

**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.

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

**RECEIVED**

**SEP 03 2021**

**OWRD**

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: 26578 and 32343 Attachment A**  
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. **Attachment B**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment C**
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **Attachment D**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) **Attachment E**
- 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. **Attachment F**
- 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: **10/8/15**



Part 2 of 5 – Temporary Transfer Application Map Checklist

RECEIVED

SEP 03 2021

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

OWRD

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 4 of 5 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <b>Green Spring Farms, Attn: Kevin Lehar</b>			PHONE NO. <b>805-835-1059</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>8930 Suver Road</b>				FAX NO.
CITY <b>Monmouth</b>	STATE <b>OR</b>	ZIP <b>97361</b>	E-MAIL <b>klehar@greenspringfarms.com</b>	
<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>				

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

AGENT/BUSINESS NAME <b>GSI Water Solutions, Inc. Attn: Kimberly Grigsby</b>			PHONE NO. <b>541-257-9004</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1600 SW Western Blvd., Suite 240</b>				FAX NO.
CITY <b>Corvallis</b>	STATE <b>OR</b>	ZIP <b>97333</b>	E-MAIL <b>kgrigsby@gsiws.com</b>	
<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>				

Explain in your own words what you propose to accomplish with this transfer application and why:  
The Applicant is proposing to temporarily change a portion of the place of use and the points of diversion for Certificates 26578 and 32343 for a period of five years.

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

**Randy Struckmeier, President**  
 Print Name (and Title if applicable)

8-25-2021  
 Date

\_\_\_\_\_  
 Applicant signature

\_\_\_\_\_  
 Print Name (and Title if applicable)

\_\_\_\_\_  
 Date

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

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

**Please see Attachment E**

**RECEIVED**

**SEP 03 2021**

**OWRD**

**13815**







**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 # 26578**

RECEIVED

SEP 03 2021

OWRD

**Description of Water Delivery System**

System capacity: 1.75 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped using a 75-hp pump into a 6-inch aluminum mainline, then into 4-inch hoses that distribute water to big guns.**

**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)
M2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9	S	6	W	24	SE	SE	700	(none provided in certificate)
M1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9	S	6	W	24	SW	SE	Lot 4	(none provided in certificate)
Proposed POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	29	NE	SW	400	1000 feet North and 100 feet West from the SE corner of DLC 46

**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.

13815



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>N/A</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>N/A</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 Planning Division</b>	ADDRESS <b>850 Main Street</b>	
CITY <b>Dallas</b>	STATE <b>OR</b>	ZIP <b>97338</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

**RECEIVED**

**SEP 03 2021**

**OWRD**



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 # 26578**

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 List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.																		
Twp	Rng	Sec	¼ ¼	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date																				
									Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date										
<b>EXAMPLE</b>																												
2	S	9	NE	NW	100	Irrigation	POD #1 POD #2	1901	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								
9	S	5	SW	SW	601	Irrigation	M2 M1	11/10/1950	9	S	4	W	31	NE	NE	105	1	0.6	Proposed POD	11/10/1950								
9	S	6	NE	SE	700	"	"	"	9	S	4	W	31	SE	NE	105	2	9.2	"	"								
9	S	6	SW	SE	700	"	"	"	9	S	4	W	32	NE	NW	300	1	5.9	"	"								
9	S	6	SE	SE	700	"	"	"	9	S	4	W	32	NW	NW	300		27.4	"	"								
9	S	6	NE	NE	400	"	"	"	9	S	4	W	32	SW	NW	300		40.0	"	"								
9	S	6	NW	NE	400	"	"	"	9	S	4	W	32	SE	NW	300	2	4.7	"	"								
TOTAL ACRES										TOTAL ACRES																		
87.8										87.8																		

RECEIVED

SEP 03 2021

OWRD

Additional remarks: \_\_\_\_\_  
13815



**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: Permit S-54880 is appurtenant to the "TO" Lands but has an irrigation season that ends June 30 each year.



