

# Application for Permanent Water Right Transfer



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

## Part 1 of 5 – Minimum Requirements Checklist

**This 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.

RECEIVED  
 MAR 27 2023

OWRD

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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 new 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 Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 46514**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

**Attachments:**

- Completed Transfer Application Map. **Attachment #1**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment #2**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation 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 #6**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **Attachment #7**
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

**(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"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## Part 2 of 5 – Transfer Application Map

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/). CWRE stamp and signature are not required for substitutions.
- 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 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), 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°).

RECEIVED

MAR 27 2023

OWRD



**Applicant Information**

APPLICANT/BUSINESS NAME <b>SPV Hot Lakes Organics LLLP, mAigma Steve Bruere , President</b>			PHONE NO. <b>(515) 957-7982</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>12119 Stratford Drive, Suite B</b>				FAX NO.
CITY <b>Clive</b>	STATE <b>Iowa</b>	ZIP <b>50325</b>	E-MAIL <b>steve@peoplescompany.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>Jon Travis, CWRE, GeoEngineers Inc.</b>			PHONE NO. <b>(509) 979-0332 Cell</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>8019 W. Quinault Avenue, Suite 201</b>				FAX NO.
CITY <b>Kennewick</b>	STATE <b>WA</b>	ZIP <b>99336</b>	E-MAIL <b>jtravis@geoengineers.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:  
 Client is proposing to reconfigure the place of use for irrigation; and change the supplemental groundwater to primary irrigation as the well has for the most part been used as the primary source as the primary surface water source has been intermittent and unreliable.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

**Check One Box**

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

RECEIVED  
 MAR 27 2023  
 OWRD

**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: LaGrande Observer.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

**I (we) affirm that the information contained in this application is true and accurate.**



Steve Bauer  
Applicant signature

Steve Bauer, Manager  
Print Name (and Title if applicable)

3-8-23  
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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

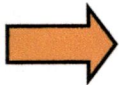
RECEIVING LANDOWNER NAME <b>N/A</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION 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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Union County Planning Department</b>	ADDRESS <b>1001 Fourth Street, Suite C</b>	
CITY <b>LaGrande</b>	STATE <b>OR</b>	ZIP <b>97850</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED  
MAR 27 2023  
OWRD

**Part 5 of 5 – Water Right Information**

CERTIFICATE # 46514

RECEIVED

MAR 27 2022

OWRD

**Description of Water Delivery System**

System capacity: 2.23 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 from well via 100 hp VS pump into 12-14 inch buried PVC mainline for 100 feet to center pivot. Buried 8 inch PVC from well goes North 2000 feet to valve risers for wheel and handlines, and 1900 feet south from well to valve risers for wheel and handlines.

**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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UNIO 2363	4	S	39	E	10	NW	SE	3301	1980 feet North from S1/4 Corner, Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Surface Water POD to Ground Water POA (SW/GW)
- Supplemental Use to Primary Use (S to P)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Substitution (SUB)
- Government Action POD (GOV)

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 46514**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.  
If there is more than one POD/POA involved in the proposed changes, 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			
4	S	39	E	10	SE	NW	3301	37.0	IS	POA 1	10-8 1973	S-P	4	S	39	E	10	SE	NW	3301	37.0	IR	POA 1	1973	
4	S	39	E	10	NE	SW	3301	40.0	IS	POA 1	10-8 1973	S-P	4	S	39	E	10	NE	SW	3301	40.0	IR	POA 1	1973	
4	S	39	E	10	SE	SW	3301	21.2	IS	POA 1	10-8 1973	S-P	4	S	39	E	10	SE	SW	3301	21.2	IR	POA 1	1973	
							(98.2)														(98.2)				
4		39		10	SW	NE	3301	9.7	IR	POA 1	10-8 1973	POU	4	S	39	E	10	SW	NE	3301	7.0	IR	POA 1	1973	
4		39		10	SE	SW	3301	6.8	IR	POA 1	10-8 1973	POU	4	S	39	E	10	SE	SW	3301	6.8	IR	POA 1	1973	
4		39		10	NW	SE	3301	31.9	IR	POA 1	10-8 1973	POU	4	S	39	E	10	NW	SE	3301	34.6	IR	POA 1	1973	
4		39		10	SW	SE	3301	31.5	IR	POA 1	10-8 1973	POU	4	S	39	E	10	SW	SE	3301	31.5	IR	POA 1	1973	
							(79.9)														(79.9)				
TOTAL ACRES:							178.1						TOTAL ACRES:							178.1					

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

RECEIVED  
MAR 27 2023  
OWRD



**For Place of Use or Character 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: **6411, 81467.**



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **N/A**;  
Surface water primary Certificate # **N/A**.

