

**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)

- 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).
- 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: 44889, 65744**  
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: 2021 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 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):**

\_\_\_ Application fee not enclosed/insufficient      \_\_\_ Map not included or incomplete  
 \_\_\_ Land Use Form not enclosed or incomplete  
 \_\_\_ Additional signature(s) required      \_\_\_ Part \_\_\_ is incomplete  
 Other/Explanation \_\_\_\_\_  
 Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ 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.

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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 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	\$950.00
2	Number of water rights included in transfer: <u>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	310
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" 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 4c by \$210.00, 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 checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>100</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	270
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	1530
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 »	6	0
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
	Subtract line 6 from line 5 » » » » » » » » » » » » <b>Transfer Fee:</b>	<b>7</b>	<b>1,530</b>

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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 » » » » » » » » » » » <b>Transfer Fee:</b>	3	NA

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:  
 1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).  
 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)  
 3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

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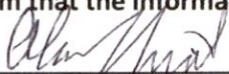
APPLICANT/BUSINESS NAME <b>Alan &amp; Janice Frost</b>		PHONE NO. <b>503-409-8631</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>14060 Elkins RD</b>			FAX NO.
CITY <b>Monmouth</b>	STATE <b>OR</b>	ZIP <b>97361</b>	E-MAIL
<p><b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b></p>			

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

AGENT/BUSINESS NAME <b>NA</b>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
<p><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.</b></p>			

Explain in your own words what you propose to accomplish with this transfer application and why:  
 Swap water rights POU so senior rights are on high valued land  
 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

**Alan L Frost**  
 Print Name (and Title if applicable)

8/20/21  
 Date

  
 Applicant signature

**Janice L Frost**  
 Print Name (and Title if applicable)

8/20/21  
 Date

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

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

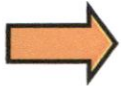
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Polk County</b>	ADDRESS <b>850 Main St</b>	
CITY <b>Dallas</b>	STATE <b>OR</b>	ZIP <b>97338</b>

ENTITY NAME <b>NA</b>	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 # 44889**

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**Description of Water Delivery System**

System capacity: 0.63 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. \_\_\_\_\_

**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)
Little	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		9	S	5	W	8	SE	SE	56	460 N & 550 W from SW Cornder of Lot 5 Sec 8 DLC 56
Luckiamute	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		9	S	5	W	16	N W	S W	56	3720 S & 460 E from SW Corn of lot 5 Sec 8 DLC 56
Luckiamute	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		9	S	5	W	17	SE SN	SE		4870 S & 1600 W from SW Corn of lot 5 Sec 8 DLC 56
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

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

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

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 44889**

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)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										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	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
2	S	9	NE	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	1901
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0	1901
9	S	5	NW			11.4	IR	Little	1969	POU	9	S	5	W	16	NW	SW		5	IR	1969
9	S	5	SW			3.7	IR	Little	1969	POU	9	S	5	W	17	NE	SE		20	IR	1969
9	S	5	NE			13.0	IR	Little	1969	POU	9	S	5	W	17	NW	SE		19.6	IR	1969
9	S	5	SE			14.3	IR	Little	1969	POU	9	S	5	W	17	SW	SE		5.4	IR	1969
9	S	5	SE			7.4	IR	Luckiamute	1969												
9	S	5	NE			0.2	IR	Luckiamute	1969												
TOTAL ACRES										TOTAL ACRES											
50										50											
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Additional remarks: \_\_\_\_\_

**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 # 65744**

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**Description of Water Delivery System**

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System capacity: 0.62 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. \_\_\_\_\_

**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)
<b>POD 1</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		9	S	5	W	17	SE	SE	69	<b>630' N and 1090' W from SE Corner 17</b>
<b>POD 2</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		9	S	5	W	16	N W	S W	56	<b>3720' S &amp; 460' E from SW corn lot 5 sec 8</b>
	<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 checked="" type="checkbox"/> Point of Diversion (POD)  | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) |   |

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

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

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

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

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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 # 65744**

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.

