019 Power Payment  
 for use of irrigation pump

13544

DC Debit Card   
  ATM Teller Withdrawal   
  AD Automatic Deposit   
  AP Automatic Payment   
  BP Online Bill Pay   
  T Online or Phone Transfer

NUMBER OR CODE	DATE	TRANSACTION DESCRIPTION	PAYMENT, FEE WITHDRAWAL (-)	✓ FEE	DEPOSIT, CREDIT (+)	\$ BALANCE
		Verizon	\$ 154. <u>33</u>			
		Avista	36. <u>40</u>			
7-1	2019	Douglas Elec.	403. <u>62</u>			
7-1		DMV	112. <u>00</u>			
7-1		Avista	17. <u>03</u>			
8-5		Avista	12. <u>86</u>			
11-8		Pacific Power	79. <u>92</u>			
11-8		Avista	53. <u>32</u>			
11-8		Avista	68. <u>80</u>			
11-8		State Farm/Dodge	51. <u>00</u>			
Dec. 10		Douglas Elec.	607. <u>44</u>			
Dec. 10		Avista	86. <u>71</u>			
Dec. 10		Verizon	176. <u>36</u>			
Dec. 10		DMV	122. <u>00</u>			
Dec. 10		State Farm/Dodge <sup>6 mos.</sup>	51. <u>00</u>			

July 2019 Power Payment  
for use of irrigation pump

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2019  
August  
Power  
Payment  
for use  
of  
irrigation  
pump

✓ 116

DATE **8-15-19**

TO **Douglas Elec.**

DEPOSITS

FOR **Power**

TOTAL	
THIS CHECK	<b>446.65</b>
OTHER TRANS +/-	
TAX DEDUCTIBLE <input checked="" type="checkbox"/>	BALANCE

GREEN VALLEY FARM & LOGISTICS, LLC

PERIOD ENDING \_\_\_\_\_ DATE \_\_\_\_\_

EMP NAME \_\_\_\_\_

REGULAR HOURS @			
OVERTIME HOURS @			
TOTAL EARNINGS ←			
F.I.C.A. TAX WITHHOLDING			DETACH AND RETAIN
MEDICARE TAX WITHHOLDING			
FED. WITH-HOLDING TAX			
STATE WITH HOLDING TAX			
TOTAL DEDUCTIONS ←			
NET PAY			

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✓ 117

DATE **8-19-19**

TO [REDACTED]

DEPOSITS

FOR [REDACTED]

TOTAL	
THIS CHECK	[REDACTED]
OTHER TRANS +/-	
TAX DEDUCTIBLE <input type="checkbox"/>	BALANCE

GREEN VALLEY FARM & LOGISTICS, LLC

PERIOD ENDING \_\_\_\_\_ DATE \_\_\_\_\_

EMP NAME \_\_\_\_\_

REGULAR HOURS @			
OVERTIME HOURS @			
TOTAL EARNINGS ←			
F.I.C.A. TAX WITHHOLDING			DETACH AND RETAIN
MEDICARE TAX WITHHOLDING			
FED. WITH-HOLDING TAX			
STATE WITH HOLDING TAX			
TOTAL DEDUCTIONS ←			
NET PAY			

✓ 118

DATE **8/20/19**

TO [REDACTED]

DEPOSITS

FOR [REDACTED]

TOTAL	
THIS CHECK	[REDACTED]
OTHER TRANS +/-	
TAX DEDUCTIBLE <input type="checkbox"/>	BALANCE

GREEN VALLEY FARM & LOGISTICS, LLC

PERIOD ENDING \_\_\_\_\_ DATE \_\_\_\_\_

EMP NAME \_\_\_\_\_

REGULAR HOURS @			
OVERTIME HOURS @			
TOTAL EARNINGS ←			
F.I.C.A. TAX WITHHOLDING			DETACH AND RETAIN
MEDICARE TAX WITHHOLDING			
FED. WITH-HOLDING TAX			
STATE WITH HOLDING TAX			
TOTAL DEDUCTIONS ←			
NET PAY			



