

**Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist**



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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: **Application fee of \$1,732.00 is enclosed.**
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: Certificate 33571, Certificate 76441, Certificate 76442 (See Attachment A)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2024.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map. **See Attachment B**
- Completed Evidence of Use Affidavit and supporting documentation. **See Attachment C**
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **See Attachment D**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.) **See Attachment E**
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **See Attachment F**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
 ___ Application fee not enclosed/insufficient ___ Map not included or incomplete
 ___ Land Use Form not enclosed or incomplete
 ___ Additional signature(s) required ___ Part ___ is incomplete
 Other/Explanation _____
 Staff: _____ Phone: _____ Date: ____ / ____ / ____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Green Spring Farms		PHONE NO. 503-838-7333	ADDITIONAL CONTACT NO.
ADDRESS 8930 Suver Road			FAX NO.
CITY Monmouth	STATE OR	ZIP 97361	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

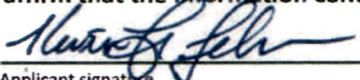
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME GSI Water Solutions, Inc., Attn: Kimberly Grigsby		PHONE NO. 541-257-9004	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Blvd, Suite 240			FAX NO.
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL kgrigsby@gsiws.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:
The Applicant is proposing to temporarily change the place of use and points of diversion for Certificate 33571, and portions of Certificates 76441 and 7644 (60 acres in total) to allow irrigation of the Applicant's farm for the 2023 and 2024 irrigation seasons. The Applicant is proposing to change the points of diversion to three proposed points of diversion.

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.

	Kevin Lehar, General Manager	<u>6/10/23</u>
Applicant signature	Print Name (and Title if applicable)	Date
_____	_____	_____
Applicant signature	Print Name (and Title if applicable)	Date

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

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

See Attachment E for a signed affidavit of consent from the landowner, Jerald Bush.

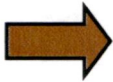
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME N/A	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 Community Development	ADDRESS Kalapuya Building, 4500 SW Research Way	
CITY Corvallis	STATE OR	ZIP 97333

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5(a) of 5 – Water Right Information

Water Right Certificate # 33571

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Description of Water Delivery System

System capacity: 0.13 cubic feet per second (cfs) **(under this right)** 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. **A 40 HP electric pump diverts water from the Luckiamute River at a rate of approximately 350 gpm. The water is conveyed to a big gun system to irrigate the place of use.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	10	S	6	W	29	SE	NW	TL 303	3460 feet West and 225 feet North from the NE corner, J Watson DLC 40
Jack POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	NW	SE	TL 200	2155 feet West and 1805 feet North from the SE corner, Section 28
Bryan POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 300, GLot 4	1340 feet East and 1605 feet South from the NW corner, Section 28
Power Pole POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 200	1920 feet East and 2275 feet South from the NW corner, Section 28

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): N/A

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 33571

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
												POU/POD	9	S	4	W	21	SW	SE		DLC 51	0.8	Irrigation	Jack POD, Bryan POD, Power Pole POD	3/20/1962	
21	SW	SE		DLC 50	0.4																					
21	SE	SW		DLC 51	1.3																					
21	SE	SW		DLC 63	0.05																					
21	SE	SW	600	DLC 50	1.05																					
21	SE	SW		GL 3	0.05																					
28	NW	NE		DLC 50	2.1																					
28	NE	NW		DLC 50	4.2																					
28	NE	NW		GL 3	0.05																					
TOTAL ACRES												TOTAL ACRES														
												10.0														

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Additional remarks: _____

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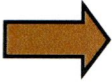
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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____



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

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

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

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 N/A

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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Part 5(b) 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 # 76441

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Description of Water Delivery System

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System capacity: 1.24 cubic feet per second (cfs) **(under this right)** OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **A 40 HP electric pump diverts water from Luckiamute River at a rate of approximately 350 gpm. The water is conveyed to a big gun system to irrigate the place of use.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	10	S	6	W	30	SE	SE	TL 400	2200 feet South and 620 feet East from the NW corner of Watson DLC 40
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	10	S	6	W	29	SE	NW	TL 400	170 feet South and 2940 feet East from the NW corner of Watson DLC 40
POD 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	10	S	6	W	29	SE	NW	TL 303	200 feet North and 2950 feet East from the NW corner of Watson DLC 40
Jack POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	NW	SE	TL 200	2155 feet West and 1805 feet North from the SE corner, Section 28
Bryan POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 300, GLot 4	1340 feet East and 1605 feet South from the NW corner, Section 28
Power Pole POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 200	1920 feet East and 2275 feet South from the NW corner, Section 28

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): N/A

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 76441

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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
10	S	6	W	29	NW	NE	500		0.2										SW	SE		DLC 51	6.5		Jack POD, Bryan POD, Power Pole POD	10/12/1951
					NW	NE	303	DLC 42	9.0	Irrigation	PODs 2, 3, 4	10/12/1951	POU/POD	9	S	4	W	21	SE	SW	600	DLC 51	15.0	Irrigation		
					SW	NE	303		12.9										SE	SW		DLC 63	0.6			
TOTAL ACRES										22.1	TOTAL ACRES										22.1					

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: _____



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

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

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

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 N/A

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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Part 5(c) 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 # 76442

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Description of Water Delivery System

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System capacity: **0.74** cubic feet per second (cfs) **(under this right)** OR

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_____ 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. **A 40 HP electric pump diverts water from Luckiamute River. The water is conveyed to the place of use with about ½ mile of buried 6" mainline, which connects to some above ground piping. A big gun system is used to irrigate the field.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	10	S	6	W	29	NW	NE	TL 500, DLC 42	2180 feet North and 4150 feet East of the NW Corner, DLC 40
Jack POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	NW	SE	TL 200	2155 feet West and 1805 feet North from the SE corner, Section 28
Bryan POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 300, GLot 4	1340 feet East and 1605 feet South from the NW corner, Section 28
Power Pole POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9	S	4	W	28	SE	NW	TL 200	1920 feet East and 2275 feet South from the NW corner, Section 28