RECEIVED  
MAR 27 2023  
OWRD

**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **6411, PORTION OF 81467**

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

Well log(s) are attached 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 for any wells that do not have a well log. For *proposed wells 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
POA 1	Yes	UNIO 2363	500	16 inch		20 feet	See	Log	gravel	

RECEIVED  
MAR 27 2023  
OWRD

**Attachment #2**  
Evidence of Use Affidavit and Supporting Documents – C.46514  
POU and IS to IR Transfer Application for Certificate 46514

---

# 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 UNION)

I, SHELDON HEFFERNON, in my capacity as LEASEE,  
 mailing address 741 SERENITY LANE, UNION, OR 97883  
 telephone number (541)910-0915, being first duly sworn depose and say:

RECEIVED  
 MAR 27 2023  
 OWRD

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 # 46514; **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)

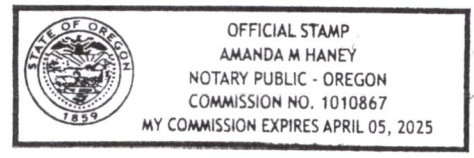
3. The water right was used for: (e.g., crops, pasture, etc.): Crops

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.

[Signature]  
Signature of Affiant

1-30-23  
Date

Signed and sworn to (or affirmed) before me this 30 day of January 2023



Notary Public for Oregon [Signature]  
My Commission Expires: 4-5-25

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input 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.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

RECEIVED  
MAR 27 2023  
OWRD

# Usage History



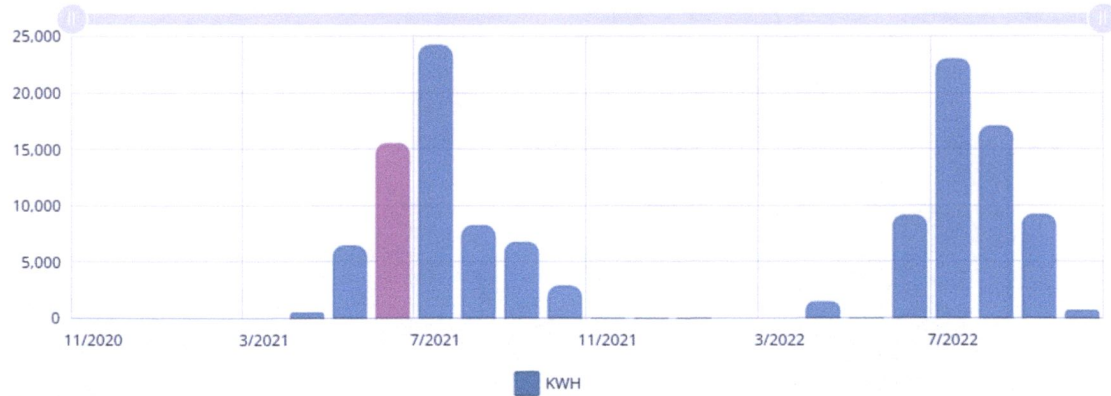
Default View

Custom View

- 1 Week
- 1 Month
- 3 Months
- 6 Months
- 1 Year
- 2 Years

Monthly Usage

Acct: 97808-001  
Name: J&S AGRICULTURE  
Meter: 53965615  
Svc: MILLER LN UN 66419 PUMP



RECEIVED

MAR 27 2023

OWRD



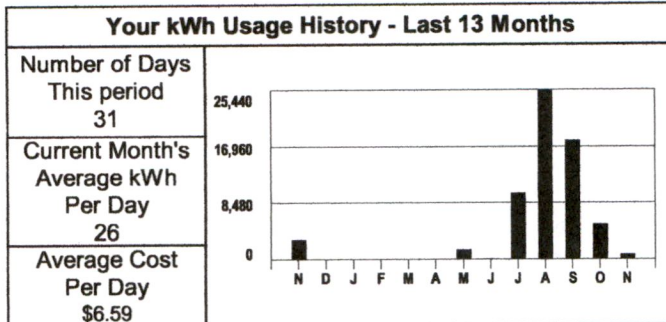
**OREGON TRAIL ELECTRIC COOPERATIVE**

"WE'RE PUTTING OUR ENERGY TO WORK FOR YOU"