Proof of  
accounts  
with  
Douglas Electric  
Cooperative  
(541) 673-6616  
1981 N.E. Stephens  
P.O. BOX 1327  
Roseburg, OR  
97470

Name/Address:

JESSE DEAN  
2005 GREEN VALLEY ROAD  
OAKLAND OR 97462

ACCOUNT NUMBER	NOTICE DATE	PLEASE PAY THIS AMOUNT
46968003	05/16/2020	\$85.57

Meter	Location	Service Address
36916	5-365-1-M2	2005 GREEN VALLEY ROAD

Pd CK #178

Name/Address:

JESSE DEAN  
2005 GREEN VALLEY ROAD  
OAKLAND OR 97462

ACCOUNT NUMBER	NOTICE DATE	PLEASE PAY THIS AMOUNT
46968000	05/16/2020	\$143.54

Meter	Location	Service Address
30153	5-365-1-M	2005 GREEN VALLEY ROAD

Pd  
CK #179

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# Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 29, 2020

JESSE & RACHEL DEAN  
2005 GREEN VALLEY RD.  
OAKLAND, OR 97462

REFERENCE: Temporary Transfer Application T-13251

Enclosed is a copy of the final order approving your TEMPORARY water right transfer application.

The temporary change shall be effective at the **beginning of the irrigation season**. The use shall revert to the original authorized place of use at the **end of the 20\_\_ irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 986-0825 or by e-mail at [Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov).

Sincerely,

Julie C. Baustian  
Water Rights Services Support  
Transfers and Conservation Section

cc: Susan M. Douthit, Watermaster Dist. # 15 (via email)

Enclosure

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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

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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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 - Completed Applicant Information and Signature.
- Part 5 - Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: C 50899**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2019 End Year: 2020.**
- 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).

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(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 <u>13544</u> is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation: <u>No Evidence of Use</u>	
Staff: <u>Carey</u> 503-986-0825	Date: <u>8/20/19</u>

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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.**

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**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>Jesse &amp; Rachel Dean</b>		PHONE NO. <b>(503) 319-7638</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>2005 Green Valley Rd.</b>			FAX NO.
CITY <b>Oakland</b>	STATE <b>OR</b>	ZIP <b>97462</b>	E-MAIL <b>thegreenvalleyfarmllc@gmail.com</b>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			


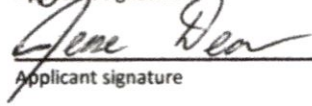
**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:  
Irrigate 26.0 acres of Industrial Hemp plants.

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	<u>Rachel Dean</u> Print Name (and Title if applicable)	<u>8-9-19</u> Date
 Applicant signature	<u>Jesse Dean</u> Print Name (and Title if applicable)	<u>8-9-19</u> Date

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

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

  
Kurt Spencer  
6459 Oakl. II Rd  
Roseburg, Or 97471  
TORS Ranch @ gmail.com  
Land owner

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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 <b>Douglas County</b>	ADDRESS <b>1036 SE Douglas Ave.</b>	
CITY <b>Roseburg</b>	STATE <b>OR</b>	ZIP <b>97470</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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### INSTRUCTIONS for editing the Application Form

To add lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

#### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

#### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

#### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

#### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

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Once the application has been unlocked, you may:

- add rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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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 # **50899**

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**Description of Water Delivery System**

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System capacity: \_\_\_\_\_ cubic feet per second (cfs) OR  
**1000** 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. **4- cylinder Perkins diesel with a Berkeley 5" discharge pump. Mainline is 5" with 3" laterals. 40-50 sprinklers with 7 gallon nozzles. The systems engine is ran at half speed and is rated at 100hp.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		24 S	5 W	35	N	N	100	4430' North and 4080' East from SW Corner of Section 35
POD#2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		25 S	5 W	7	S	N	800	1950' South and 2080' West from the NE Corner of 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.

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No

Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed. See page 6 for instructions. Do you have questions about how to fill-out the tables? Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 50899

List only the part of the right that will be changed. For the acreage in each 1/4, 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.

