

**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

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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.
- 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: Certificates: 24183, 26244**
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: 2023 End Year: 2027.**
- 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):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME John Eveland and Sally Brewer, Gathering Together Farm			PHONE NO. 541-760-1924	ADDITIONAL CONTACT NO.
ADDRESS 25159 Grange Hall Rd				FAX NO.
CITY Philomath	STATE OR	ZIP 97370	E-MAIL johneveland@comcast.net	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

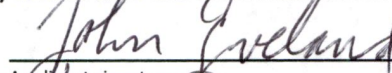
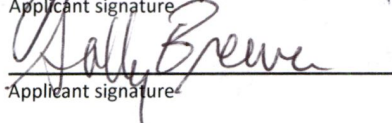
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Eric George, Gathering Together Farm			PHONE NO. 541-829-9155	ADDITIONAL CONTACT NO.
ADDRESS 302 S 19th St				FAX NO.
CITY Philomath	STATE OR	ZIP 97370	E-MAIL erics9564@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
 We are a fresh market and wholesale organic vegetable farm, and have been operating in our current location since 1987. Since that time, we have grown in acreage and production, and have acquired farmland in our neighborhood through purchases and leases. Some of this high value farmland does not specifically have water rights, and we wish to temporarily transfer water rights from areas of the farm that are not being irrigated to these areas that we would like to irrigate.

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.

	John Eveland	Sec. Pres	2/8/23
Applicant signature	Print Name (and Title if applicable)		Date
	Sally Brewer	President	2/13/23
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.

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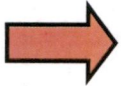
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Benton County	ADDRESS 205 NW 5th St	
CITY Corvallis	STATE OR	ZIP 97330

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

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

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

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

- Using the **Tools** menu => click **Protect Document**;

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

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

Microsoft Word 2010

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

Other Alternatives:

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

Once the application has been unlocked, you may:

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

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

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 # 24183

Description of Water Delivery System

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System capacity: _____ cubic feet per second (cfs) **OR**
140 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. **The Bevens water right (Cert#24183) is irrigated using a 15hp pump, buried main lines, and moveable pipe with overhead sprinklers. The pump is installed at the beginning of the irrigation season, and removed at the end of the irrigation season.**

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)
16134	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		12	S	6	W	11	SE	SE	46	In the SE ¼ SE ¼ as projected within D. Henderson DLC #46 Section 11 T12S R6W WM.
	<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.

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 # 26244

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) **OR**
200 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. . **The Burnworth water right (Cert#26244) is irrigated using a 15hp pump, buried main lines, and moveable pipe with overhead sprinklers. The pump is installed at the beginning of the irrigation season, and removed at the end of the irrigation season.**

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)
23680	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		12	S	6	W	13	SE	N W	51	1438.5 ft S and 3181.2 ft West of the NE corner of the E. Hartless DLC #51.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 24183

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																	
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date										
EXAMPLE																														
12	S	6	W	14	NE	NE	1900	46	1.56	Irrigation	16134	1945	POU	12	S	6	W	13	NW	NW	0700	51	3.19	Irrigation	16134	1945				
12	S	6	W	11	SE	SE	1900	46	0.53	Irrigation	16134	1945	POU	12	S	6	W	13	NW	NW	1900	46	2.13	Irrigation	16134	1945				
12	S	6	W	13	NW	NW	1900	46	0.30	Irrigation	16134	1945	POU																	
12	S	6	W	13	NW	NW	0800	51	1.47	Irrigation	16134	1945	POU																	
12	S	6	W	13	NW	NW	1900	51	1.01	Irrigation	16134	1945	POU																	
12	S	6	W	14	NE	NE	1900	51	0.45	Irrigation	16134	1945	POU																	
TOTAL ACRES							5.32																TOTAL ACRES							5.32

Additional remarks: _____

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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 # 26244

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
12	S	6	W	13	NE	SW	1100	51	8.35	Irrigation	23680	1955	POU	12	S	6	W	13	SE	SW	1100	51	8.35	Irrigation	23680	1955
TOTAL ACRES												TOTAL ACRES														
8.35												8.35														

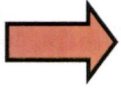
Additional remarks: _____

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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: 52009



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? Yes No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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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 Benton)

I, John Eveland, in my capacity as owner / Secretary Treasurer
 mailing address 25159 Grange Hall Rd, Philomath, OR 97370
 telephone number (541) 760-1924, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):
 Personal observation Professional expertise