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 (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
<b>EXAMPLE</b>																						
2	S	9	NE	100	15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901	
"	"	"	"	"	"	EXAMPLE	POD #2	"	"	2	S	9	E	2	SW	NW	500		5.0	POD #6	1901	
									POU/POD	9	S	5	W	16	NW	NW		56	9.1	IR	POD 2	1950
									POU/POD	9	S	5	W	16	SW	NW		56	6.0	IR	POD 2	1950
									POU/POD	9	S	5	W	17	NE	NE		56	13.0	IR	POD 2	1950
									POU/POD	9	S	5	W	17	SE	NE		56	21.7	IR	POD 2	1950
									POU/POD	9	S	5	W	17	NE	SE			0.2	IR	POD 2	1950
TOTAL ACRES																		50				
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<b>AUG 30 2021</b>																						
<b>OWRD</b>																						

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

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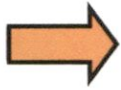
AUG 30 202

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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: \_\_\_\_\_



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
NA										

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of POLK)

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 AUG 30 2021  
 OWRD

I, ALLAN FROST, in my capacity as LAND OWNER,  
 mailing address 14060 ELKINS RD MONMOUTH OR 97361  
 telephone number (503)409-8631, 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 # 44889 & 65744; **OR**

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

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

OR

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

(continues on reverse side)

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

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

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*Alan Frost*

Signature of Affiant

*8-26-21*

Date

Signed and sworn to (or affirmed) before me this 26<sup>th</sup> day of August, 2021.



*Stephanie Marie Weston*  
Notary Public for Oregon

My Commission Expires: Dec. 17, 2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input 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"> <li>● Power usage records for pumps associated with irrigation use</li> <li>● Fertilizer or seed bills related to irrigated crops</li> <li>● Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>● District assessment records for water delivered</li> <li>● Crop reports submitted under a federal loan agreement</li> <li>● Beneficial use reports from district</li> <li>● IRS Farm Usage Deduction Report</li> <li>● Agricultural Stabilization Plan</li> <li>● CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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

(541) 929-3124 • (800) 872-9036

148 1 SP 0.470  
 RIVERWOOD ORCHARD  
 14060 ELKINS RD  
 MONMOUTH OR 97361-9510

*ck# 2632*  
 C-1 P-2 <sup>4 148</sup> *\$ 549.46*

*8-16-18*

Account Number 8916201	
Statement Date 08/09/2018	Due Date 08/28/2018
Billing Summary	
LAST MONTH'S BILL	\$132.79
PAYMENTS - THANK YOU	\$132.79 CR
BALANCE FORWARD	\$0.00
Current Charges	\$549.46
<b>Account Balance</b>	<b>\$549.46</b>

*Creekside*  
*419.06 ck# 13432*  
*9-1-18*

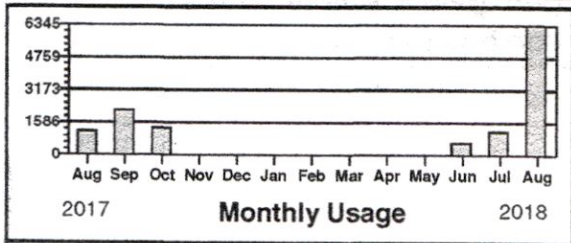


**Messages**

CPI's annual business meeting is Saturday, September 15th. Doors open at 9 AM at our Philomath office. To help with our lunch count please RSVP to 800-872-9036 or email us at info@cpi.coop. Details for the meeting are in your August Ruralite. We look forward to seeing you there!

**Location OSU NORTHSIDE - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD561	06/30/18	07/30/18	30	KWH	43502	37157	1	6345		034
TD561	06/30/18	07/30/18	30	KW	26.875		1	26.875		034



**Detail of Charges - Electric**

Basic Service Charge	- \$59.00
KWH Revenue	\$406.08
KW Revenue	\$84.38
Load Factor - 33%	
<b>Total This Service</b>	<b>\$549.46</b>

*Creekside*

*KW Revenue 84.38*  
*KWH + 334.68*  
*419.06*

Average KWH per Day: 212  
 This Month Last Year: 38

*Basic 59.00*  
*2.38/day x 30 = 71.40 116KWH*  
*June KWH 1153KW ÷ 31 = 37.19, KWH/day 130.40*

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P.O. BOX 1180  
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PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

*ck # 3332*  
*\$ 101.05*  
*8-17-20*

RIVERWOOD ORCHARD  
14060 ELKINS RD  
MONMOUTH OR 97361-9510

Account Number 8916202	
Statement Date 08/10/2020	Due Date 09/01/2020

Billing Summary	
LAST MONTH'S BILL	\$77.79
PAYMENTS - THANK YOU	\$77.79 CR
BALANCE FORWARD	\$0.00
Current Charges	\$101.05
<b>Account Balance</b>	<b>\$101.05</b>