Table with columns for AUTHORIZED (the "from" or "off" lands) and PROPOSED (the "to" or "on" lands). Includes sub-headers for 'The listing that appears on the Certificate BEFORE PROPOSED CHANGES' and 'The listing as it would appear AFTER PROPOSED CHANGES are made.' Rows include 'EXAMPLE' and several data rows with columns for Twp, Rng, Sec, 1/4, Tax Lot, Gvt Lot or DLC, Acres, Type of USE, POD(s) or POA(s), Priority Date, and New Type of USE.

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

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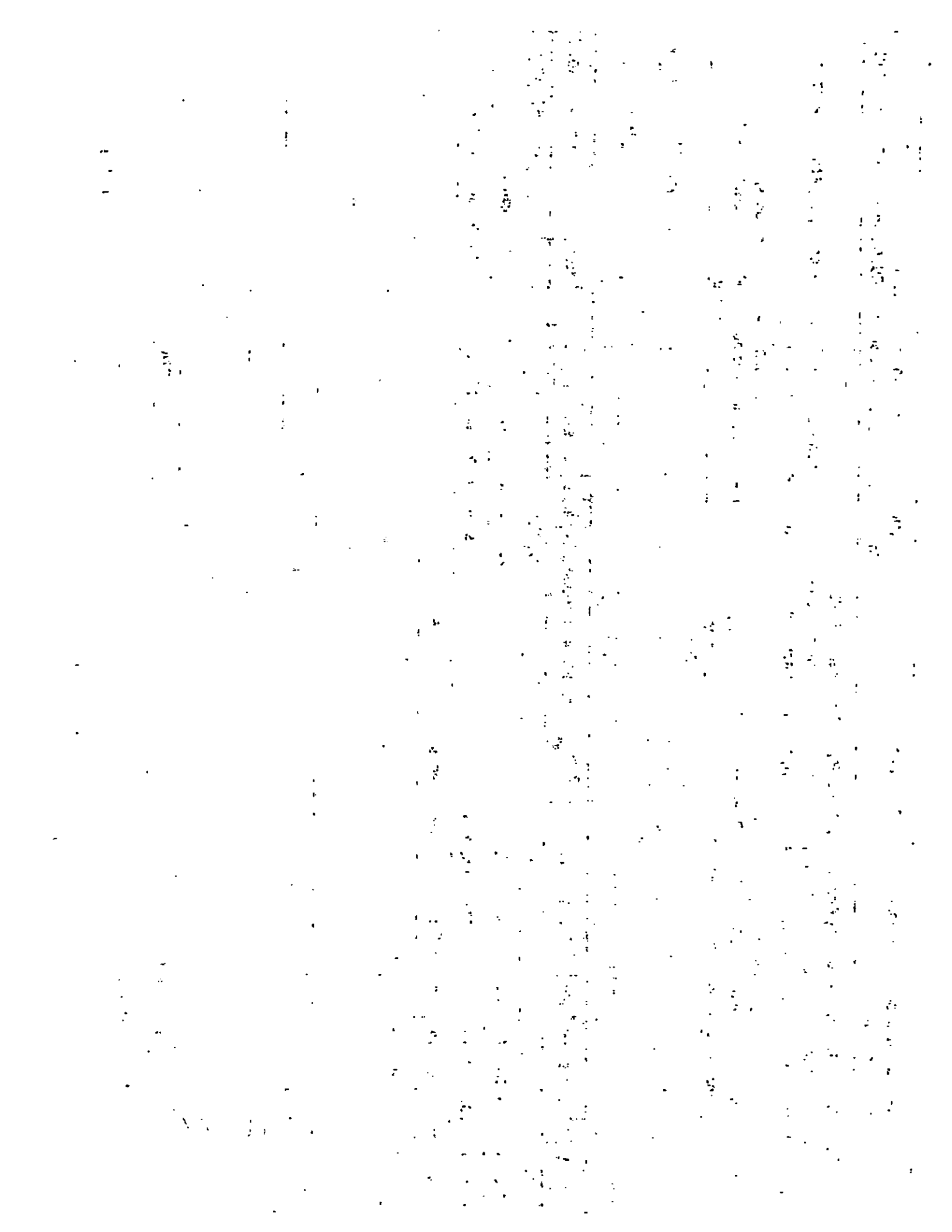
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Water Right Certificate # \_\_\_\_\_

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: C 50899 & C 38942



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.