[www.otec.coop](http://www.otec.coop)

A Touchstone Energy Cooperative

**Office Hours:** 8:00 am to 5:00 pm Monday - Thursday  
9:00 am to 5:00 pm Friday



J&S AGRICULTURE  
741 SERENITY LN  
UNION OR 97883-9418

RECEIVED

MAR 27 2023

OWRD

Sign up for PAPERLESS BILLING today!  
For your chance to win \$100 energy credit!  
Call 541-523-3616 or visit [www.otec.coop](http://www.otec.coop)

<b>Account Number:</b> 97808-001						
<b>Meter Number</b> 53965615	<b>Reading Dates:</b>	<b>From</b> 10/07/22	<b>To</b> 11/07/22	<b>Billing Days</b> 31	<b>Multiplier</b> 40	<b>Statement Date</b> 11/09/22
<b>Service Address</b>	<b>Rate Schedule</b>	<b>Previous Reading</b>	<b>Present Reading</b>	<b>Read Type</b>	<b>kWh Usage</b>	<b>AMOUNT DUE</b>
MILLER LN UN 66419 PUMP	IRR DMD	9761	9781	Utility Read	800	
Previous Account Balance Forward						\$546.28
Payment Credits 10/17/22 - Thank You!						-\$546.28
<b>Remaining Balance</b>						<b>\$0.00</b>
Monthly Delivery Charge						\$47.00
IRRIGATION DEMAND Rate 800 kWh X 0.047060						\$37.65
Billed Demand 25.200 kW X 4.7500						\$119.70
Actual Demand 25.200 kW						
<b>TOTAL CURRENT CHARGES</b>						<b>\$204.35</b>
<b>CURRENT ACCOUNT BALANCE</b>						<b>\$204.35</b>
<b>THANK YOU FOR YOUR PROMPT PAYMENT</b>						
Cycle 2	<b>Payment Due Date</b>	11/29/22		<b>TOTAL AMOUNT DUE</b>		<b>\$204.35</b>

Return this portion with payment. Make checks payable to "OTEC"

OR01930F



**USE FOR RETURNED MAIL ONLY**

**Oregon Trail Electric Cooperative**  
PO Box 226  
Baker City OR 97814-0226

Address Service Requested

**Account Name** J&S AGRICULTURE

**Account Number** 97808-001

**Due Date** 11/29/22

<b>Amount Due: \$204.35</b>	<b>Amount Paid:</b>
-----------------------------	---------------------

PAYMENTS RECEIVED AFTER 11/09/22 MAY NOT APPEAR ON THIS BILL

Check here if your address or telephone has changed. (Please provide your updated information).

\*\*\*\*\*AUTO\*\*5-DIGIT 97883



J&S AGRICULTURE  
741 SERENITY LN  
UNION OR 97883-9418

13  
2641

OREGON TRAIL ELECTRIC COOPERATIVE  
PO BOX 226  
BAKER CITY OR 97814-0226



01067 00097808001 8 0000000000 000020435 000020741 7

RECEIVED

MAR 27 2023

OWRD

**Attachment #3**

Certificate 46514

POU and IR to IS Transfer Application for Certificate 46514

---

## STATE OF OREGON

COUNTY OF UNION

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID C. BAUM

of P. O. Box 310, La Grande, State of Oregon, 97850, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Catherine Creek for the purpose of irrigation of 79.9 acres & supplemental irrigation of 98.2 acres

under Permit No. G-5804 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 October 8, 1973

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 2.23 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 $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, T. 4 S., R. 39 E., W. M., 1980 feet North from S $\frac{1}{4}$  Corner, Section 10.

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 3 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:

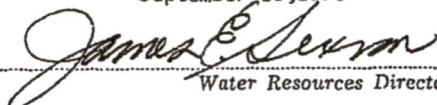
Supplemental	Primary
37.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	9.7 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$	6.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
21.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.9 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
	31.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10  
T. 4 S., R. 39 E., W. M.