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): N/A

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 76442

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																		
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date										
EXAMPLE																																
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901						
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901						
10	S	6	W	20	SE	SE	500	DLC 42	13.0	Irrigation	POD 5	5/4/1970	POU/POD	9	S	4	W	21	SW	SE	600	DLC 51	1.3	Irrigation	Jack POD, Bryan POD, Power Pole POD	5/4/1970						
				20	SW	SE		2.7																								
				29	NE	NE		2.9																				DLC 50	7.5			
				29	NW	NE		9.3																				DLC 50	12.0			
TOTAL ACRES										27.9	TOTAL ACRES										27.9											

Additional remarks: _____

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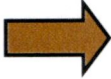
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Water Right Certificate # 76442

For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____



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

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

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

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 N/A

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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Attachment A

Water Right Certificates 33571, 76441, and 76442

Application for a Temporary Water Right Transfer

Green Spring Farms

14295

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That GRACEN L. BUSH

of Route 1, Box 76, Philomath, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Luckiamute River

a tributary of Willamette River for the purpose of irrigation of 10.0 acres

under Permit No. 27906 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 20, 1962

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 0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Allen DLC 42, Section 29, T. 10 S., R. 6 W., W. M. Diversion point located 3460 feet West and 225 feet North from the NE Corner, J. Watson DLC 40.

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

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

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

5.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
all as projected within Allen DLC 42
Section 29
T. 10 S., R. 6 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. January 31, 1967

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 33571

14295

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 03 2023

OWRD

THIS CERTIFICATE ISSUED TO

GRACEN L. BUSH
ROUTE 1, BOX 76
PHILOMATH, OREGON 97370

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER, for IRRIGATION OF 99.1 ACRES.

This right was perfected under Permit 20809. The date of priority is OCTOBER 12, 1951. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.24 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 SE 1/4, AS PROJECTED WITH WATSON DLC 40, SECTION 30,
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.; 2200 FEET SOUTH AND 620 FEET EAST
FROM THE NW CORNER OF WATSON DLC 40; AND

SE 1/4 NW 1/4, AS PROJECTED WITH WATSON DLC 40, SECTION 29,
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.; 170 FEET SOUTH AND 2940 FEET EAST
FROM THE NW CORNER OF WATSON DLC 40; AND

SE 1/4 NW 1/4, AS PROJECTED WITH ALLEN DLC 42, SECTION 29,
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.; 200 FEET NORTH AND 2950 FEET EAST
FROM THE NW CORNER OF WATSON DLC 40.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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.

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

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

NW 1/4 NE 1/4	10.5 ACRES
SW 1/4 NE 1/4	12.9 ACRES
BOTH AS PROJECTED WITHIN ALLEN DLC 42	
SW 1/4 NW 1/4	5.2 ACRES
SE 1/4 NW 1/4	1.5 ACRES
NE 1/4 SW 1/4	2.3 ACRES
NW 1/4 SW 1/4	17.8 ACRES
SW 1/4 SW 1/4	20.4 ACRES
ALL AS PROJECTED WITHIN WATSON DLC 40	
LOT 3 (SW 1/4 SW 1/4)	1.3 ACRES
SECTION 29	

PAGE 1 OF 2

SW 1/4 NE 1/4 2.2 ACRES
NW 1/4 SE 1/4 11.1 ACRES
BOTH AS PROJECTED WITHIN VAN PEER DLC 41

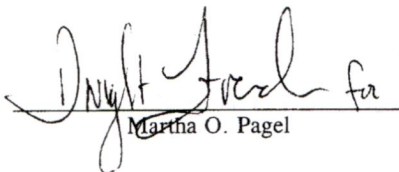
NE 1/4 SE 1/4 12.7 ACRES
SE 1/4 SE 1/4 1.2 ACRES
BOTH AS PROJECTED WITHIN WATSON DLC 40
SECTION 30
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 18, 1981, and along with Certificate 50120, supersedes Certificate 24316, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 28, 2000.


Martha O. Pagel

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Recorded in State Record of Water Right Certificates numbered 76441.

T-4569.SB

14295

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GRACEN L. BUSH
ROUTE 1, BOX 76
PHILOMATH, OREGON 97370

confirms the right to use the waters of LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER, for IRRIGATION OF 59.3 ACRES.

This right was perfected under Permit 35107. The date of priority is MAY 4, 1970. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.74 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NE 1/4, AS PROJECTED WITH ALLEN DLC 42, SECTION 29,
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.; 2180 FEET NORTH AND 4150 FEET EAST
FROM THE NW CORNER OF WATSON DLC 40.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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.

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

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

NE 1/4 SE 1/4 1.7 ACRES
SW 1/4 SE 1/4 31.1 ACRES
SE 1/4 SE 1/4 14.3 ACRES
ALL AS PROJECTED WITHIN ALLEN DLC 42
SECTION 20
NE 1/4 NE 1/4 2.9 ACRES
NW 1/4 NE 1/4 9.3 ACRES
BOTH AS PROJECTED WITHIN ALLEN DLC 42
SECTION 29
TOWNSHIP 10 SOUTH, RANGE 6 WEST, W.M.

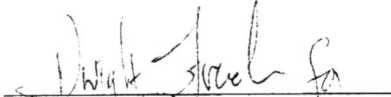
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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 18, 1981, and supersedes Certificate 42590, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 28, 2000.


Martha O. Pagel

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Recorded in State Record of Water Right Certificates numbered 76442.