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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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DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2005-017347



\$31.00

00116747200500173470030037

07/13/2005 03:39:01 PM

DEED-WD Cnt=1 Str=1 RECEIPTCOUNTER  
\$15.00 \$11.00 \$5.00

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DOUGLAS COUNTY CLERK



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**DO NOT REMOVE THIS PAGE FROM ORIGINAL  
DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

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First American Title Insurance Company  
P.O. Box 1325  
Roseburg, OR 97470  
58740/cv

Mail Tax Statements: Jeffrey Baxter 2138 Driver Valley Rd Roseburg OR 97470  
After recording return to: First American Title P.O. Box 1325 Roseburg, OR 97470  
True consideration for this conveyance is: \$240,000.00

WARRANTY DEED  
(ORS 93.850)

Phyllis <sup>M</sup>Baxter, Trustee, ~~Creighton Baxter, Jr. Revocable Trust~~, <sup>\*under the Restated Creighton Baxter, Jr. Revocable Trust of 2000</sup> Grantors, convey and

warrant to Jeffrey Baxter and Penny Baxter, husband and wife as tenants by the entirety,  
Grantees, the real property located in Douglas County, Oregon, and legally described on Exhibit  
A, attached hereto, subject to conditions, restrictions and rights of way of record.

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 BUILDING DEPARTMENT TO VERIFY APPROVED USES.

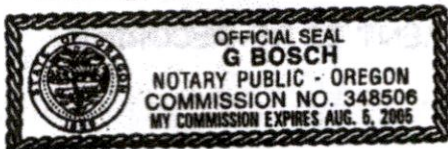
DATED this 8<sup>th</sup> day of July, 2005.

Phyllis M Baxter, Trustee  
Phyllis Baxter, Trustee,  
~~Creighton Baxter, Jr. Revocable Trust~~  
under the restated Creighton Baxter, Jr Revocable Trust of 2000

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STATE OF OREGON            )  
  )        ss  
County of Douglas         )

On this 8<sup>th</sup> day of July, 2005, personally appeared before me the above named Phyllis <sup>M</sup>Baxter, Trustee, ~~Creighton Baxter, Jr. Revocable Trust~~, and acknowledged the foregoing instrument to be her voluntary act and deed in her representative capacity.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 8/5/05

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**EXHIBIT A**

**LEGAL DESCRIPTION:**

Beginning at a 5/8 inch diameter steel rebar monumenting a point on the Northwesterly right of way line of Driver Valley County Road Number 22, said rebar bears North 65° 54' 47" East 2490.21 feet from the Southeast corner of Section 34, Township 24 South, Range 5 West of the W.M., Douglas County, Oregon; thence North 8° 00' West 1444.77 feet to a 5/8 inch diameter steel rebar witness monument; thence continue North 8° 00' West to a point in the center of the main thread of Calapooia Creek; thence upstream, along said creek center thread in a Northeasterly, Easterly and Southerly direction, to a point on said Northwesterly right of way line of Driver Valley County Road Number 22; thence Southwesterly along said right of way to the point of beginning.

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**END OF DOCUMENT**

~~13251~~

# Rick Paul

541/462-3283 • Parrish Ck. Rd. • Mitchell, Oregon 97750

## CONTRACT FOR PURCHASE OF LIVESTOCK

This contract made on 6-22 2014, between Barter Paul  
of Oakland Seller, and RICK PAUL OF MITCHELL, OREGON  
buyer, WITNESSTH;

The Seller hereby sells and agrees to deliver to Buyer, or its order, the following described livestock:

NOT MORE THAN	NOT LESS THAN	QUALITY AND BREED	AGE AND KIND	APPROX. WEIGHT	BRAND AND LOCATION	PRICE	COMMISSION
1400		Cattle		850		180	
				800		175	

now located at or near Oakland in Douglas County,

Seller acknowledges receipt of \$ \_\_\_\_\_ as advance payment on the purchase price. Balance is to be paid on delivery of the herein described livestock to B.S. Carr \_\_\_\_\_ on or about July 4, 2014 Exact date and time of delivery at buyer's option.

