

# Application for Permanent Water Right Transfer



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

## Part 1 of 5 – Minimum Requirements Checklist

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

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificate 9536 & 21436**  
 Please include a separate Part 5 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

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**Attachments:**

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

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

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

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

## Part 2 of 5 – Transfer Application Map

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input checked="checked" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="checked" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>  2  </u> (2a) Subtract 1 from the number in line 2a = <u>  1  </u> (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	1,090
	Number of water rights included in transfer <u>  2  </u> (3a) Subtract 1 from the number in 3a above: <u>  1  </u> (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	610
	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="checked" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>  0  </u> (4a)  Do you propose to add or change additional wells? <input checked="checked" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>  0  </u> (4b)		
4	Add line 4a to line 4b and enter »	4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="checked" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.27</u> (5a) Subtract 1.0 from the number in 5a above: <u>-0.73</u> (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>  0  </u> (5c) and multiply 5c by \$410, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	3,060
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » <b>Transfer Fee:</b>	8	<b>\$3,060</b>

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
  - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
  - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each “on the ground” acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0.*)

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » <b>Fee for Substitution:</b>	3	

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Hudspeth Family Farm</b>		PHONE NO. <b>(503) 801-6090</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>30180 Blaine Rd.</b>			FAX NO.
CITY <b>Beaver</b>	STATE <b>OR</b>	ZIP <b>97108</b>	E-MAIL <b>zhudspeth09@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

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

AGENT/BUSINESS NAME <b>Will McGill Surveying, LLC</b>		PHONE NO. <b>(503) 931-0210</b>	ADDITIONAL CONTACT NO. <b>(503) 510-3026</b>
ADDRESS <b>15333 Pletzer Rd. SE</b>			FAX NO.
CITY <b>Turner</b>	STATE <b>OR</b>	ZIP <b>97392</b>	E-MAIL <b>willmcgill.surveying@gmail.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

Explain in your own words what you propose to accomplish with this transfer application, and why:  
*It is proposed to move portions of Certificates 9536 and 21436 to the same field and potentially consolidate irrigation to one proposed POD downstream from the authorized PODs.*

### Check One Box

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

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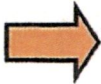
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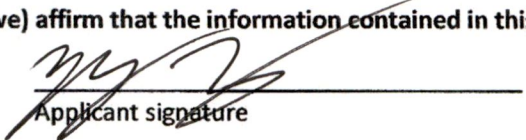
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**By my signature below, I confirm that I understand:**

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

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



  
 Applicant signature
 
 ZACHARY HUDSPETH  
 Print Name (and Title if applicable)
 

 7/31/2023  
 Date

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

 \_\_\_\_\_  
 Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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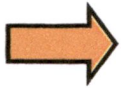
RECEIVING LANDOWNER NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
Describe any special ownership circumstances:			
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner			

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

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

ENTITY NAME <b>Tillamook County</b>	ADDRESS <b>201 Laurel Ave.</b>	
CITY <b>Tillamook</b>	STATE <b>OR</b>	ZIP <b>97141</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## Part 5 of 5 – Water Right Information

CERTIFICATE # 9536

### Description of Water Delivery System

System capacity: 0.41 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **4.8 HP centrifugal gas-powered pump conveys water to field through 4" pipe and applied by big gun or 30' spaced sprinklers.**

**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		3	S	9	W	25	NE	SE	1100	in the NESE of Section 25, Township 3S, Range 9W, W.M.
APOD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		3	S	9	W	25	SE	SE	1300	30' N and 720' W from SE corner, Section 25
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                          | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                        | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW)   | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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**Table 2. Description of Changes to Water Right Certificate # 9536**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date			
3	S	8	W	30	SW	SW	900	4	4.6	Irrigation	POD 1	1930	POU/APOD	3	S	9	W	25	SW	SE	900	6.4	Irrigation	POD 1, APOD 3	1930
3	S	9	W	25	SE	SE	900		2.5	Irrigation	POD 1	1930	POU/APOD	3	S	9	W	25	SE	SE	900	6.6	Irrigation	POD 1, APOD 3	1930
3	S	9	W	25	SE	SE	1000		2.8	Irrigation	POD 1	1930													
3	S	9	W	25	SE	SE	1100		3.1	Irrigation	POD 1	1930													
TOTAL ACRES:							13.0						TOTAL ACRES:							13.0					

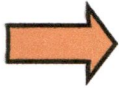
Additional remarks: The map for Cert. 9536 does not show more specific place of use than acreage within QQs. After extensive research, the 15.0 acres was found to best fit on the same side of the highway as the authorized POD and not layered with the primary irrigation right Cert. 21436 South of the highway. This is also consistent with the owner's memories of what area was historically irrigated (family owned property for a long time). The 2.0 acres left out of the changes are pending voluntary cancellation due to non-use (over-growth and buildings constructed since original POU permitted).