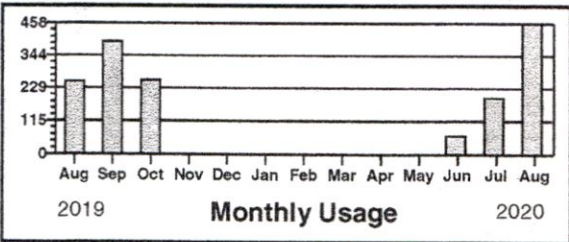
**Any BALANCE FORWARD is subject to DISCONNECTION of services.**

**Messages**

CPI's annual business meeting is Saturday, September 12. Doors open at 10 AM at our Philomath office. Attendance will be limited due to COVID-19. If you wish to attend you must contact CPI and enter a drawing for an invitation. Only members with an invitation will be able to attend. You can contact us at 800-872-9036 or by email at info@cpi.coop. Details for the meeting are in your August Ruralite or online. The meeting will be shortened, with no lunch, prizes, auction, or vendors. Members will receive a bill credit for attending.

**Location LUCKIAMUTE SITE - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
1600418	06/30/20	07/31/20	31	KWH	5715	5257	1	458		034
1600418	06/30/20	07/31/20	31	KW	10.820		1	10.820		034
1600418	06/30/20	07/31/20	31	KVAR	6.170		1	3.465		034



Average KWH per Day: 15  
This Month Last Year: 8

**Detail of Charges - Electric**

Basic Service Charge	\$63.00
KWH Revenue	\$31.46
KW Revenue	\$4.51
Power factor - 86.800%	
Reactive Power Charge	
<b>Total This Service</b>	<b>\$101.05</b>

**RECEIVED** \$2.08

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 P.O. BOX 1180  
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 PHILOMATH, OR 97370

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223 1 SP 0.470  
 RIVERWOOD ORCHARD  
 14060 ELKINS RD  
 MONMOUTH OR 97361-9510

4 223  
 C-1 P-3

Account Number 8916203  
 Statement Date 10/08/2018 Due Date 10/29/2018

Billing Summary	
LAST MONTH'S BILL	\$1,731.62
**NO PAYMENTS RECEIVED**	\$0.00
BALANCE FORWARD	\$1,731.62
Current Charges	\$636.55
<b>Account Balance</b>	<b>\$2,368.17</b>

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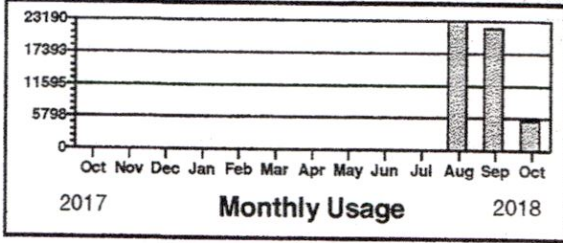
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**Messages**  
 October is Electric Cooperative month. While electric cooperatives provide power and excellent services to their more than 42 million member customers, our focus is on you and our local community. That means you're in good company! Learn more about us at [www.cpi.coop](http://www.cpi.coop).

**Location OSU SOUTHSIDE - Irrigation**

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
1600408	08/31/18	09/30/18	30	KWH	50338	45023	1	5315		034
1600408	08/31/18	09/30/18	30	KW	53.130		1	53.130		034
1600408	08/31/18	09/30/18	30	KVAR	49.510		1	36.228		034



Average KWH per Day: 177  
 This Month Last Year: 0

Detail of Charges - Electric	
Basic Service Charge	\$59.00
KWH Revenue	\$340.16
KW Revenue	\$215.65
Load Factor - 14%	
Power factor - 73.100%	
Reactive Power Charge	\$21.74
<b>Total This Service</b>	<b>\$636.55</b>

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

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Cycle: 06

Account:	8916203
Due Date for Current Bill:	10/29/2018
Amount Due:	\$2,368.17
Amount Paying	_____



One-Time Operation Roundup Donation:  
 \$ \_\_\_\_\_

RIVERWOOD ORCHARD  
 14060 ELKINS RD  
 MONMOUTH OR 97361-9510

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



WARRANTY DEED

AMERICAN PACIFIC TITLE 9921

KNOW ALL MEN BY THESE PRESENTS, That OREGON STATE UNIVERSITY FOUNDATION, an Oregon Non-Profit Corporation, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ALAN L. FROST and JANICE L. FROST, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Polk and State of Oregon, described as follows, to-wit:



SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO THE FOLLOWING:

1. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.
2. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
3. Any adverse claim based on the assertion that:
  - (a) Said land or any portion thereof is now or at any time has been below the ordinary high water mark of the Luckiamute River.
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has been brought within the boundaries thereof by a change in location of the Luckiamute River.
4. Such rights and easements of navigation, commerce, recreation and fishery which may exist over that portion of said land lying beneath the waters of Luckiamute River.
5. Rights of the public, riparian owners and of governmental bodies in that portion of the above described property lying below the high water mark of the Little Luckiamute River.
6. Covenants, easements and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms thereof, recorded May 15, 1873, Volume 8, Page 98 as follows: "To be used as a burial ground."
7. Certificates of Water Right, including the terms and provisions thereof, recorded August 21, 1958, Volume 3, Page 209; and recorded November 17, 1977, BOR 114, Page 222; and recorded November 17, 1977, BOR 114, Page 825.  
  
These documents are being shown for informational purposes only and no coverage for water rights will be provided for in the forthcoming policy.
8. An easement created by instrument, including the terms and provisions thereof, dated April 28, 1965, recorded May 18, 1965, Volume 195, Page 456, in favor of Consumers Power, Inc., an Oregon corporation, for utilities.

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- 9. An easement created by instrument, including the terms and provisions thereof, dated June 19, 1972, recorded August 10, 1972, BOR 33, Page 597, in favor of Consumers Power, Inc., an Oregon corporation, for utilities.
- 10. An easement created by instrument, including the terms and provisions thereof, dated May 18, 1976, recorded July 27, 1976, BOR 91, Page 816, in favor of Consumers Power, Inc., an Oregon corporation, for utilities.
- 11. An easement created by instrument, including the terms and provisions thereof, dated April 6, 1984, recorded April 12, 1984, BOR 177, Page 774, in favor of Consumers Power, Inc., an Oregon corporation, for utilities.
- 12. An easement created by instrument, including the terms and provisions thereof, dated August 4, 1987, recorded August 26, 1987, BOR 206, Page 398, in favor of Consumers Power, Inc., an Oregon corporation, for utilities.
- 13. Subject to existing leases, copies of which have been provided grantees.



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TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$487,000.00, and fulfillment of Exchange Agreement.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical change shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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.

IN WITNESS WHEREOF, the grantor has executed this instrument this 23rd day of October, 1990;



OREGON STATE UNIVERSITY FOUNDATION

By John W. Irving

ss. By John V. Byrne

STATE OF OREGON )  
County of Benton )

October 23, 1990.

Personally appeared John W Irving and John V Byrne who, being duly sworn, each for himself and not one for the other, did say that the former is the ~~president~~ and that the latter is the secretary of OREGON STATE UNIVERSITY FOUNDATION, a non-profit corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was

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signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Mark D. [Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission expires: 10/29/90



Grantor's Name & Address:

Oregon State University Foundation  
Snell Hall #517  
Corvallis OR 97331

Grantee's Name & Address:

Alan L. and Janice L. Frost  
6707 N.W. Niagara Place  
Corvallis, OR 97330

After recording return to:

Alan L And Janice L Frost  
6707 NW Niagara Place  
Corvallis OR 97330

Until a change is requested all tax statements shall be sent to the following address:

6707 N.W. Niagara Place  
Corvallis, OR 97330

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EXHIBIT 'A'

Beginning at the Southwest corner of the Donation Land Claim of James Smith, Notification No. 2696, Claim No. 56 in Township 9 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, and running thence North 5° West a distance of 11.65 chains; thence North 40.77 chains to the center line of State Highway No. 244, leading from Monmouth to Kings Valley; thence South 86° East following the center line of highway 24.00 chains; thence South 88°5' East following said center line 9.40 chains; thence South 81°35' East following said center line 5.87 chains; thence North 54.30 chains to the North boundary line of said Donation Land Claim; thence South 85°14' East a distance of 9.63 chains to the most Northerly Northeast corner of said Claim; thence South 10.00 chains to the re-entrant angle corner of said Claim; thence East 16.78 chains to the most Easterly Northeast corner of said Claim; thence South 2°10' East a distance of 64.45 chains to the Southeast corner of said Claim; thence South 67°30' West a distance of 72.19 chains to the place of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

ALSO SAVE AND EXCEPT that portion of the above described tract of land conveyed to Polk County, a political subdivision of the State of Oregon, as disclosed by instrument recorded June 14, 1971, in Volume 17, Page 547, Book of Records for Polk County, Oregon.