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Attachment B

Application Maps

Application for a Temporary Water Right Transfer

Green Spring Farms

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Attachment C

Evidence of Use Affidavits

Application for a Temporary Water Right Transfer

Green Spring Farms

14295

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, JERALD BUSH, in my capacity as LANDOWNER,
 mailing address 24402 MAXFIELD CREEK ROAD, PHILOMATH, OR 97370
 telephone number (541)609-7690, 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 # 33571; **AND**

- 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)
76441, Authorized Place of Use (unchanged by T-13198)	10	S	6	W	W.M.	29	SW	NE	DLC 42	1.3
76442	10	S	6	W	W.M.	20	SE	SE	DLC 42	13.0
						20	SW	SE		2.7
						29	NW	NE		9.3
						29	NE	NE		2.9

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)

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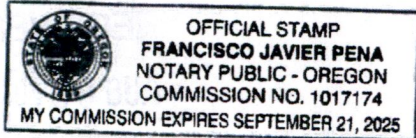
14295

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

7-20-23
Date

Signed and sworn to (or affirmed) before me this 20 day of July, 2023.

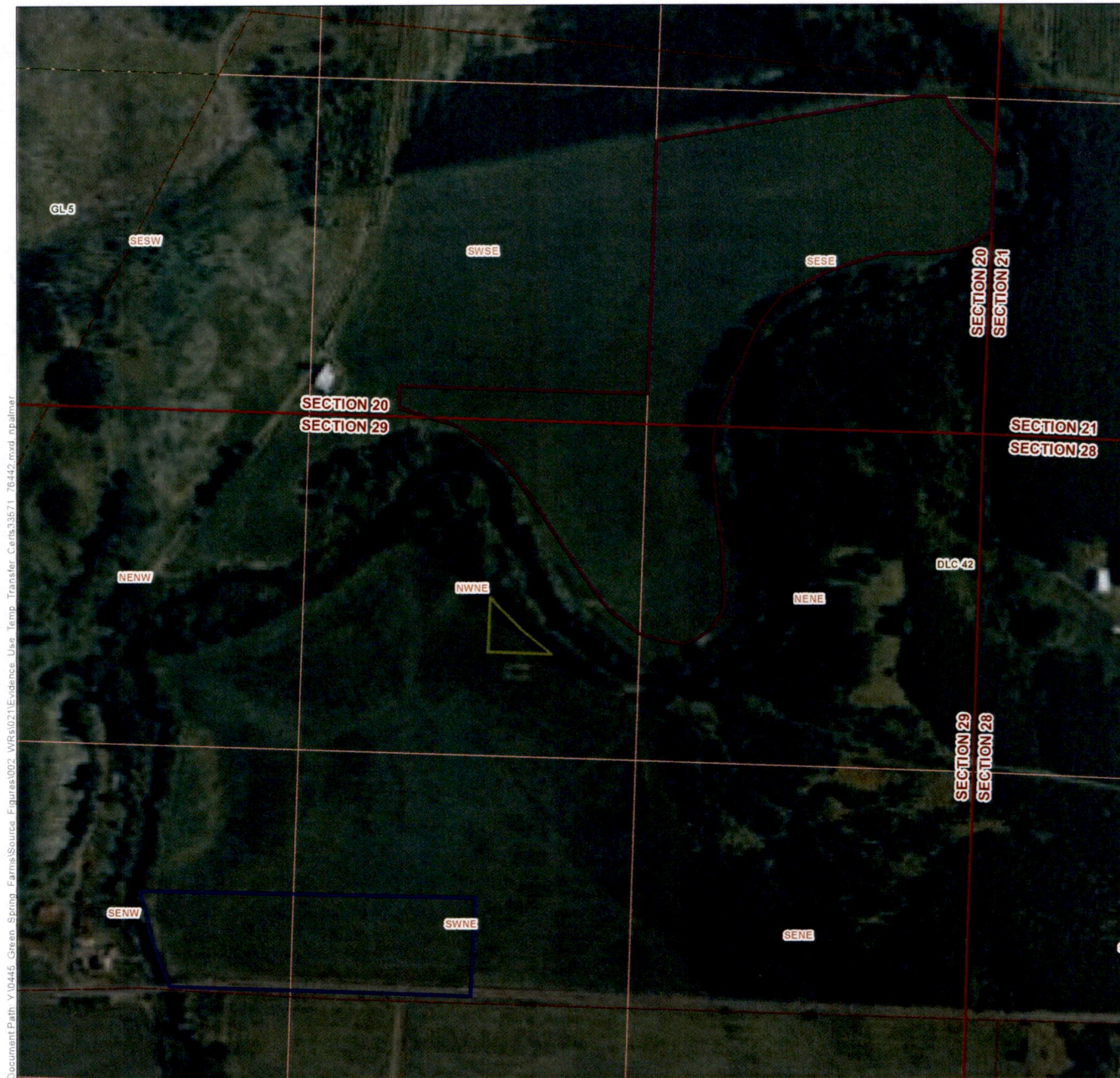


[Signature]
Notary Public for Oregon

My Commission Expires: 09/21/2025

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 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 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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.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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Document Path: Y:\0415_Green_Spring_Farms\Source_Figures\002_VIRB\0211\Evidence_Use_Temp_Transfer_Certs\33571_76442_rnd_npalmar

LEGEND

- Cert 33571, 10.0 ac.
- Cert 76441, 0.59 ac.
- Cert 76442, 27.9 ac.

**Evidence of Use for Certificate 33571, 76442 and 76441
Green Spring Farms**

June 25, 2022

Township 10 South, Range 6 West (W.M.)