**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_.



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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

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**AND/OR**

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

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**Table 3. Construction of Point(s) of Appropriation**

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

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

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**CERTIFICATE # 21436**

**Description of Water Delivery System**

System capacity: **0.23** cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **4.8 HP centrifugal gas-powered pump conveys water to field through 4" pipe and applied by big gun or 30' spaced sprinklers.**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD 2</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		<b>3</b>	<b>S</b>	<b>8</b>	<b>W</b>	<b>30</b>	<b>SE</b>	<b>SW</b>	<b>900</b>	<b>in the Lot #4 (SWSW), Section 30, Township 3S, Range 8W, W.M.  corrected: 700' N and 675' E of SW corner, Section 30</b>
<b>APOD 3</b>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		<b>3</b>	<b>S</b>	<b>9</b>	<b>W</b>	<b>25</b>	<b>SE</b>	<b>SE</b>	<b>1300</b>	<b>30' N and 720' W from SE corner, Section 25</b>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                          | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                        | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW)   | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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**Table 2. Description of Changes to Water Right Certificate # 21436**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date			
3	S	8	W	30	SW	SW	900	4	2.6	Irrigation	POD 2	1946	POU/APOD	3	S	9	W	25	SE	SE	900	0.8	Irrigation	POD 2, APOD 3	1946
3	S	8	W	30	SE	SW	900		5.9	Irrigation	POD 2	1946	POU/APOD	3	S	9	W	25	SE	SE	1300	6.7	Irrigation	POD 2, APOD 3	1946
													POU/APOD	3	S	9	W	25	SE	SE	1100	1.0	Irrigation	POD 2, APOD 3	1946
TOTAL ACRES:							8.5							TOTAL ACRES:							8.5				

Additional remarks: The simple POD location listed in the certificate is described in the Lot #4 (SWSW); however, the final proof survey map clearly shows the POD in the SESW outside of Lot #4. The corrected POD location is described on the map.

**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_.



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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department’s web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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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 TILLAMOOK

I, ZACHARY HUDSPETH, in my capacity as OWNER,  
 mailing address 30180 BLAINE RD., BEAVER, OR 97108  
 telephone number (503)801-6090, 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 # 21436; **OR-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)
9536	3	S	8	W	WM	30	SW	SW	4	4.6
9536	3	W	9	W	WM	25	SE	SE		8.4

OR

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

(continues on reverse side)

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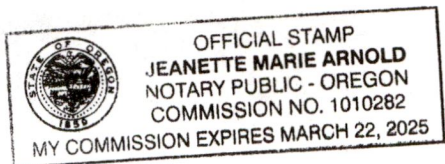
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

[Signature]  
Signature of Affiant

7/31/2023  
Date

Signed and sworn to (or affirmed) before me this 31<sup>st</sup> day of July, 2023.



Jeanette Marie Arnold  
Notary Public for Oregon

My Commission Expires: 3/22/25

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



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# 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](http://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

Applicant(s): Hudspeth Family Farm

Mailing Address: 30180 Blaine Rd.

City: Beaver

State: OR

Zip Code: 97108

Daytime Phone: (503) 801-6090

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>3S</u>	<u>9W</u>	<u>25</u>	<u>SWSE</u> <u>SESE</u>	<u>900</u>	<u>F-1</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
<u>3S</u>	<u>9W</u>	<u>25</u>	<u>SESE</u>	<u>1300</u>	<u>F-1</u>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
<u>3S</u>	<u>9W</u>	<u>25</u>	<u>SESE</u>	<u>1100</u>	<u>F-1</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input 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:

Tillamook

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond    Ground Water    Surface Water (name) Nestucca River/Unnamed Stream

Estimated quantity of water needed: 53.75    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:

*It is proposed to move portions of water right certificates 9536 and 21436 to the same field and consolidate irrigation to one POD on TL 1300.*

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

See bottom of Page 3. →

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# For Local Government Use Only

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

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

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

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

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

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

Farm-use allowed outright in Farm (F-1) zone.