2. I attest that:
 Water was used during the previous five years on the **entire** place of use for Certificate # _____; **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)
24183	12 S	6 W		14	NE NE	46	1.56
24183	12 S	6 W		11	SE SE	46	0.53
24183	12 S	6 W		13	NW NW	46	0.30
24183	12 S	6 W		13	NW NW	51	1.47
24183	12 S	6 W		13	NW NW	51	1.01
24183	12 S	6 W		14	NE NE	51	0.45
26244	12 S	6 W		13	NE SW	51	8.35

- 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)

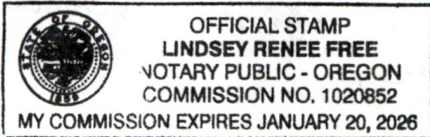
(continues on reverse side)

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.

John England
Signature of Affiant

March 2, 2023
Date

Signed and sworn to (or affirmed) before me this 2nd day of March, 2023.



Lindsey Renee Free
Notary Public for Oregon
My Commission Expires: 01/20/26

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</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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M282851-00

After recording return to:
George B. Heilig
P.O. Box 546
Corvallis, Oregon 97339

Send tax statements to:
Lucy A. Leach
32222 Powder House Road
Philomath, Oregon 97370

BARGAIN AND SALE DEED

GEORGE E. SHROYER, SR., HELEN M. SHROYER, GEORGE E. SHROYER, JR., MARY ANN SHROYER, REX SHROYER, HOLLEY SHROYER, and LUCY A. LEACH (formerly LUCY A. PATTERSON), (Grantors), are the owners of property in Benton County, Oregon (the Shroyer Property). The legal description of the Shroyer Property is described in M-47459, resulting from transfers as shown on M-~~282850-00~~ and M-233773-97, Benton County Deed Records, Benton County, Oregon.

Grantors bargain, sell and convey to LUCY A. LEACH, (Grantee), a part of the Shroyer Property commonly referred to as Parcel 1 of Partition Plat Map No. 2000-08.

The true consideration for this conveyance is 0 dollars, as the whole consideration is other than money.

The property conveyed is subject to all matters of public record.

It is the intent of the parties that this conveyance creates a separate lot to be solely owned by Grantee, which is in compliance with Benton County Land Use Regulations.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST ANY FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated: 10-28, 1999.

Grantors:

Rex Shroyer
Rex Shroyer, Personal Representative
of George E. Shroyer, Sr.

Helen M. Shroyer
Helen M. Shroyer

1 - BARGAIN AND SALE

14182

11106

After Recording Return to:
Farm Credit Services - Eugene
2911 Tennyson Avenue, Suite 301
Eugene, OR 97408
PO Box 72300
Springfield, OR 97475-0294

BENTON COUNTY, OREGON 2013-509203
MG-DT 07/03/2013 12:39:22 PM
Str=1 MR \$98.00
\$35.00 \$11.00 \$5.00 \$10.00 \$20.00
\$17.00
I, James V. Morales, County Clerk for Benton County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records. James V. Morales - County Clerk

Customer/Note No: 050818-441-999-99

Deed of Trust

THIS DEED OF TRUST IS ALSO INTENDED TO BE A FIXTURE FILING.

On June 25, 2013, John L. Eveland, same person as John Eveland and Sally A. Brewer, same person as Sally Brewer, Trustees of The Sally Brewer and John Eveland Living Trust, under Trust Agreement dated April 1, 2008, hereinafter called Grantors, whose address is