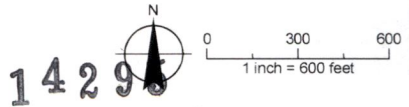
DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: May 22, 2023
Data Sources: OWRD, NAIP 2022

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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, CHRIS HORTON, in my capacity as LANDOWNER,
 mailing address 14850 Airlie Road, Monmouth, OR 97361
 telephone number, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # ____; **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)
76441, as Changed by Temporary Transfer T-13198	9	S	5	W	W.M.	19	NE	SE	DLC 70	6.0
						20	SW	NW		2.1
						20	NW	SW		12.9

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)

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 AUG 03 2023
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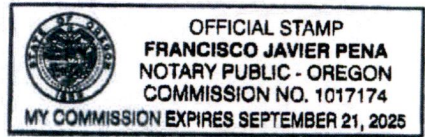
3. The water right was used for: (e.g., crops, pasture, etc.): Hemp

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

6/21/23
Date

Signed and sworn to (or affirmed) before me this 21 day of June, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: 09/21/2025

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 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 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 – 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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Document Path: Y:\0445 Green Spring Farms Source Figures\037 W15021 Evidence Use From Trailblaze Cert76441.mxd, mapunit

LEGEND

Place of Use

Cert 76441, 21.0 ac.

**Evidence of Use for Certificate 76441, as Changed by
Temporary Transfer T-13198
Green Spring Farms**

July 7, 2022

Township 9 South, Range 5 West (W.M.)

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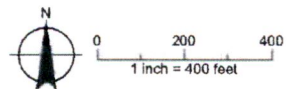
AUG 03 2023

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DISCLAIMER

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Date: May 3, 2023
Data Sources: OWRD, NAIP 2022



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Attachment D

Deeds for Authorized Places of Use
Application for a Temporary Water Right Transfer
Green Spring Farms

14295

Grantor's Name and Address:

Gracen L. Bush, Trustee of the Gracen L. Bush
Revocable Living Trust dated April 23, 1990 and
Gracen L. Bush, Trustee of the Jessie O. Bush Credit
Shelter Trust dated October 14, 1998

Grantee's Name and Address:

Steven R. Bush
23251 Hoskins Rd.
Philomath, OR 97370

Jerald L. Bush
24402 Maxfield Creek Rd.
Philomath, OR 97370

After recording, return to:

Marek & Lanker, LLP
810 SW Madison Avenue
Corvallis, OR 97333

**Send Tax Statements regarding Tax Lots 300 on Map 10629
and Tax Lot 501 on Map 10620 and Accounts 291631 and 025183 to:**

Steven R. Bush
23251 Hoskins Rd.
Philomath, OR 97370

**Send Tax Statements regarding Tax Lots 303 on Map 10629
and Tax Lot 500 on Map 10620 and Accounts 291462 and 024475 to:**

Jerald L. Bush
24402 Maxfield Creek Rd.
Philomath, OR 97370

Consideration - \$ 0.00

BARGAIN and SALE DEED

GRANTOR, Gracen L. Bush, Trustee of the Gracen L. Bush Revocable Living Trust
dated April 23, 1990 and Gracen L. Bush, Trustee of the Jessie O. Bush Credit Shelter Trust
dated October 14, 1998 does hereby convey unto

GRANTEE: Jerald L. Bush the following described property located in Benton County,
State of Oregon:

Parcels 2 and 3 on the attached Exhibit A

GRANTOR further conveys unto

GRANTEE: Steven R. Bush the following described property located in Benton County,
State of Oregon:

Parcels 1 and 4 on the attached Exhibit A

BENTON COUNTY, OREGON **2014-519192**
 DE-BS
 Cnt=2 Stn=9 PF **05/15/2014 01:12:39 PM**
 \$35.00 \$5.00 \$11.00 \$22.00 \$10.00 **\$103.00**



00280874201405191920070075

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



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AUG 03 2023

OWRD

14295

Each subject to the easements as specified on Exhibit A and other encumbrances of record.

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns.

The true and actual consideration paid for this transfer is \$0 and other value which is part of the consideration.

IN WITNESS WHEREOF, the grantor has executed this instrument on the 12th day of May, 2014.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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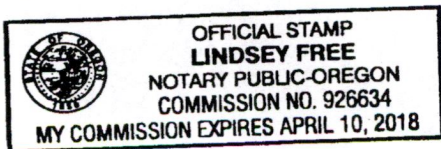
AUG 03 2023

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Gracen L. Bush Trustee
Gracen L. Bush, Trustee of the Gracen L. Bush Revocable Living Trust dated April 23, 1990 and Trustee of the Jessie O. Bush Credit Shelter Trust dated October 14, 1998

STATE OF OREGON)
) ss.
County of Benton)

This instrument was acknowledged before me on this 12 day of May, 2014, by Gracen L. Bush, in his capacity as Trustee of the Gracen L. Bush Revocable Living Trust dated April 23, 1990 and Trustee of the Jessie O. Bush Credit Shelter Trust dated October 14, 1998.



Lindsey Free
NOTARY PUBLIC FOR OREGON
My Commission Expires: 4-10-18

Parcel 1:

BEGINNING at the Southwest corner of the Charles Allen Donation Land Claim No. 42 in Township 10 South, Range 6 West of the Willamette Meridian in Benton County, Oregon; thence West 4 chains; thence North 38.64 chains; thence East to the Charles Allen Donation Land Claim No. 42; thence in a Southwesterly direction along West line of said claim to the PLACE OF BEGINNING.

TOGETHER WITH the following described tract of land:

A tract of land in Sections 20 and 29 of Township 10 South, Range 6 West, Willamette Meridian, Benton County, Oregon, said tract of land being a part of Parcels 2 and 3 of a tract described in Document M270352-99 which transferred ownership from the Jessie O. Bush Revocable Living Trust to the Jessie O. Bush Credit Shelter Trust and hereafter referred to as the "Bush tract", and more particularly described as follows:

BEGINNING at the Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DLC No. 42 to a 1-1/4" outside diameter iron pipe with 5/8" iron rod and yellow plastic cap alongside; thence leaving said DLC line S2 deg. 21'33" E. 687.81 feet to a 5/8" iron rod and yellow plastic

cap set in an angle point in a fence line; thence S. 16 deg. 23'14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23 deg. 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence S. 85 deg. 32'26" E. 192.41 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence continuing N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Luckiamute River; thence S. 23 deg. E. along the centerline of the Luckiamute River 234.92 feet more or less to its intersection with the South line of said Bush tract; thence S. 89 deg. 43'35" W. 1525.82 feet along the South line of said Bush tract to the POINT OF BEGINNING.