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

WITNESS the signature of the Water Resources Director, affixed

this date. September 15, 1978

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39, page 46514

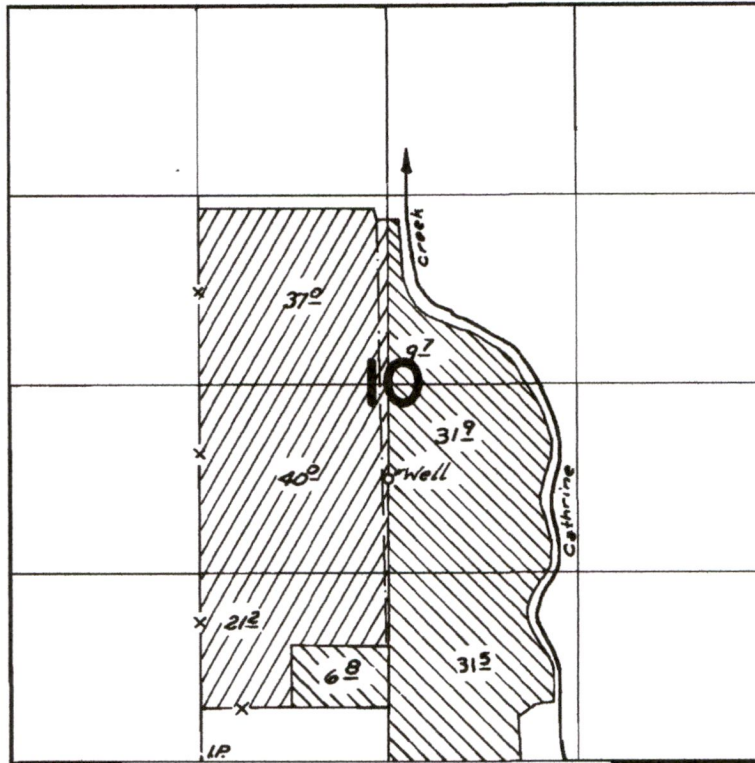
RECEIVED

MAR 27 2023

OWRD



T. 4 S., R. 39 E., W.M.



Well Loc.: 1980' N. from  $5\frac{1}{4}$  Cor. Sec. 10

 Primary  
 Suppl.

**FINAL PROOF SURVEY**  
UNDER

Application No. G-6314 Permit No. G-5804  
IN NAME OF

David C. Baum

Surveyed Sept 24, 1976, by D. M. Norby

RECEIVED

MAR 27 2023

OWRD

PTS-1976-C *dlb*

RECEIVED

MAR 27 2023

OWRD

**Attachment #4**

Voluntary Cancellation Affidavits for Certificates 6411 and 81467  
POU and IR to IS Transfer Application for Certificate 46514

---



# Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

**VOLUNTARY CANCELLATION** is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

**VOLUNTARY DIMINUTION** is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

**Describe in your own words what you want to accomplish with this affidavit: We wish to cancel water right certificate 6411 that is appurtenant to tax lot 3301 for the purpose of making the underlying supplemental groundwater right primary.**

**Certificate of Water Right Information:**

Certificate Number: 6411

Issued for use within the State of Oregon, County of Union.

Issued in the name of: A.J. Knight.

Date of priority: June 1903

Rate or Volume on entire certificate: 0.20 (cubic foot per second *or* gallons per minute *or* acre-feet).

Source(s) of water on certificate: Catherine Creek.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 8.0, supplemental IR 0.

RECEIVED  
MAR 27 2023  
OWRD

**Statements of Oath:**

I/We (or authorized agent), Steve Bruere, SPV Hot Lakes Organics LLLP,

residing at 12119 Stratford Drive, Suite B, Clive, OH 50325,

with a mailing address of (if different) \_\_\_\_\_,

and a telephone number of (515) 222-1347, being **first duly sworn depose and say:**

1. I/We are the legal owners of property appurtenant to all  *or*  a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [*must include at a*

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here: T4S R39E W.M., Section 10 SESW, TL 3301.

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # **6411**.

voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # \_\_\_\_\_.

voluntary diminution of the ENTIRE water right Certificate # \_\_\_\_\_.

voluntary diminution of a PORTION of water right Certificate # \_\_\_\_\_.