The livestock covered by this contract is purchased subject to Federal and State inspection, weighing and brand inspection to be paid by Seller, and does not include any crippled, blind, diseased or otherwise unmerchantable livestock. All sorting to be done by buyer or buyer's representative.

Seller agrees that if at time of delivery there exists any Federal or State regulation prohibiting interstate shipment of said livestock, this contract is terminated and Seller agrees to return to Buyer immediately all money paid hereunder.

Seller warrants all livestock to be free and clear of all incumbrances excepting \_\_\_\_\_ and that Seller will defend the title of said livestock at own cost and expense against any one claiming the same or any part thereof.

It is further agreed that, in case the Seller fails to deliver the total number of livestock specified in this contract, the Buyer has the right to deduct from the purchase settlement the difference between the price stipulated in this contract and the then prevailing market price on the number of livestock not delivered, based on average weight of those delivered. The Buyer's acceptance of or payment for less than the total number of livestock specified herein shall not constitute any waiver of the Buyer's right to recover said difference against the Seller. Seller agrees that if for any reason he is unable to make satisfactory delivery of said livestock at the times herein specified, the Buyer has the right and option to extend the time of said delivery.

**WEIGHING CONDITIONS AND REMARKS:**

#  
04 slide @ 850 to 900 - Over 900, 05 slide -  
@ 925, 06 slide @ 950 @ 07 slide Continue  
on on 08 ing aunts @ 75  
# 04 slide @ 800 - 850 - 850 - 05 slide @ 875 - 06 slide 875 - 900

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(SELLER)

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BY SEP 16 2019

(MAIL ADDRESS)

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(WITNESS)

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Concerning my water use in June 2014:

I irrigated in June of 2014 to extend the growing season to be able to extend the market season. Enclosed is the marketing invoice from that time period, for cattle.

Also, additionally supplied is:

1. Report of Commodities from FSA.
2. Conservation program contract from NRCS.
3. Forage and Biomass planting specifications.

Also, my long-time employee, Bob Stewart, wrote a note saying he helped with the irrigation. His time sheets are included.

Dan Knight, my neighbor, is also a resource concerning my water use. His phone number is (541)430-7312.

Lastly, in looking for photos on OWRD, Google Earth, TerraServer, and OSU Explorer, Explorer is the only site that I could find a picture of the irrigated area for 2014. It appears that it was taken late June or July, but I don't know if it was taken before, during, or after irrigating. I could find no way to drill down on a certain month in the year 2014.

-Jeff Baxter



541-459-4760

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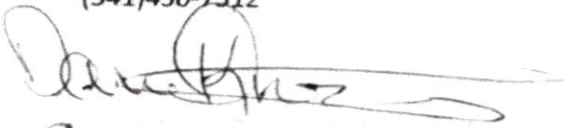
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September 6, 2019

In June 2014, toward the end of the month, I helped Jeff Baxter, my neighbor, set up the irrigation system to irrigate his fields below his house. After he got it running, he had a couple of problems with the pump. I helped him repair them, and got him irrigating again a few days after he first started.