SUBJECT TO a 15 foot wide (7-1/2 feet on each side of the waterline) easement for maintenance and construction of a waterline and spring for use by Parcel 2 described below; said spring is located approximately N. 20 deg. W. and 570 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor. The spring is developed, but the waterline is not constructed at this time. It is expected that the future water line (and centerline of said easement) will start at the spring and head in an Easterly direction across the above Parcel 1 to Parcel 2 described below. The future waterline will not unreasonably hinder the use and enjoyment of the land by the owner of Parcel 1. The owner of Parcel 2 shall propose a location to the owner of Parcel 1, the owner of Parcel 1 may reject that location, but shall propose an alternate location, and the owner of Parcel 1 shall not unreasonably reject a location proposed by the owner of Parcel 2.

ALSO SUBJECT TO a 30 foot wide (15 feet on each side of the centerline) easement for ingress and egress for Parcels 2 and 3 described below on the existing gravel road, the centerline of said existing gravel road starts at a location within Hoskins County Road (Number 06540) at a point that is approximately N. 89 deg. 43' E. 1185 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence continuing along the existing centerline N. 12 deg. W. 220 feet more or less along the centerline of the said existing gravel road to the South boundary of Parcel 2.

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ALSO SUBJECT TO an easement for transporting livestock between Parcels 2 and the tract of land directly South of Parcel 1 (across Hoskins County Road), said easement is subject to the rights of the public, said easement shall follow the existing dirt path that is directly west of the Luckiamute River, East of the existing home, garden and septic system, and goes under the bridge that allows said Hoskins County road to cross the Luckiamute River and is more particularly described as follows:

BEGINNING at a point that is approximately N. 89 deg. 43' E. 1450 feet distant from the said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence following the existing path that is adjacent to and directly west of the Luckiamute River in a Northerly direction approximately 250 feet to the South boundary of Parcel 2. It is intended that this easement will become void if the easement is no longer needed.

AND TOGETHER WITH a 15 foot wide (7-1/2 feet on each side of the waterline) easement for maintenance of a water line for the portions of the existing waterline that exists on Parcel 2, the centerline of said waterline starts at a spring that is located (on Parcel 1) approximately N. 31 deg. E. and 1300 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor, said water line flows from said spring approximately Southeasterly for 1200 feet more or less to the residence on parcel 1, said waterline starts on Parcel 1 and crosses to Parcel 2 and then crosses back onto the above Parcel 1. The easement will follow the present waterline and shall not unreasonably hinder the use and enjoyment of the land by the owner of Parcel 2.

Parcel 2:

BEGINNING at the Southwest corner of the Donation Land Claim of Charles Allen and wife, claim No. 42, Notification 5143 in sections 20, 21, 28 and 29, Township 10 South, Range 6 West of the Willamette Meridian in Benton County, Oregon; thence East 55.98 chains; thence North 19.50 chains; thence West 46.38 chains; thence South 25 deg. 45' West 21.66 chains to the PLACE OF BEGINNING.

EXCEPTING the following described tract:

BEGINNING at the Southwest corner of Parcel 4 of that deed dated April 23, 1990, recorded as M-122238-90, lying on the South line of the Charles Allen DLC No. 42, S 89 deg. 43'35" E 3694.68 feet from a steel hand lever at the Southwest corner thereof; thence along said DLC line N. 89 deg. 43'35" W. 21.41 feet to a point which lies S. 11 deg. 04'01" E. 38.54 feet from a 5/8" iron rod; thence N. 11 deg. 04' 01" W. 1150.16 feet to a 5/8" iron rod; thence continuing N. 11 deg. 04' 01" W. 126.62 feet to the centerline of the Luckiamute River; thence along said centerline, downstream in a Northeasterly direction, 274 feet, more or less to the West line of the tract conveyed to Steven and Glenda Bush per M-96289-87, said Deed Records; thence along said West line South 241 feet, more or less to the Southwest corner thereof, being also the Northwest corner of the above-mentioned Parcel 4; thence South 1108.80 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of land in Sections 20 and 29 of Township 10 South, Range 6 West, Willamette Meridian, Benton County, Oregon, said tract of land being a part of Parcels 2 and 3 of a tract described in Document M270352-99 which transferred ownership from the Jessie O. Bush Revocable Living Trust to the Jessie O. Bush Credit Shelter Trust and hereafter referred to as the "Bush tract", and more particularly described as follows:

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BEGINNING at the Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DLC No. 42 to a 1-1/4" outside diameter iron pipe with 5/8" iron rod and yellow plastic cap alongside; thence leaving said DLC line S. 2 deg. 21'33" E. 687.81 feet to 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 16 deg. 23'14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23' 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence S. 85 deg. 32'26" E. 192.41 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence continuing N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Luckiamute River; thence S. 23 deg. E. along the centerline of the Luckiamute River 234.92 feet more or less to its intersection with the South line of said Bush tract; thence S. 89 deg. 43'35" W. 1525.82 feet along the South line of said Bush tract to the POINT OF BEGINNING.