3. The appurtenant water right  is **or**  is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: **N/A**.

a. The water right, or portion thereof, being  cancelled **or**  diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

\_\_\_\_\_  
Signature of district manager      **N/A**  
Printed Name  
Date **N/A**

RECEIVED  
MAR 27 2023  
OWRD

4. **Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.**

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

- A place of use, or use.
  - For the use of (specify irrigation, domestic, etc.) \_\_\_\_\_
  - *IF FOR IRRIGATION OR NURSERY USE:* Total number of acres to be cancelled \_\_\_\_\_
  - In the amount of \_\_\_\_\_ cubic foot per second
  - From the water source (s) \_\_\_\_\_
  - At the following location(s) (*attach a larger table if needed*):

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>4</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>10</u>	_____	_____	<u>SESW</u>	<u>8.0</u>	<u>3301</u>
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

**AND/OR (less common)**

- One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.
- For the use of (specify irrigation, domestic, etc.) \_\_\_\_\_
  - From the water source (s) \_\_\_\_\_
  - Located within the \_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Section \_\_\_\_\_, Township \_\_\_\_\_ (N or S), Range \_\_\_\_\_ (E or W, W.M.
  - Location Description (if given on the certificate) \_\_\_\_\_

**5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.**

- a. I/We have found a more dependable source of primary water, and therefore request the water right certificate  in its entirety, **or**  as described in Item #6, below, (check one box) be diminished from a right for primary use to a right for supplemental use.
- b. I/We agree that if this change is approved, it is permanent and the right to the use of water from \_\_\_\_\_ (source) cannot be changed back to the primary use unless otherwise provided by law.
- c. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from \_\_\_\_\_ (source of water) for primary use on these lands.

**6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.**

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of \_\_\_\_\_ (cfs) from \_\_\_\_\_ (sources) for irrigation (if applicable) of \_\_\_\_\_ acres at the following location(s) as listed on the certificate (attach a larger table if needed):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

RECEIVED

MAR 27 2023

OWRD

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:

Steve Bruner

Signature of legal owner as listed on deed, or authorized agent

Printed Name Steve Bruner

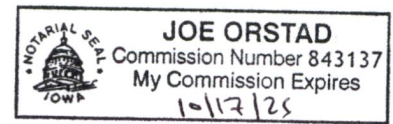
Date 3/8/23

Signature of legal co-owner as listed on deed (if applicable)

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

Subscribed and Sworn to Before Me this 8 day of March, 2023.



Joe Orstad  
Signature of Notary Public for Oregon Iowa

My Commission Expires 10/17/25

**REQUIRED ATTACHMENTS (LEGIBLE COPIES):**

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
  - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
  - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

**MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.**

RECEIVED

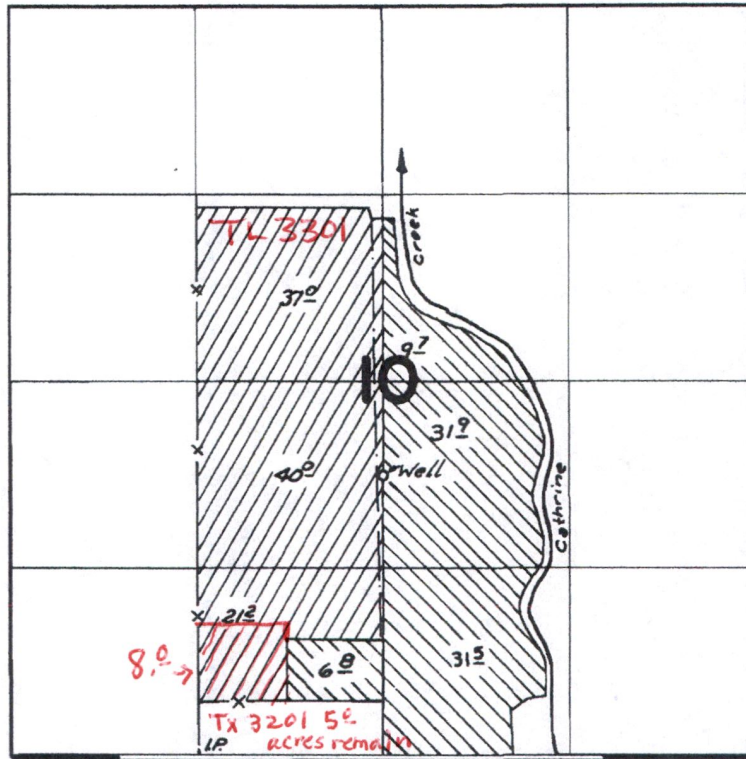
MAR 27 2023

OWRD



Certificate 6411  
Area inside red to  
be cancelled.