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343161

STATE OF OREGON )  
County of Polk )

ss.

FILED  
POLK COUNTY OREGON

I hereby certify that the within was received and duly recorded by me in Polk County records:

'90 OCT 24 P2:46

B.O.R. 236 Page 850

LINDA DAWSON  
COUNTY CLERK

BY Am DEPUTY

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STATE OF OREGON  
COUNTY OF POLK  
CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

ALAN L. and JANICE L. FROST  
6707 N.W. NIAGARA PLACE  
CORVALLIS, OREGON 97330

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 50.0 ACRES.

This right was perfected under Permit 19639. The date of priority is OCTOBER 26, 1950. THE QUANTITY OF WATER AVAILABLE AT THE NEW POINT OF DIVERSION, TOGETHER WITH THAT DIVERTED AT THE ORIGINAL DIVERSION SHALL NOT EXCEED 0.62 CUBIC FOOT PER SECOND or its equivalent in case of rotation, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: SW 1/4 SE 1/4, SECTION 17, T 9 S, R 5 W, W.M.; 730 FEET SOUTH AND 3370 FEET WEST FROM THE SE CORNER OF DLC 56, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 69, SECTION 17, T 9 S, R 5 W, W.M.; 630 FEET NORTH AND 1090 FEET WEST FROM THE SE CORNER OF SECTION 17.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

NW 1/4 SW 1/4 5.0 ACRES  
AS PROJECTED WITHIN DLC 56  
SECTION 16  
TOWNSHIP 9 SOUTH, RANGE 5 WEST, W.M.

SEE NEXT PAGE

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COUNTY OF POLK

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CERTIFICATE OF WATER RIGHT

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This Is to Certify, That C. A. TWISS

of Rt. 2, Box 32, Monmouth, State of Oregon, 97361, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Luckiamute and Little Luckiamute Rivers

a tributary of Willamette River for the purpose of irrigation of 115.8 acres

under Permit No. 34380 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 12, 1969 for 0.47 c.f.s., August 1, 1969 for 0.27 c.f.s. from Luckiamute \* that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.45 cubic feet per second, being 0.74 c.f.s. from Luckiamute River and 0.71 c.f.s. from Little Luckiamute River

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 SW 1/4 as projected within James Smith DLC 56, Section 16, SW 1/4 SE 1/4, as projected within James Smith DLC 56, Section 17, SE 1/4 SE 1/4 as projected within James Smith DLC 56, Section 8, T. 9 S., R. 5 W., W. M., Luckiamute River: 3720 feet South and 460 feet East, 4870 feet South and 1600 feet West, Little Luckiamute River: 460 feet North and 550 feet West, all from \*\* 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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Luckiamute River

6.1 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$

24.3 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

0.3 acre NW $\frac{1}{4}$  SW $\frac{1}{4}$

All as projected within Smith DLC 56

Section 16

14.9 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$

12.5 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$

0.9 acre SE $\frac{1}{4}$  NW $\frac{1}{4}$

0.2 acre NE $\frac{1}{4}$  SE $\frac{1}{4}$

0.2 acre NW $\frac{1}{4}$  SE $\frac{1}{4}$

All as projected within Smith DLC 56

Section 17

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

Little Luckiamute River

0.1 acre SW $\frac{1}{4}$  SW $\frac{1}{4}$

As projected within Smith DLC 56

Section 9

18.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$

3.7 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$

As projected within Smith DLC 56

Section 16

19.9 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$

14.3 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$

Both as projected within Smith DLC 56

Section 17

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

\* River; May 12, 1969 for 0.71 c.f.s. from Little Luckiamute River.

\*\* the SW Corner, Lot 5 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 8.

This certificate describes that portion of the water right confirmed by prior certificate 39691, NOT modified by the provisions of an order entered on August 3, 1977, approving transfer application No. 3550.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

WITNESS the signature of the Water Resources Director, affi d

this date. October 17, 1977

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36 , page 44889

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