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: N/A**

- 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
N/A										

RECEIVED

SEP 03 2021

OWRD



**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 # 32343

**RECEIVED**

**Description of Water Delivery System**

**SEP 03 2021**

System capacity: 1.14 cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

**OWRD**

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped via a 75-hp pump into a 6-inch aluminum mainline, then into 4-inch hoses that distribute water to big guns.**

**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)
M3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9	S	5	W	19	NW	SW	600	(none provided in certificate)
M2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9	S	6	W	24	SE	SE	700	(none provided in certificate)
M1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9	S	6	W	24	NW	SE	Lot 3	(none provided in certificate)
Proposed POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	29	NE	SW	400	1000 feet North and 100 feet West from the SE corner of DLC 46

**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.

**13815**



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 # 32343**

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 List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ 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	"	15	NE	"	"	100	"	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
9	S	5	W	30	NW	NW	Irrigation	401	14.1	1/18/1963	POU/POD	9	S	4	W	31	NE	NE	100	"	0.3	Proposed POD	1/18/1963
9	S	6	W	25	NE	NE	"	400	20.4	"		9	S	4	W	31	NE	NE	105	1	0.4	"	"
9	S	6	W	25	NW	NE	"	400	18.5	"		9	S	4	W	31	NW	NE	100	"	0.4	"	"
												9	S	4	W	31	SW	NE	100	"	10.3	"	"
												9	S	4	W	31	SE	NE	100	"	8.6	"	"
												9	S	4	W	31	SE	NE	105	2	7.6	"	"
												9	S	4	W	31	NE	SE	105	7	3.9	"	"
												9	S	4	W	32	NE	NW	300	1	2.2	"	"
												9	S	4	W	32	NW	NW	300	"	9.1	"	"
												9	S	4	W	32	SE	NW	300	2	3.0	"	"
												9	S	4	W	32	NW	SW	300	4	6.5	"	"

**RECEIVED**

**SEP 03 2021**





RECEIVED

SEP 03 2021

Water Right Certificate # 32343

**For Place of Use Changes**

**OWRD**

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: Permit S-54880 is appurtenant to the "TO" Lands but has an irrigation season that ends June 30 each year. Temporary Transfer T-13467 is also associated with the "TO" Lands through the 2023 irrigation season.



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: N/A**

- 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
N/A										



RECEIVED

SEP 03 2021

OWRD

## **Attachment A**

Certificates 26578 and 32343

---

Application for a Temporary Transfer - Green Spring Farms

13815

STATE OF OREGON
COUNTY OF FOLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That V. L. KATHARY

of Route 1, Box 225, Mouthmouth, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Big Luckiamute River a tributary of Willamette River for the purpose of irrigation of 150.0 acres,

under Permit No. 19903 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 10, 1950,

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 1.75 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SE 1/4 & Lot 4 (SW 1/4 SE 1/4), Section 24, Township 9 South, Range 6 West, W.M.

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 be still further limited to a diversion of not to exceed 1.75 cubic feet per second,

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:

- 4.4 acres NE 1/4 SW 1/4
3.3 acres NW 1/4 SW 1/4
35.8 acres SW 1/4 SW 1/4
11.4 acres SE 1/4 SW 1/4
Section 19
Township 9 South, Range 5 West, W.M.
0.4 acres NE 1/4 SE 1/4
31.4 acres Lot 4 (SW 1/4 SE 1/4)
30.0 acres SE 1/4 SE 1/4
Section 24
17.6 acres N 1/2 NE 1/4 NE 1/4
15.7 acres N 1/2 Lot 1 (NW 1/4 NE 1/4)
Section 25
Township 9 South, Range 6 West, W.M.

RECEIVED

SEP 03 2021

OWRD

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

WITNESS the signature of the State Engineer, affixed

this date. FEBRUARY 26 1960

LEWIS A. STANLEY State Engineer



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

**This Is to Certify, That V. L. MATHANY**

of Route 1, Box 225, Marmouth, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Big Luckiamute River

a tributary of Willamette River for the purpose of irrigation of 91.3 acres

under Permit No. 28593 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 18, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.14 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19, T. 9 S., R. 5 W., W. M.; SE $\frac{1}{4}$  SE $\frac{1}{4}$  and Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 24, T. 9 S., R. 6 W., W. M.

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

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

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

20.4 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
18.5 acres Lot 1 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 25  
T. 9 S., R. 6 W., W. M.

11.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
38.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 30  
T. 9 S., R. 5 W., W. M.

RECEIVED

SEP 03 2021

OWRD

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

WITNESS the signature of the State Engineer, affixed

this date. August 9, 1965

CHRIS L. WHEELER

State Engineer

RECEIVED

SEP 03 2021

OWRD

## **Attachment B**

Temporary Transfer Application Maps  
Application for a Temporary Transfer - Green Spring Farms

---

13815



RECEIVED

SEP 03 2021

OWRD

## **Attachment C**

Evidence of Use Affidavits and Supporting Documentation

Application for a Temporary Transfer - Green Spring Farms

13815

# 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)

RECEIVED

SEP 03 2021

OWRD

I, RANDY STRUCKMEIER, in my capacity as PRESIDENT, GREEN SPRING FARMS,  
 mailing address 8930 SUVER ROAD, MONMOUTH, OR 97361  
 telephone number (503)932-7307, 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 # 26578; **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)



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

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

*Paul Stead*  
Signature of Affiant

8-25-2021  
Date

Signed and sworn to (or affirmed) before me this 25 day of August, 2021.