T.4 S., R.39 E., W.M.

No map available  
for C.6411



Well Loc.: 1980' N. from 5 1/4 Cor. Sec. 10

 Primary  
 Suppl.

**FINAL PROOF SURVEY**  
UNDER

Application No. G-6314 Permit No. G-5804  
IN NAME OF

David C. Baum

Surveyed Sept 24, 1976, by D. M. Norby

RECEIVED

MAR 27 2023

OWRD

PTS-1976-C *SB*



# Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

**VOLUNTARY CANCELLATION** is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statue (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

**VOLUNTARY DIMINUTION** is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

**Describe in your own words what you want to accomplish with this affidavit: We wish to cancel a portion of water right certificate 81467 that is appurtenant to tax lot 3301, for the purpose of making the underlying supplemental groundwater right primary.**

### Certificate of Water Right Information:

Certificate Number: 81467

Issued for use within the State of Oregon, County of Union.

Issued in the name of: Amalgamated Sugar Co.

Date of priority: November 1903

Rate or Volume on entire certificate: 2.375 (cubic foot per second **or** gallons per minute **or** acre-feet).

Source(s) of water on certificate: Catherine Creek.

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 95.0, supplemental IR 0.

### Statements of Oath:

I/We (or authorized agent), \_\_\_\_\_,

residing at \_\_\_\_\_,

with a mailing address of (if different) \_\_\_\_\_,

and a telephone number of \_\_\_\_\_, being **first duly sworn depose and say:**

1. I/We are the legal owners of property appurtenant to all  **or**  a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [*must include at a*

RECEIVED

MAR 27 2023

OWR



**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here: T4S R39E Section 10 Tax Lot 3301 (SENW, NESW, SESW).

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # \_\_\_\_\_.

voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # **81467**.

voluntary diminution of the ENTIRE water right Certificate # \_\_\_\_\_.

voluntary diminution of a PORTION of water right Certificate # \_\_\_\_\_.

3. The appurtenant water right  is or  is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: **N/A**.

a. The water right, or portion thereof, being  cancelled or  diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

\_\_\_\_\_  
Signature of district manager

\_\_\_\_\_  
Printed Name

Date \_\_\_\_\_

RECEIVED

MAR 27 2023

OWRD

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) **Irrigation**
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled **95.0**
- In the amount of **2.375** cubic foot per second
- From the water source (s) **Catherine Creek**
- At the following location(s) (attach a larger table if needed):

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>4</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>10</u>	_____	_____	<u>SENW</u>	<u>40.0</u>	<u>3301</u>
<u>4</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>10</u>	_____	_____	<u>NESW</u>	<u>40.0</u>	<u>3301</u>
<u>4</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>10</u>	_____	_____	<u>SESW</u>	<u>15.0</u>	<u>3301</u>
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

**AND/OR (less common)**

- One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.
- For the use of (specify irrigation, domestic, etc.) \_\_\_\_\_
  - From the water source (s) \_\_\_\_\_
  - Located within the \_\_\_\_\_<sup>1</sup>/<sub>4</sub>, Section \_\_\_\_\_, Township \_\_\_\_\_ (N or S), Range \_\_\_\_\_ (E or W, W.M.
  - Location Description (if given on the certificate) \_\_\_\_\_

**5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.**

- a. I/We have found a more dependable source of primary water, and therefore request the water right certificate  in its entirety, **or**  as described in Item #6, below, (check one box) be diminished from a right for primary use to a right for supplemental use.
- b. I/We agree that if this change is approved, it is permanent and the right to the use of water from \_\_\_\_\_ (source) cannot be changed back to the primary use unless otherwise provided by law.
- c. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from \_\_\_\_\_ (source of water) for primary use on these lands.

**6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.**

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of \_\_\_\_\_ (cfs) from \_\_\_\_\_ (sources) for irrigation (if applicable) of \_\_\_\_\_ acres at the following location(s) as listed on the certificate (attach a larger table if needed):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

RECEIVED

MAR 27 2023

OWRD

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:

Steve Bauer

Signature of legal owner as listed on deed, or authorized agent

Printed Name Steve Bauer

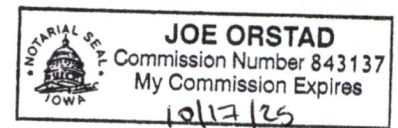
Date 3/8/23

Signature of legal co-owner as listed on deed (if applicable)

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

Subscribed and Sworn to Before Me this 8 day of March, 2023.