TOGETHER WITH a 15 foot wide (7-1/2 feet on each side of the waterline) easement for maintenance and construction of a waterline and spring for use by this Parcel; said spring is located approximately N. 20 deg. W. and 570 feet distant from said Southwest Corner of the Allen DLC No. 42,

which was found and described in a survey recorded as number 9141 by the Benton County Surveyor. The spring is developed, but the waterline is not constructed at this time. It is expected that the future waterline (and centerline of said easement) will start at the spring and head in an Easterly direction across Parcel 1 above to this Parcel. The future waterline will not unreasonably hinder the use and enjoyment of the land by the owner of Parcel 1. The owner of Parcel 2 shall propose a location to the owner of Parcel 1, the owner of Parcel 1 may reject that location, but shall propose an alternate location, and the owner of Parcel 1 shall not unreasonably reject a location proposed by the owner of Parcel 2.

TOGETHER WITH a 30 foot wide (15 feet on each side of the centerline) easement for ingress and egress for this Parcel 2 and Parcel 3 described below on the existing gravel road, the centerline of said existing gravel road starts at a location within Hoskins County Road (Number 06540) at a point that is approximately N. 89 deg. 43' E. 1185 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence continuing along the existing centerline N. 12 deg. W. 220 feet more or less along the centerline of said existing gravel road to the South boundary of this Parcel 2.

ALSO SUBJECT TO a 30 foot wide (15 feet on each side of the centerline) easement for ingress and egress on the existing gravel road for the benefit of Parcel 3; said existing gravel road starts at a location within Hoskins County Road (Number 06540) at a point that is approximately N. 89 deg. 43' E. 1185 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence continuing N. 12 deg. W. 220 feet more or less along the centerline of the said existing gravel road to the South boundary of Parcel 2 and the TRUE POINT OF BEGINNING of this easement; thence continuing along the centerline of the existing gravel road that is near the old railroad grade in a northerly direction approximately 1200 feet more or less to the South boundary of Parcel 3.

TOGETHER WITH an easement for transporting livestock between the above Parcel 2 and the tract of land directly South of Parcel 1 above (across Hoskins County road), said easement is subject to the rights of the public, said easement shall follow the existing dirt path that is directly west of the Luckiamute River, East of the existing home, garden and septic system, and goes under the bridge that allows said Hoskins County road to cross the Luckiamute River and is more particularly described as follows:

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BEGINNING at a point that is approximately N. 89 deg. 43', E. 1450 feet distant from the said southwest corner of the Allen DIC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DIC No. 42 to a 1-1/4" outside diameter iron pipe with line S. 2 deg. 21'33" E. 687.81 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 16 deg. 23' 14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23 deg. 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence S. 85 deg. 32'26" E. 192.41 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Lucklamute River; thence S. 23 deg. E. along the intersection of the Lucklamute River 234.92 feet more or less to its 43'35" W. 1525.82 feet along the south line of said bush tract to the POINT OF BEGINNING.

BEGINNING at the southwest corner of the Allen DIC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DIC No. 42 to a 1-1/4" outside diameter iron pipe with line S. 2 deg. 21'33" E. 687.81 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 16 deg. 23' 14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23 deg. 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Lucklamute River; thence S. 23 deg. E. along the intersection of the Lucklamute River 234.92 feet more or less to its 43'35" W. 1525.82 feet along the south line of said bush tract to the POINT OF BEGINNING.

BEGINNING at a point that is approximately N. 89 deg. 43', E. 1450 feet distant from the said southwest corner of the Allen DIC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DIC No. 42 to a 1-1/4" outside diameter iron pipe with line S. 2 deg. 21'33" E. 687.81 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 16 deg. 23' 14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23 deg. 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Lucklamute River; thence S. 23 deg. E. along the intersection of the Lucklamute River 234.92 feet more or less to its 43'35" W. 1525.82 feet along the south line of said bush tract to the POINT OF BEGINNING.

BEGINNING at the southwest corner of the Allen DIC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence N. 25 deg. 41'41" E. 2831.30 feet along the West line of the Allen DIC No. 42 to a 1-1/4" outside diameter iron pipe with line S. 2 deg. 21'33" E. 687.81 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 16 deg. 23' 14" W. 245.61 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 23 deg. 11'10" W. 104.30 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 71 deg. 59'44" W. 79.46 feet to a 5/8" iron rod and yellow plastic cap set in an angle point in a fence line; thence S. 45 deg. 33'02" W. 392.10 feet to a 5/8" iron rod and red plastic cap under a gate in a fence; thence S. 27 deg. 03'03" E. 402.10 feet to a 5/8" iron rod and yellow plastic cap; thence S. 1 deg. 43'16" E. 643.32 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 127.81 feet to a 5/8" iron rod and yellow plastic cap; thence N. 88 deg. 35'00" E. 122.19 more or less in distance to the centerline of the Lucklamute River; thence S. 23 deg. E. along the intersection of the Lucklamute River 234.92 feet more or less to its 43'35" W. 1525.82 feet along the south line of said bush tract to the POINT OF BEGINNING.

ALSO TOGETHER WITH a 15 feet wide (7-1/2 feet on each side of the waterline) easement for maintenance of a waterline and pond; said pond is located approximately N. 24 deg. 17' E. and 2900 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; said water line flows from said pond approximately S. 45 deg. E. for 75 feet more or less to the west boundary of said Parcel 3. The easement is intended to follow the present waterline and maintenance shall not unreasonably hinder the use and enjoyment of the land by the owner of Parcel 4.

ALSO TOGETHER WITH 30 foot wide (15 feet on each side of the centerline) easement for ingress and egress for on the existing road which exists on Parcel 1 and Parcel 2; said existing gravel road starts at a location within Hoskins County Road (Number 06540) at a point that is approximately N. 89 deg. 43' E. 1185 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; thence continuing N. 12 deg. W. 220 feet more or less along the centerline of the said existing gravel road to the South boundary of Parcel 2; thence continuing along the centerline of the existing gravel road that is near the old railroad grade in a northerly direction approximately 1200 feet more or less to the South boundary of Parcel 3.