*Marve Thompson*  
Notary Public for Oregon

My Commission Expires: 7/2/22

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





13815

RECEIVED

SEP 03 2021

OWRD



# 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)

RECEIVED  
 SEP 03 2021  
 OWRD

I, RANDY STRUCKMEIER, in my capacity as PRESIDENT, GREEN SPRING FARMS,  
 mailing address 8930 SUVER ROAD, MONMOUTH, OR 97361  
 telephone number (503)932-7307, 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 # 32343; **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)

3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

RECEIVED

[Signature]  
Signature of Affiant

8-25-2021  
Date

SEP 03 2021

Signed and sworn to (or affirmed) before me this 25 day of August, 2021.

OWRD

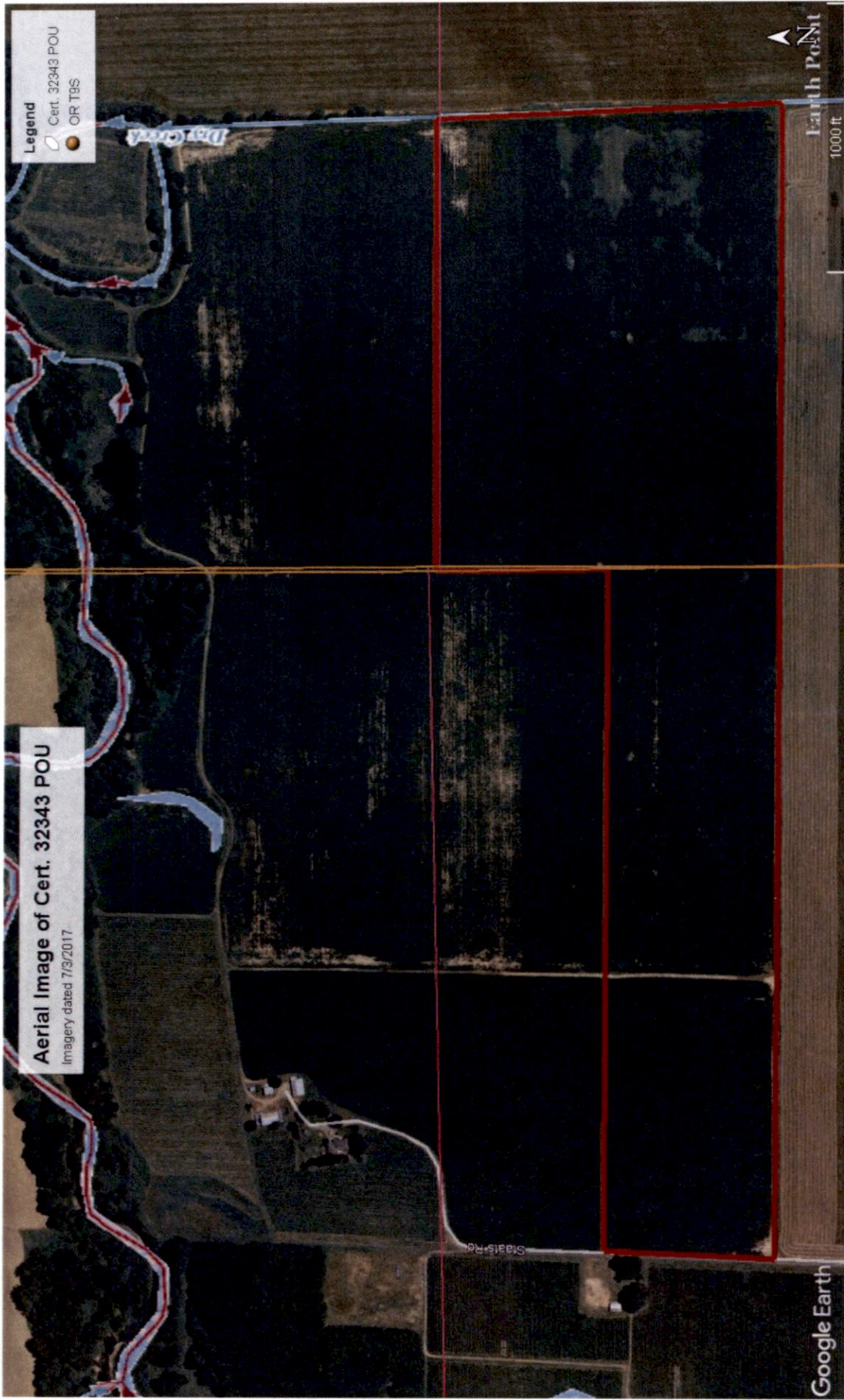


[Signature]  
Notary Public for Oregon

My Commission Expires: 1/2/22

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





Aerial Image of Cert. 32343 POU  
Imagery dated 7/3/2017

Legend  
Cert. 32343 POU  
OR T9S

Google Earth

Earth Point

1000 ft

13815

RECEIVED

SEP 03 2021

OWRD

Evidence of Use Affidavit - Page 3 of 3

Revised 2/5/2010

FS

RECEIVED

SEP 03 2021

OWRD

## Attachment D

Recorded Deed for Current Place of Use  
Application for a Temporary Transfer - Green Spring Farms

---

13815



RECEIVED

SEP 03 2021

OWRD

RECORDED IN POLK COUNTY Valerie Unger, County Clerk	<b>2017-001478</b> 02/06/2017 11:54:59 AM
REC-WD      Cnt=1 Str=0 C. PARIS \$20.00 \$11.00 \$10.00 \$20.00 \$5.00	\$66.00

### STATUTORY WARRANTY DEED

**UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:**

Mathany Family Farms, LLC  
11600 Staats Road  
Monmouth, OR 97361

**AFTER RECORDING,  
RETURN TO:**

Con P. Lynch, Attorneys at Law, PC  
841 Saginaw St. S.  
Salem, OR 97302