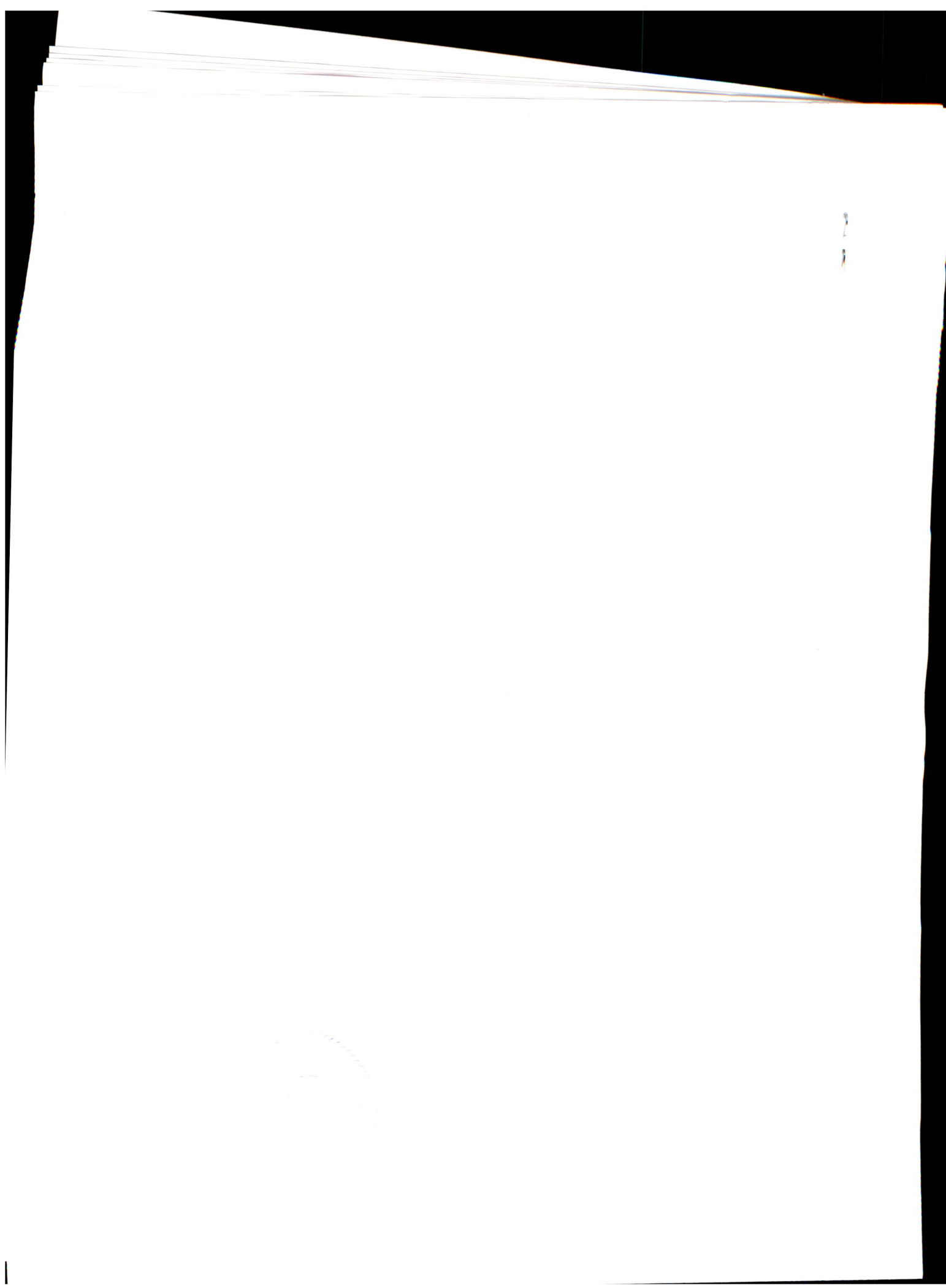
25159 Grange Hall Road
Philomath, OR 97370

grant, convey, warrant, transfer and assign to Ticor Title, a corporation, hereinafter called Trustee, whose address is 227 NW Third Street, Corvallis, OR 97330, in trust with power of sale for the benefit of Northwest Farm Credit Services, FLCA, a corporation organized under the Farm Credit Act of 1971, as amended, hereinafter called Beneficiary, whose address is 1700 South Assembly Street, P.O. Box 2515, Spokane, Washington 99220-2515, property in Benton County(ies), State of Oregon, more particularly described as follows (the "Land"):

A tract of land in the Southeast Quarter of Section 11, the Southwest Quarter of Section 12, the Northwest Quarter of Section 13 and the Northeast Quarter of Section 14, Township 12 South, Range 6 West, Willamette Meridian, Benton County, Oregon, being all that land conveyed to John Eveland and Sally Brewer per M-241558-98, Benton County Deed Records, together with a portion of Parcel 1 of Partition Plat 2001-08; all being more specifically described as follows:
Beginning at a 5/8 inches iron rod at the most Westerly corner of said Parcel 1, on the Northerly right-of-way line of County Road No. 26046 (Grange Hall Road); thence along the West line of said Parcel North 39° 09' 42" East 12.74 feet to a 5/8 inches iron rod; thence continuing along said West line North 12° 19' 21" East 892.67 feet to a 1/2 inches iron rod; thence continuing North 12° 19' 21" East to the centerline of the Mary's River; thence downstream along said River centerline 2037 feet, more or less, to the North line of the Eldridge Hartless Donation Land Claim No. 50; thence continuing downstream along said River centerline 1892 feet, more or less, to the Westerly right-of-way line of County Road No. 26250 (Fern Road); thence Southerly along said right-of-way line 158 feet, more or less to the intersection of said Westerly right-of-way line with the Northerly right-of-way line of said County Road No. 26046; thence along said Northerly right-of-way line North 78° 14' 45" West 15.14 feet; thence continuing along said right-of-way line on the arc of a 270.12 foot radius curve right (chord which bears North 67° 38' 46" West 99.37 feet) 99.94 feet; thence North 57° 02' 48" West 1520.03 feet to a 5/8 inches iron rod; thence North 48° 27' 36" East 203.32 feet to a 5/8 inches iron rod; thence North 0° 32' 15" East 66.56 feet to a 5/8 inches rod; thence North 55° 07' 42" West 78.02 feet to a 5/8 inches iron rod; thence North 62° 29' 46" West 157.49 feet to a 5/8 inches iron rod; thence South 16° 52' 43" West 249.52 feet to a 5/8 inches iron rod on said Northerly right-of-way line; thence North 57° 02' 48" West 524.81 feet to the point of beginning.