Parcel 4:

BEGINNING at a 3/4 inch iron pipe on the West line 13.422 chains South 25 deg. 43' West of the Northwest corner of Charles Allen Donation Land Claim No. 42, Township 10 South, Range 6 West of the Willamette Meridian, in Benton County, Oregon; and running thence South 77 deg. 50' West which is the Westerly extension in a straight line of the North line of Carl L. Bush's land as described in Book 99, page 237, Deed Records, Benton County, Oregon, 26.573 chains to a 1 inch pipe which is 8.547 chains North 38 deg. 53' East of the Southwest corner of Section 20; thence South 1.381 chains to a 3/4 inch pipe which is 38.64 chains North of the North line of James Watson Donation Land Claim No. 40 at a point 4 chains North 89 deg. 44' West of the Southwest corner of said Charles Allen claim; thence East 22.615 chains to a 1 inch pipe at the West line of said Allen claim; thence North 25 deg. 43' East 7.747 chains to the PLACE OF BEGINNING.

SUBJECT TO a 15 feet wide (7 1/2 feet on each side of the waterline) easement for maintenance of a waterline and pond for use by Parcel 3; said pond is located approximately N 24 deg. 17' E and 2900 feet distant from said Southwest Corner of the Allen DLC No. 42, which was found and described in a survey recorded as number 9141 by the Benton County Surveyor; said water line flows from said pond approximately S 45 deg. E for 75 feet more or less to the west boundary of said Parcel 3. The easement is intended to follow the present waterline and maintenance shall not unreasonably hinder the use and enjoyment of the land by the owner of Parcel 4.

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Attachment E

Affidavit of Consent from Landowner
Application for a Temporary Water Right Transfer
Green Spring Farms

14295

Application for Water Right Transfer


OREGON 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)
)ss
 County of Benton)

I Jerald Bush in my/our capacity as landowner,

mailing address 24402 Maxfield Creek Road, Philomath, OR 97370

telephone number 541-609-7690, duly sworn depose and say that I/We

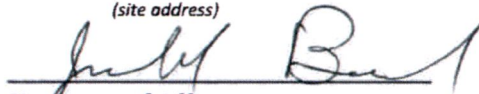
consent to the proposed change(s) to Water Right Certificate Numbers 33571, 22.1 acres under 76441, and 27.9 acres under 76442

described in a Water Right Transfer Application (T-_____),
(transfer number, if known)
 submitted by Green Spring Farms

on the property in tax lot number(s) 500 & 303,

Section 20 & 29 Township 10 South Range 6 West, W.M.,

located at N/A
(site address)

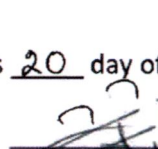

 Signature of Affiant

7-20-23
 Date

 Signature of Affiant

 Date

Subscribed and Sworn to before me this 20 day of July, 2023.


 Notary Public for Oregon

My commission expires 09/21/2025



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Attachment F

Land Use Information Form

Application for a Temporary Water Right Transfer

Green Spring Farms

14295

Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use Information Form

RECEIVED
 AUG 03 2023
 OWRD

Applicant(s): Green Spring Farms

Mailing Address: 8930 Suver Road

City: Monmouth

State: OR

Zip Code: 97361

Daytime Phone: 503-838-7333

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:
9 S	4 W	21	SW SE, SE SW	600	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
		28	N ½ of the NE quarter, NE NW	600		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
		28	SW NE	200		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		28	SE NW	300		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		28	SE NW	200		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		28	NW SE	200		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Polk County

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 (Temporary)
 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) Luckiamute River

Estimated quantity of water needed: 0.75 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:

The Applicant is proposing to temporarily change the place of use and point of diversion on a 60-acre total portion from Certificates 33571, 76441, and 7644, to irrigate the Applicant's farm for the 2023 and 2024 irrigation seasons. The Applicant is changing the currently authorized points of diversion on all the Certificates to three points of diversion as potential options to divert water from the Luckiamute River to the new place of use. See the attached map for where water will be temporarily diverted, conveyed and used.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign 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. →

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): PCZO 136.030 (A)
- 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
		<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.