**JULE A. MATHANY and ALLAN R. MATHANY, Trustees, or their successors in trust, under the JULE A. MATHANY LIVING TRUST, dated January 16, 2002, and any amendments thereto, Grantor, conveys and warrants to MATHANY FAMILY FARMS, LLC, an Oregon Limited Liability Company, Grantee, all right, title and interest in the real property owned by Grantor, located in Polk County, Oregon, and described as follows:**

**See the legal description attached hereto as Exhibit A and by this reference incorporated herein.**

SUBJECT TO: All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to Grantee at the time Grantor acquired such property. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

13815

RECEIVED

SEP 03 2021

OWRD

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

JULE A. MATHANY LIVING TRUST dated January 16, 2002, and any amendments thereto

DATED: February 6, 2017

Allan R. Mathany  
ALLAN R. MATHANY, Trustee

DATED: February 6, 2017

Jule A. Mathany  
JULE A. MATHANY, Trustee

STATE OF OREGON            )  
  ) ss.  
COUNTY OF MARION        )

On February 6, 2017 personally appeared the above-named JULE A. MATHANY and ALLAN R. MATHANY, Trustees, or their successors in trust, under the JULE A. MATHANY LIVING TRUST dated January 16, 2002, and any amendments thereto, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Donna Marie Isabell  
Notary Public for Oregon  
My Commission Expires: 5-5-2019



TAX Acct#  
564844

RECEIVED

SEP 03 2021

## EXHIBIT A

OWRD

Beginning at a rock at the Southeast corner of the John M. Zumwalt D.L.C., Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, running thence North on the East line of said D.L.C. No. 49, 22.00 chains to an iron pipe in the center of the County Road; thence West 13.75 chains to an iron pipe; thence South 22.00 chains to an iron pipe on the South line of said D.L.C. No. 49; thence East 13.75 chains to the place of beginning.

SAVE AND EXCEPTING from the above-described property the following: Beginning at a point which is 22 chains North of the Southeast corner of the John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, and running thence West 13.75 chains; thence South 3.64 chains; thence East 13.75 chains; thence North 3.64 chains to the place of beginning.