Name: Melissa Jenck Title: SENIOR PLANNER

Signature: *Melissa Jenck* Phone: 303-842-3408 Date: 8/11/2023

Government Entity: Tillamook 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: \_\_\_\_\_

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

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

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

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

**Describe in your own words what you want to accomplish with this affidavit: It is proposed to cancel 2.0 acres of the 15.0 acres authorized under Certificate 9536. A transfer application is being submitted to move the remaining 13.0 acres. The 2.0 acres is subject to forfeiture from non-use. Rather than issue a remaining right from the transfer for a non-use area, it is agreed to cancel these 2.0 acres.**

### Certificate of Water Right Information:

Certificate Number: 9536

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

Issued in the name of: Adam Lapin.

Date of priority: August 22, 1930

Rate or Volume on entire certificate: 0.19 cfs (cubic foot per second **or** gallons per minute **or** acre-feet).

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

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

If for irrigation (IR), total number of acres on certificate for primary IR 15.0, supplemental IR \_\_\_\_\_.

### Statements of Oath:

I/We (or authorized agent), Zachary Hudspeth,

residing at 30180 Blaine Rd., Beaver, OR 97108,

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

and a telephone number of (503) 801-6090, being first duly sworn depose and say:

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

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

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

Examples:

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

Enter legal description here: T3S, R9W, Sec 25, SESE, TL 1100 & T3S, R8W, Sec 30, SWSW, Lot 4, TL 900.

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

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

voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # **9536**.

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

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

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

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

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

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

\_\_\_\_\_  
Date

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

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

A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) **Irrigation**
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled **2.0**
- In the amount of **0.025** cubic foot per second
- From the water source (s) **Unnamed Creek**
- At the following location(s) (*attach a larger table if needed*):

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ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>3</u>	<u>S</u>	<u>9</u>	<u>W</u>	WM	<u>25</u>	_____	_____	<u>SESE</u>	<u>1.6</u>	<u>1100</u>
<u>3</u>	<u>S</u>	<u>8</u>	<u>W</u>	WM	<u>30</u>	_____	<u>4</u>	<u>SWSW</u>	<u>0.4</u>	<u>900</u>
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

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

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

**AND/OR (less common)**

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

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

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

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

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

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

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revised August 2022

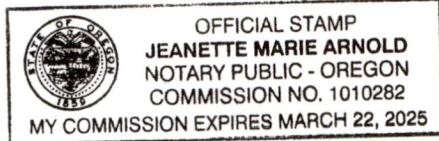
**Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate**

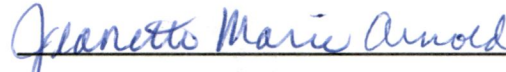
**Signatures and Notary:**

  
\_\_\_\_\_  
Signature of legal owner as listed on deed, or authorized agent  
Printed Name ZACHARY HUDSPETH  
Date 7/31/2023

\_\_\_\_\_  
Signature of legal co-owner as listed on deed (if applicable)  
Printed Name \_\_\_\_\_  
Date \_\_\_\_\_

Subscribed and Sworn to Before Me this 31<sup>st</sup> day of July, 2023.



  
\_\_\_\_\_  
Signature of Notary Public for Oregon

My Commission Expires 3/22/25

**REQUIRED ATTACHMENTS (LEGIBLE COPIES):**

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

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

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RECORDING REQUESTED BY:



105 NE 4th St  
McMinnville, OR 97128

GRANTOR'S NAME:  
Melvin W Fitch

GRANTEE'S NAME:  
Jessica J. Hudspeth and Zachary A. Hudspeth

AFTER RECORDING RETURN TO:  
Order No.: 471817058724-LC  
Jessica J. Hudspeth and Zachary A. Hudspeth, wife and husband  
30180 Blaine Rd  
Beaver, OR 97108

SEND TAX STATEMENTS TO:  
Jessica J. Hudspeth and Zachary A. Hudspeth  
30180 Blaine Rd  
Beaver, OR 97108

APN: T359W25, 900, 1000, 1100, 1200, 1300  
T358W30, 900, 800

Tillamook County, Oregon 2017-002788

05/10/2017 12:54:48 PM

DEED-DWARR

\$30.00 \$11.00 \$21.00 \$10.00 - Total = \$72.00



00168148201700027880060061

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Melvin W Fitch, Grantor, conveys and warrants to Jessica J. Hudspeth and Zachary A. Hudspeth, wife and husband, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 9 May 2017

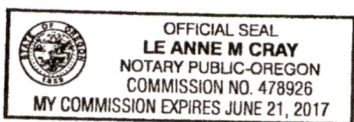
Melvin W Fitch  
Melvin W Fitch

State of Oregon  
County of Yamhill

This instrument was acknowledged before me on 9 May 2017 by Melvin W Fitch.