Deed of Trust (050818-441-999-99)
1

14182



Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
County of Benton)ss)

I Lucy Leach in my/our capacity as owner,

mailing address P.O. Box 1246

telephone number 541-760-5171, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 26244

described in a Water Right Transfer Application (T-?),
(transfer number, if known)

submitted by John Eveland, Gathering Together Farm

on the property in tax lot number(s) 126130001100

Section BWM Township 12S North/South Range R6W East/West, W.M.

located at unassigned
(site address)

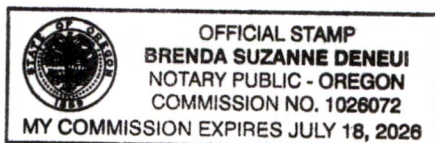
Lucy Leach
Signature of Affiant

2-10-23
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 10th day of February, 2023.



Brenda Suzanne Deneui
Notary Public for Oregon

My commission expires 7-18-2026

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Priority Date: JANUARY 4, 1945

Rate: 0.04 CUBIC FOOT PER SECOND

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

Source: MARY'S RIVER, a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	11	SE SE	46	AS PROJECTED WITHIN D. HENDERSON DLC

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	11	SE SE	46	0.53
12 S	6 W	WM	13	NW NW	46	0.30
12 S	6 W	WM	13	NW NW	51	2.48
12 S	6 W	WM	14	NE NE	46	1.56
12 S	6 W	WM	14	NE NE	51	0.45
Total						5.32

- 5. Temporary Transfer Application T-12340 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	13	NW NW	46	2.13
12 S	6 W	WM	13	NW NW	51	3.19
Total						5.32

- 6. The portion of the second right to be temporarily transferred is as follows:

Certificate: 26244 in the name of ELMER J. BURNWORTH (perfected under Permit S-23680)

Use: IRRIGATION of 8.35 ACRES

Priority Date: MARCH 29, 1955

Rate: 0.08 CUBIC FOOT PER SECOND

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

Source: MARY'S RIVER, a tributary of WILLAMETTE RIVER

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Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	13	SE NW	51	AS PROJECTED WITHIN HARTLESS DLC #51

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	13	NE SW	51	8.35

7. Certificate 26244 does not describe the measured distances of the point of diversion, however information is available from the applicant indicating that the point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	13	SE NW	51	1438.5 FEET SOUTH AND 3181.2 FEET WEST OF THE NE CORNER OF THE E. HARTLESS DLC #51

8. Temporary Transfer Application T-12340 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	13	SE SW	51	8.35

Temporary Transfer Review Criteria

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

Conclusions of Law

The temporary changes in place of use proposed in Temporary Transfer Application T-12340 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use proposed in Temporary Transfer Application T-12340 are approved.


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2. The former place of use **shall not** be irrigated as part of these water rights during the 2016, 2017, 2018, 2019 and 2020 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2020 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 24183 and 26244 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 24183 and 26244.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each existing point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water rights described by Certificates 24183 and 26244 shall continue to be in accordance with the terms and conditions of Certificates 24183 and 26244.