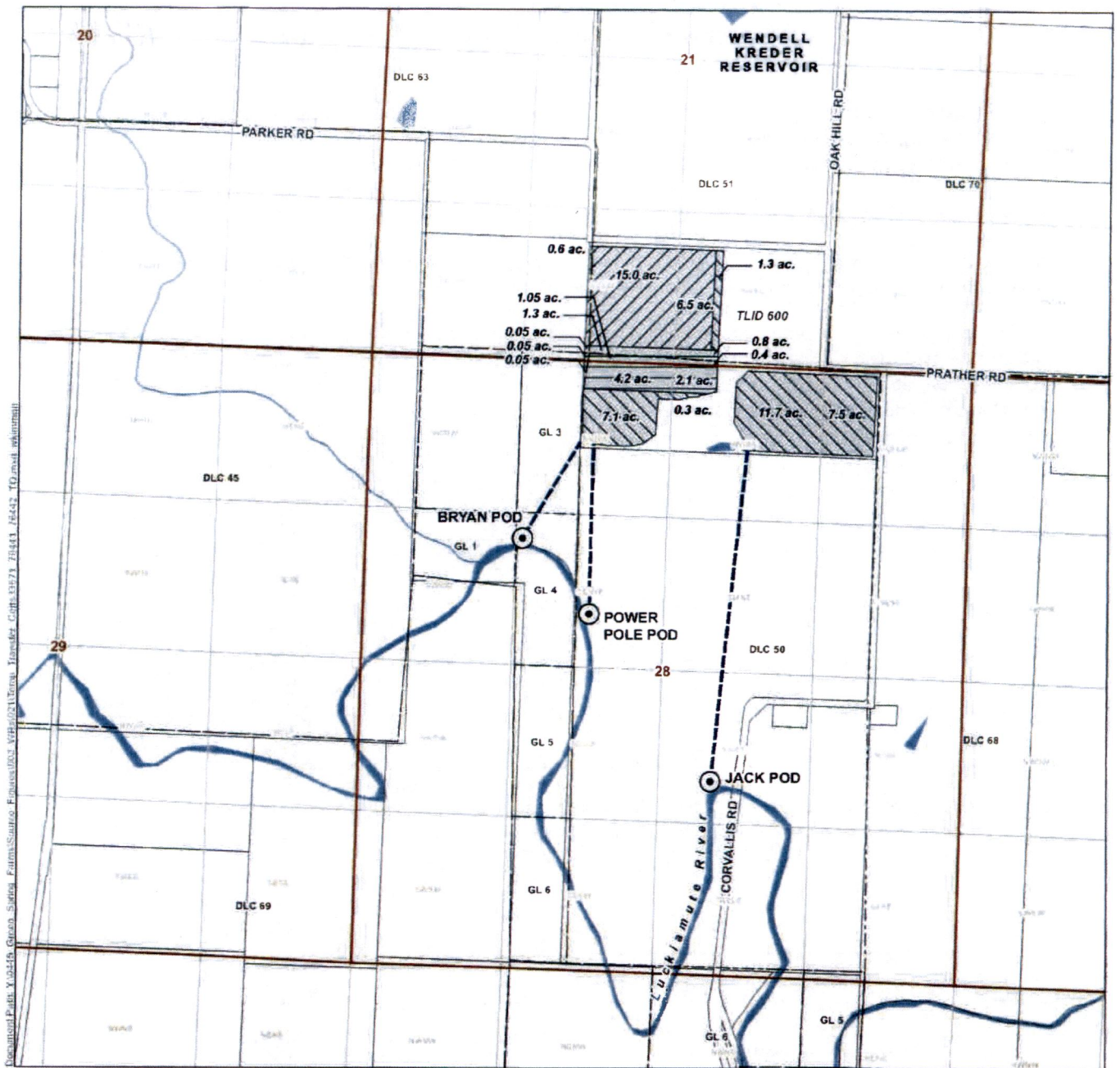
Name: Hannah Brickner Title: Associate Planner
 Signature: [Signature] Phone: 503-623-9878 Date: 7/27/2023
 Government Entity: Polk County

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: _____



Document Path: Y:\04516_Green_Spring_Farms_Sources_Facilities\03_VHB\021\Draw_Templates\03_12171_20141_16442_TO final.mxd

LEGEND

- Proposed Point of Diversion (POD)
- Major Road
- Conveyance Line
- Watercourse
- Waterbody
- Proposed Place of Use**
- Cert 33571, 10 ac.
- Cert 76441, 22.1 ac.
- Cert 76442, 27.9 ac.
- All Other Features**
- Donation Land Claim (DLC)
- Government Lot (GL)
- Tax Lot

**Temporary Transfer Application for
Certificates 33571, 76441, and 76442
Green Spring Farms**

Proposed Place of Use, Proposed Points of Diversion Map
Township 9 South, Range 4 West (W.M.)
Polk County

LOCATION DESCRIPTIONS

Proposed PODs

Bryan POD Located 1340 feet East and 1605 feet South from the NW corner Section 28, Township 9 South, Range 4 West (W.M.)
Power Pole POD Located 1920 feet East and 2275 feet South from the NW corner Section 28, Township 9 South, Range 4 West (W.M.)
Jack POD Located 2155 feet West and 1805 feet North from the SE corner Section 28, Township 9 South, Range 4 West (W.M.)

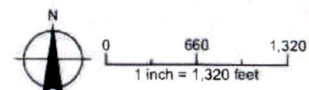
RECEIVED

AUG 03 2023

OWRD

DISCLAIMER
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: June 8, 2023
Data Sources: BLM, ESRI, OWRD, USGS





RECEIVED
AUG 03 2023
OWRD

July 31, 2023

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Temporary Transfer Application – Green Spring Farms

Dear Kelly:

Green Spring Farms is seeking to temporarily change the place of use and point of diversion for Certificates 33571, 76441, and 76442. The proposed changes will allow irrigation of the Applicant's "Todd Farm" for the 2023 and 2024 irrigation seasons. The Applicant is changing the currently authorized points of diversion on all the Certificates to three points of diversion as potential options to divert water from the Luckiamute River to the new place of use. Certificate 76441 was previously changed by temporary transfer T-13198, which terminated at the end of the 2022 irrigation season.

Please find enclosed a temporary transfer application and related documents. Also enclosed is a check for the required processing fee of \$1,732.00.

Please contact me if you have any questions or concerns. My email address is KGrigsby@gsiws.com.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is written in a cursive, flowing style.

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Water Right Temporary Transfer Application
Check for application fee in the amount of \$1,732.00

RECEIVED
AUG 03 2023
OWRD

14295

Temporary Transfer Application Intake Checklist

Transfer # T-14295

Reviewer Arla	Type of Change(s) Proposed: MUST INCLUDE A CHANGE IN PLACE OF USE		
Date 8/7/2023	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POU/POD	<input type="checkbox"/> POU/APOD
	<input type="checkbox"/> POU/POA	<input type="checkbox"/> POU/APOA	
Calculated Fee \$1732.00		Fee Received \$1732.00	
Certificate(s): 33571, 76441, 76442		Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled	
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Notes: unable to locate on SOS for applicant sig			

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing?
2.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
			For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements: OAR 690-380-3100			
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Map included and meets mapping requirements?
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
			Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments: OAR 690-380-3000			
6.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?
	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Current recorded deed for the land from which the authorized place of use is temporarily being moved included?
	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
			Affidavit of Consent from Landowner(s) described on the deed?
7.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
			Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
	<input type="checkbox"/> YES	<input type="checkbox"/> NO	District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District
9.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
			For changes in POA/APOA – are the well logs included?
10.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
			For change in POU within Umatilla County, Supplemental Form U included?

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.