Daniel Knight  
(541)430-7312



9-6-19

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To who it may concern

8/28/19

I Robert Stewart have worked  
for Jeff Baxter for 15 years

Sometime around the end of June  
in 2014 I help Jeff set up and  
roughed freely with a diesel Pump  
below his house and the cattle  
were shipped out around the end  
of June

*Robert Stewart*

54) 315 2335

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TIMESHEET

Name: Robert Stewart

Month: June Year: 2014

Date	Work Start Time	Lunch Time	Work End Time	TOTAL HOURS
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15	7:00	12:30-1:00	4:00	8.5
16	7:00	<del>0</del>	2:00	7hr
17	7:00	11:20-12:00	4:00	8.5
18	7:00	12:00-12:30	5:00	9.5
19	7:00	12:15-12:45	4:30	9hr
20	7:00	<del>0</del>	3:00	8hr
21	8:00	12:00-12:30	4:30	8hr
22	6:00	<del>0</del>	8:30	2.5
23	8:00	12:00-12:30	4:00	7.5
24	7:00	12:00-12:30	4:30	9hr
25	7:00	<del>0</del>	1:30	6.5
26	5:00	11:45-12:15	2:30	6hr
27	8:00	12:00-1:30	7:00	10.5
28	6:00	<del>0</del>	11:30	5.5
29				
30	8:00	12:20-1:00	3:00	6.5
31				
TOTAL:				112.5

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Signed: Robert Stewart 106

7-1-14

# 498D

For Office Use Only:			
# of Hours	Rate Per Hour	Gross	
112.5	x 10.50	\$1181	25

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**TIMESHEET**

Name: Robert Stewart

Month: June Year: 2014

Date	Work Start Time	Lunch Time	Work End Time	TOTAL HOURS
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15	7:00	12:30-1:00	4:00	8.5
16	7:00	<del>12:30-1:00</del>	2:00	7 hr
17	7:00	11:20-12:00	4:00	8.5
18	7:00	12:00-12:30	5:00	9.5
19	7:00	12:15-12:45	4:30	9 hr
20	7:00	<del>12:30-1:00</del>	3:00	8 hr
21	8:00	12:00-12:30	4:30	8 hr
22	6:00	<del>12:30-1:00</del>	8:30	2.5
23	8:00	12:00-12:30	4:00	7.5
24	7:00	12:00-12:30	4:30	9 hr
25	7:00	<del>12:30-1:00</del>	1:30	6.5
26	5:00	4:45-12:15	2:30	6 hr
27	8:00	12:00-1:30	7:00	10.5
28	6:00	<del>12:30-1:00</del>	11:30	5.5
29				
30	8:00	12:20-1:00	3:00	6.5
31				
<b>TOTAL:</b>				112.5

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Signed: Robert Stewart

7-1-14

# 4980

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For Office Use Only:

# of Hours  
112.5

Rate Per Hour  
x 10.50

Gross  
\$1181

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July 25, 2019

To whom it may concern:

I used my water-right #19857 during the 2014 irrigation season. My records indicate the use was in June of that year.

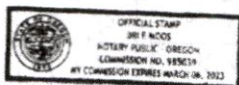
Jeff Baxter  
Jeff Baxter

July 26, 2019  
Date

State of Oregon  
County of Douglas

Signed or attested before me on this 26<sup>th</sup> day  
July, 2019, by Jeff Baxter

[Signature]  
Notary for State of Oregon



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JEFF BAXTER

July 25, 2019

To whom it may concern:

I, Jeff Baxter, agree to lease my water-right #19857 to Rachel and Jessie Dean dba The Green Valley Farm, LLC, for the 2019 irrigation season. This is a temporary use, and will revert back to me at the end of the irrigation season.

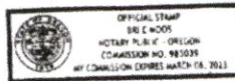
Jeff Baxter  
Jeff Baxter

July 26, 2019  
Date

State of Oregon  
County of Douglas

Signed or attested before me on this 26<sup>th</sup> day  
July, 2019, by Jeff Baxter

[Signature]  
Notary for State of Oregon



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# Oregon

Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

August 20, 2019

Jesse and Rachel Dean  
2005 Green Valley Rd  
Oakland, OR 97462

Regarding your Application for Temporary Transfer Received August 14, 2019:

The Water Resources Department has received your Application for a Water Right Temporary Transfer. At this time however, we are unable to accept your application, because the minimum filing requirements are not met.