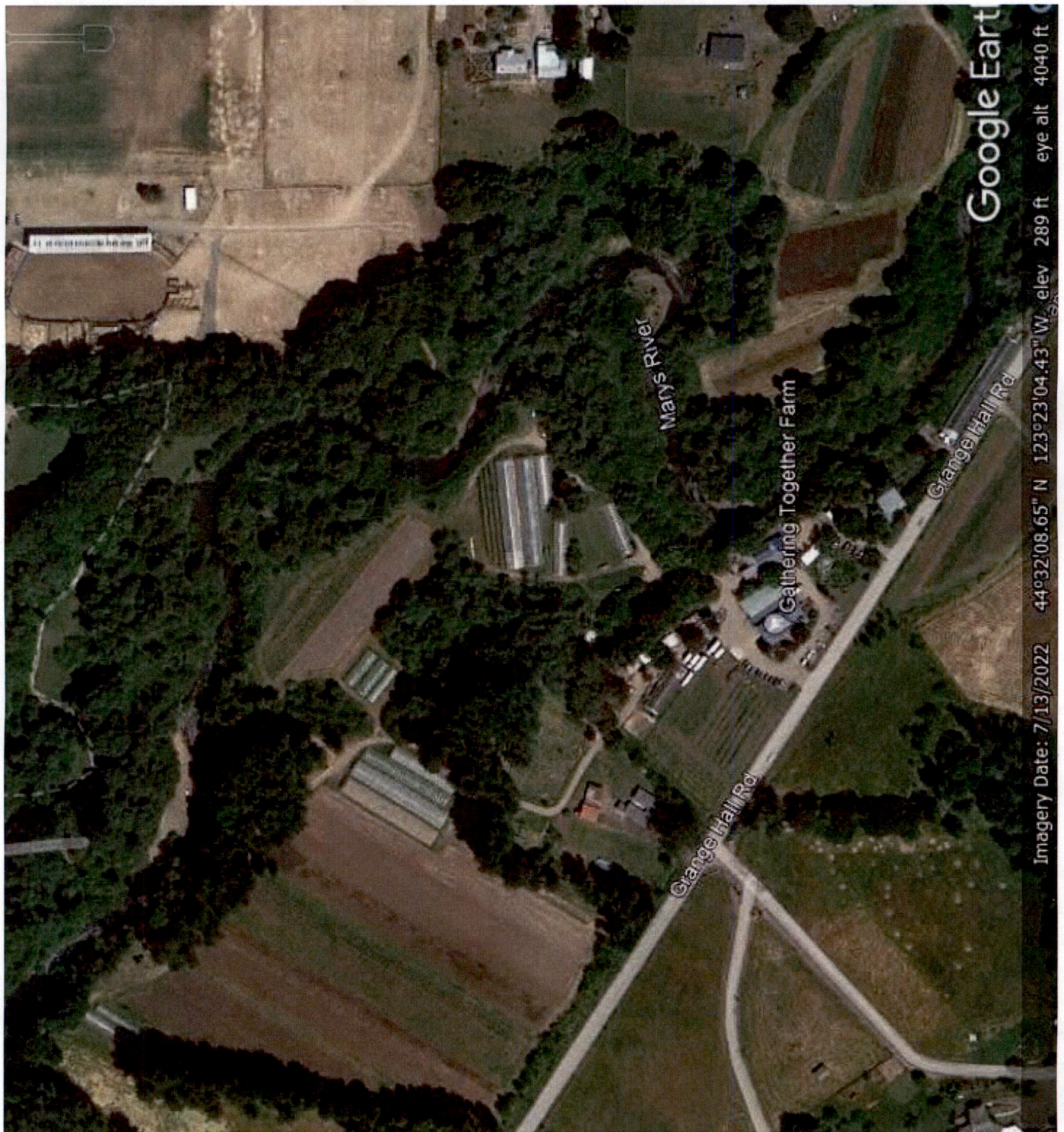
Dated at Salem, Oregon this 27 day of June, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

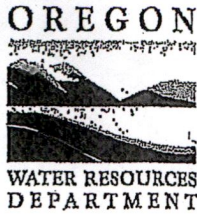
Mailing Date: JUN 29 2016

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Google Earth

Imagery Date: 7/13/2022 44°32'08.65" N 123°23'04.43" W elev 289 ft eye alt 4040 ft



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: John Eveland & Sally Brewer
25159 Grange Hall Rd, Philomath OR 97370

Transaction Type: transfer

Fees Received: \$ 1296.61

Cash

Check:

Check No. 22701

Name(s) on Check: Gathering Together Farm Inc

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Lounien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

Priority Date: JANUARY 4, 1945

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Dated at Salem, Oregon this 27 day of June, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: JUN 29 2016

Oregon Water Resources Department Water Rights Information Query Results

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- [Contact Us](#)

Records/Page: 10

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Download
Select	OWNER: ELMER J BURNWORTH 2840 HAYES CORVALLIS, OR 97330	S29850	S23680	26244			T12340 (Changes this right)	NC