Joe Orstad  
Signature of Notary Public for Oregon Iowa

My Commission Expires 10/17/25

**REQUIRED ATTACHMENTS (LEGIBLE COPIES):**

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
  - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
  - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

**MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.**

RECEIVED

MAR 27 2023

OWRD



RECEIVED

MAR 27 2023

OWRD

**Attachment #5**

Current Property Deed RE: Certificates 6411, 46514 and a portion of 81467  
POU and IR to IS Transfer Application for Certificate 46514

---



**EXHIBIT "A"**

**TRACT "A"**

The Southeast quarter of the Northwest quarter of Section 10, Township 4 South, Range 39 East of the Willamette Meridian, Union County, Oregon, and all that portion of the Southwest quarter of the Northeast quarter of said Section 10 lying West and South of the center of the channel of Catherine Creek.

(04S39-3100; Ref.# 9078)

**TRACT "B"**

The East half of the Southwest quarter of Section 10, Township 4 South, Range 39 East of the Willamette Meridian, Union County, Oregon;

EXCEPTING THEREFROM a parcel of land in the Southeast quarter of the Southwest quarter of said Section 10, more particularly described as follows:

With reference to map of survey made for David Baum, dated February, 1974, as filed in the office of Union County Surveyor: Commencing at a point on the centerline of the existing county road, said point being South 88°48'21" East 1,373.67 feet from the Southwest corner of said Section 10; said point also being South 88°48'21" East 637.67 feet from P.O.T. Sta. 628+74.67 on the Union Pacific Railroad main line; Thence North 1°36'33" East 30.0 feet to the True Point of Beginning; Thence South 88°48'21" East 1,293.82 feet; Thence North 0°03'21" East 337.94; Thence North 88°48'21" West 1,284.66 feet; Thence South 1°36'33" West 337.88 feet to the True Point of Beginning.

(04S39-3200; Ref.# 9079)

This legal description was created prior to January 1, 2008.

**TRACT "C"**

Unsurveyed Parcel 2 of Partition Plat Number 20210010, as filed April 27, 2021 in Plat Cabinet "E", Slides 531-532, and recorded as Microfilm Document No. 20211591, Records of Union County Oregon, more specifically described as follows:

All that portion of the North half of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 10, in Township 4 South, Range 39 East of the Willamette Meridian, Union County, Oregon, lying West of the center of the channel of Catherine Creek.

EXCEPTING THEREFROM Parcel 1 of Partition Plat Number 20210010, as filed April 27, 2021 in Plat Cabinet "E", Slides 531-532, and recorded as Microfilm Document No. 20211591, Records of Union County Oregon.

(Portion of 04S39-3300; Ref.# 9081)

RECEIVED

MAR 27 2023

OWRD

RECEIVED

MAR 27 2023

OWRD

**Attachment #6**

Land Use Information Form

POU and IR to IS Transfer Application for Certificate 46514

---



# Land Use Information Form

Applicant(s): SPV Hot Lakes Organic, Alternative Equity Advisors LLC

Mailing Address: 12119 Stratford Drive, Suite B

City: Clive

State: Iowa

Zip Code: 50325

Daytime Phone: (515) 222-1347

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>4S</u>	<u>39E</u>	<u>10</u>	<u>SENW</u>	<u>3301</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>4S</u>	<u>39E</u>	<u>10</u>	<u>SWNE</u>	<u>3301</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>4S</u>	<u>39E</u>	<u>10</u>	<u>SW</u>	<u>3301</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>4S</u>	<u>39E</u>	<u>10</u>	<u>W1/2 SE</u>	<u>3301</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Union

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 2.23   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:  Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

Applicant proposes to reconfigure the irrigation on the place of use, and change the supplemental portion of the water right to primary irrigation of Certificate 46514.



**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

RECEIVED  
 MAR 27 2023  
 OWRD

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Stacy Warren Title: Associate Planner  
 Signature: [Signature] Phone: 541-963-1014 Date: 03/06/2023  
 Government Entity: Union County Planning Dept.

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

RECEIVED

MAR 27 2023

OWRD

RECEIVED

MAR 27 2023

OWRD

**Attachment #7**

Well Log – UNIO 2363

POU and IR to IS Transfer Application for Certificate 46514

---