The reasons for this return are identified on the check list located on your application:

- The application did not include an Evidence of Use Affidavit and supporting documentation. Pursuant to Oregon Administrative Rules (OAR) 690-380-3000(12); applications shall include evidence that water has been used over the past five years in accordance with the terms and conditions of the right or that the right is not subject to forfeiture under ORS 540.610. Please include an Evidence of Use Affidavit and supporting documentation, and re-submit.

Electronic correspondence was sent to you on August 15, 2019, which is attached, but the Department did not receive a response. We are hereby returning the incomplete application and the fees submitted.

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

Cc: OWRD Fiscal

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**COURCHANE Corey A \* WRD**

---

**From:** COURCHANE Corey A \* WRD  
**Sent:** Thursday, August 15, 2019 7:08 AM  
**To:** 'thegreenvalleyfarmllc@gmail.com'  
**Subject:** Jesse and Rachel Dean Temporary Transfer

Good morning,

I have been reviewing your Temporary Transfer application that was received on August 14, 2019. At this time, your application does not meet the minimum requirements, as an Evidence of Use Affidavit and supporting documentation were not submitted with the application. Under Oregon Administrative Rule (OAR) 690-380-3000, I am required to reject the application and send it back for being incomplete. Rather than send it back, I can will allow you to submit the required documents so that I may completely receive your application.

**If the Department does not receive the above requested materials by August 19, 2019, your application will be returned. I cannot receive the affidavit by email, as the Department requires all affidavits to have a wet signature.**

Please let me know if I may be of further assistance.

Thank you,

Corey Courchane

**COREY A COURCHANE | TRANSFER SPECIALIST  
TRANSFER AND CONSERVATION SECTION**

**Water Resources Department** | 725 Summer St. NE, Suite A | Salem, Oregon 97301  
Ph: 503 986-0825 | Fax: 503 986-0901  
Email: [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) | Web: <http://www.oregon.gov/OWRD>

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25.82

Contact Information (Click to Collapse...)   Transfer Information (Click to Collapse...)

▼ Contact information

APPLICANT:  
 JESSE DEAN  
 2005 GREEN VALLEY RD.  
 OAKLAND, OR 97462  
 APPLICANT:  
 RACHEL DEAN  
 2005 GREEN VALLEY RD.  
 OAKLAND, OR 97462  
 LOCAL GOVERNMENT:  
 COUNTY OF DOUGLAS  
 1036 SE DOUGLAS AVE ROOM 106  
 ROSEBURG, OR 97470  
 LAND OWNER:  
 KURT SPENCER  
 6459 OAKHILL RD  
 ROSEBURG, OR 97471

▼ Status

▶ **Type:** Temporary Transfer  
 ▶ **Status:** Approved  
 ▶ **Begin Date:** 1/29/2020  
 ▶ **End Date:** 10/31/2020

▼ Proposed Action

▶ **Point of Diversion**  
 ▶ **Place of Use**

▼ Orders associated with rights in the transfer

Volume-Page	Signature	Description
<a href="#">114-978</a>	1/29/2020	T-13251 FINAL ORDER APPROVING TEMP CHANGES IN POU AND POD

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All Scanned Documents (Click to Collapse...)

Records per page:

Document Type	Document Title	Date	Remarks
Transfer Map	<a href="#">T-13251 Map</a>	9/16/2019	
Application	<a href="#">T-13251 Application</a>	9/16/2019	
Final Order	<a href="#">T-13251 Final Order Approving Temp changes in POU and POD</a>	1/29/2020	VOLUME 114 PAGE 978

Processing History (Click to Collapse...)

Staff Person Responsible: no caseworker currently assigned

Process Step	Date Initiated	Date Completed	Comments
Received	9/16/2019	9/16/2019	
WM Review Request	9/17/2019	9/30/2019	
File Assigned	9/17/2019	12/4/2019	
Transfer Initial Comment Period	9/24/2019	10/24/2019	
File Assigned	12/5/2019	1/29/2020	
Deficiency Letter	12/9/2019	1/8/2020	
Final Order Issued	1/29/2020	1/29/2020	

Rights this impacts (Click to Collapse...)