ALSO the following: Beginning at an iron pipe on the South line of the John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, range 6 West of the Willamette Meridian, which pipe is 13.75 chains West of the Southeast corner of said Claim No. 49; thence West 16.50 chains to the center of the channel of the Luckiamute River; thence down the center of said river following as of this date which is 3 rods from the right bank of said river, the meander of which is as follows: Beginning 15.84 chains West of the place of beginning; thence North 56° 30' West 2.64 chains; North 24° East 2.42 chains; North 62° East 2.17 chains; North 72° 30' East 1.43 chains; South 86° 45' East 3.55 chains; North 75° 30' East 3.16 chains; South 86° 30' East 1.43 chains; North 42° East 2.19 chains; North 19° East 2.62 chains; North 22° 30' West 3.20 chains; North 76° West 3.27 chains; North 74° 15' West 1.23 chains; North 18° West 1.76 chains; North 6° 30' East 1.63 chains; North 52° 30' East 2.63 chains; North 48° East 2.69 chains; North 45° East 1.61 chains; North 31° East 1.85 chains; North 31° 30' East 2.41 chains; North 31° East 2.27 chains; North 58° 45' East 1.09 chains to an iron pipe on right bank of said river; thence leaving river South 0° 55' West 27.60 chains to the place of beginning, and being a part of said D.L.C. No. 49. SAVE AND EXCEPTING therefrom the following described tract: Beginning at an iron pipe on the South line of John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, in Polk County, Oregon, which iron pipe is 16.614 chains South 89° 40' West from the Southeast corner of said Zumwalt D.L.C., and also 9.905 chains North 89° 40' East from the Northwest corner of the William Sebring Claim No. 59; and running thence South 89° 40' West 13.636 chains to the center of the channel of the Luckiamute River; thence down the center of said river which is 3 rods from the right bank of said river, the meander of which is as follows: Beginning at a point 12.976 chains South 89° 40' West of the place of beginning; North 56° 30' West 2.64 chains; North 24° East 2.42 chains; North 62° East 2.17 chains; North 72° 30' East 1.43 chains; South 86° 45' East 3.55 chains; North 75° 30' East 3.16 chains; South 86° 30' East 1.43 chains; North 42° East 2.19 chains; thence leaving river North 88° 55' East 1.387 chains to an iron pipe; thence South 0° 15' East 7.197 chains to the place of beginning, in the County of Polk and State of Oregon.

SUBJECT TO the rights of the public in and to any portion of said property lying within the boundaries of roads and highways.

13815

**Property ID Numbers: 184324, 451215, 451228, 451202, 417486, 417556**

**Parcel 1**

Beginning at a point 26.50 chains South from the Northeast corner from the J. N. Zumwalt Donation land Claim No. 49 in Township 9 South, Range 6 West of the Willamette Meridian in Polk County, Oregon, at a stake on the south bank of the Luckiamute River; and running thence South along the east line of said Zumwalt Donation Land Claim No. 49, 2461.14 feet to the Southwest corner of that tract of land conveyed to Virgil L. Mathany and Frances L. Mathany by deed recorded in Book 144, Page 391, Deed Records of Polk County, Oregon; thence East along the South line of said Mathany tract, 2966.91 feet; thence North, parallel with the East line of said Zumwalt Donation Land Claim, 2845.58 feet to the North line of said Mathany tract; thence South 82°37' West 2991.71 feet to the point of beginning.

SUBJECT TO the rights of the public in and to that portion of the above described parcel lying within public roads and highways.

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

**Parcel 2**

A part of the Donation land Claim of John M. Zumwalt and wife, Notification No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, described as beginning at a point 34 chains North from the Southeast corner of said claim, and running thence West 13.75 chains; thence South 15.64 chains; thence East 13.75 chains; thence North 15.64 chains to the place of beginning.

RECEIVED

SEP 03 2021

OWRD



RECEIVED

SEP 03 2021

OWRD

## **Attachment E**

Affidavit of Consent from Landowner

---

Application for a Temporary Transfer - Green Spring Farms

13815







RECEIVED

SEP 03 2021

OWRD

August 31, 2021

Kelly Starnes  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Temporary Transfer Application for Certificates 26578 and 32343 – Green Spring Farms

Dear Mr. Starnes:

Green Spring Farms (Applicant) is applying for a temporary transfer to change the place of use and point of diversion for a portion of Certificates 26578 and 32343 for a period of five years. The certificates are held by Mathany Family Farms, LLC. The proposed change will allow irrigation of a portion of the Applicant's farm near Independence, Oregon.

Please find enclosed a temporary transfer application, related attachments, and a check for the application fee in the amount of \$1,640.16.

If you have any questions regarding this application, please contact me at 541-257-9004.

Sincerely,

A handwritten signature in dark ink that reads "Kimberly Grigsby". The signature is written in a cursive style with a large, looped "K" and "G".

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Temporary transfer application  
Check in the amount of \$1,640.16

13815