	Application	Permit	Certificate	Decree	Claim
<a href="#">Cert-50899 (T 4781 RR)*</a>	S25295	S19857	50899		

Results of the transfer (Click to Collapse...)

n/a

Report Errors with Water Right Data

13544

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application )  
T-13251, Douglas County )

FINAL ORDER APPROVING A  
TEMPORARY CHANGES IN PLACE  
OF USE AND POINT OF DIVERSION )

**Authority**

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

JESSE AND RACHEL DEAN  
2005 GREEN VALLEY RD.  
OAKLAND, OR 97462

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**Findings of Fact**

1. On September 16, 2019, JESSE AND RACHEL DEAN filed an application to temporarily change the place of use and change the point of diversion to serve the proposed place of use under Certificate 50899 for a period of 2 years. The Department assigned the application number T-13251.
2. Notice of the application for transfer was published on September 24, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 9, 2019, the Department contacted the applicant by written correspondence to notify the applicant of deficiencies in the application. The Evidence of Use supporting documentation submitted with the application was not sufficient enough to suggest that the water had been beneficially used within the previous five years, according to the terms and conditions of Certificate 50899. Also, Table 2 and the application map "FROM" lands did not match the amount of acres identified in the "TO" lands. The Department requested that the deficiencies be resolved by January 10, 2020.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On January 8, 2020, the applicant submitted additional Evidence of Use supporting documentation that does indicate water was beneficially used within the previous five years, according to the terms and conditions of Certificate 50899.
5. On January 10, 2020, the applicant submitted a revised Table 2, resolving the deficiencies.
6. The portion of the right to be temporarily transferred is as follows:

**Certificate:** 50899 in the name of CREIGHTON BAXTER, JR. (perfected under Permit S-19857)  
**Use:** IRRIGATION of 25.82 ACRES  
**Priority Date:** SEPTEMBER 22, 1950  
**Rate:** 0.32 CUBIC FOOT PER SECOND  
**Limit/Duty:** 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.  
**Source:** CALAPOOYA CREEK a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	5 W	WM	35	NE NE	POD #1 - 4430 FEET NORTH AND 4080 FEET EAST FROM THE SW CORNER OF SECTION 35

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	5 W	WM	35	NE NE	1.45
24 S	5 W	WM	35	NW NE	3.02
24 S	5 W	WM	35	SW NE	13.40
24 S	5 W	WM	35	SE NE	7.95
Total					25.82

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7. Temporary Transfer Application T-13251 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	6	SW SE	55	9.32
25 S	5 W	WM	7	NW NE	55	16.50
Total						25.82

8. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13251 proposes to move the authorized point of diversion approximately 6.3 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	5 W	WM	7	SW NE	POD #2 - 1950 FEET SOUTH AND 2080 FEET WEST FROM THE NE CORNER OF SECTION 7

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**Temporary Transfer Review Criteria**

9. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

**Conclusions of Law**

The temporary changes in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13251 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

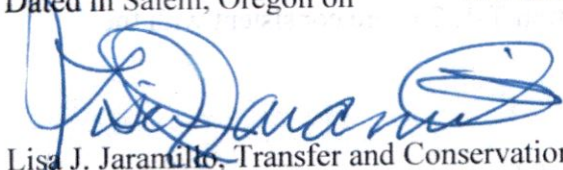
**Now, therefore, it is ORDERED:**

1. The temporary changes in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13251 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2019 and 2020 irrigation seasons.
3. The proposed place of use under T-13251 will become layered with Certificate 38942. The place of use under Certificate 38942 that will become layered with the temporary place of use under Certificate 50899, shall not be irrigated for the duration of this temporary transfer, being the 2019 and 2020 irrigations seasons.
4. The use shall revert to the authorized place of use at the end of the 2020 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
6. A subsequent application for permanent transfer of Certificate 50899 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 50899.

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8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. The use of the remaining water right described by Certificate 50899 shall continue to be in accordance with the terms and conditions of Certificate 50899.

Dated in Salem, Oregon on **JAN 29 2020**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: **JAN 30 2020**

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