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 21 June 2017



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TICOR TITLE 360417000214

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## EXHIBIT "B"

### Exceptions

#### Subject to:

The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

The Land has been classified as Farm Use, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

The Land does not include any improvement(s) located on the Land which is described or defined as a mobile home (manufactured housing unit) under the provisions of State Law and is subject to registration.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Nestucca River, in the event the boundary of said Nestucca River has been artificially raised or is now or at any time has been below the high watermark, if said Nestucca River is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Nestucca River, or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Nestucca River.

Rights of the public to any portion of the Land lying within streets, roads and highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook County, Oregon

Purpose: Roadway

Recording Date: February 5, 1909

Recording No: Book 9, Page 548

Affects: See document for specifics

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook County, Oregon

Purpose: Roadway

Recording Date: March 31, 1909

Recording No: Book 9, Page 628

Affects: A strip 40 feet in width as described in said document

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Utilities

Recording Date: October 21, 1947

Recording No: Book 109, Page 55

Affects: Exact location not specified

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Utilities

Recording Date: October 21, 1947

Recording No: Book 109, Page 57

Affects: Exact location not specified

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Utilities

Recording Date: October 21, 1947

Recording No: Book 109, Page 58

Affects: Exact location not specified

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Utilities

Recording Date: October 21, 1947

Recording No: Book 109, Page 59

Affects: Exact location not specified

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District

Purpose: Utilities

Recording Date: July 25, 1953

Recording No: Book 139, Page 312

Affects: Exact location not specified

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**EXHIBIT "B"**  
Exceptions

Easement(s) for the purpose(s) shown below and rights incidental thereto, as disclosed by a document:

Granted to: Owners of adjoining property

Purpose: Roadway

Recording Date: April 17, 1964

Recording No: Book 191, Page 239

Affects: Parcel 7

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property

Purpose: Right of way

Recording Date: August 18, 1966

Recording No: Book 203, Page 295

Affects: Parcel 7

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Publishers Paper Co.

Purpose: Right of way

Recording Date: January 18, 1967

Recording No: Book 205, Page 285

Affects: See document for specifics

Declaratory Statement, including the terms and provisions thereof,

Recording Date: June 22, 2007

Recording No.: 2007-005219

Declaratory Statement, including the terms and provisions thereof,

Recording Date: June 27, 2007

Recording No.: 2007-005363

Scenic Waterways Public Notice, including the terms and provisions thereof,

Recording Date: January 12, 2009

Recording No.: 2009-000207

Affects: Parcels 1, 2 and 7.

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**EXHIBIT A  
LEGAL DESCRIPTION**

**PARCEL 1:**

Lots 3 and 4 and the Southeast quarter of the Southwest quarter of Section 30, Township 3 South, Range 8 West of the Willamette Meridian, in Tillamook County, Oregon, reserving a right of way 20 feet in width along and adjacent to the unnamed creek between the County Road and the Nestucca River to connect with tract of grantor's land in Section 31, Township 3 South, Range 8 West of the Willamette Meridian, in Tillamook County, Oregon.

EXCEPTING THEREFROM the following described property:

That portion of Government Lot 4 and the Southeast quarter of the Southwest quarter of said Section 30 lying South of the Big Nestucca River, in Tillamook County, Oregon.

**PARCEL 2:**

Beginning at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 30, Township 3 South, Range 8 West of the Willamette Meridian, in Tillamook County, Oregon; thence East 12 rods; thence North 13 and 1/3 rods; thence West 12 rods; thence South 12 rods to the place of beginning.

SAVE AND EXCEPT any portion of the above tract lying within the following parcel:

Beginning at a point which is 3358.40 feet West and 1059.74 feet South of the quarter corner between Sections 29 and 30, Township 3 South, Range 8 West of the Willamette Meridian, in Tillamook County, Oregon; thence North 34° 02' East 388.1 feet; thence North 18° 30' East 314.1 feet; thence North 51° 20' East 395.0 feet; thence North 01° 20' East 60 feet; thence South 86° 22' West 372.7 feet; thence West 430 feet; thence South 15° 46' West 937.93 feet; thence East 430 feet to the place of beginning.

**PARCEL 3:**

Beginning at the quarter section corner on the East line of Section 25, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon; thence West 8.25 chains; thence South 40 chains to the Section line; thence East 8.25 chains to the Southeast corner of said Section 25; thence North 40 chains to the place of beginning.

EXCEPTING THAT tract conveyed to Nestucca Grange #503 by deed recorded July 27, 1988 in Book 316, Page 769, Tillamook County Records.

**PARCEL 4:**

Beginning at the Southwest corner of the Ivah Browning tract as described in Book 71, page 153, Deed Records, which point is on the Section line between Sections 25 and 36, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence West along said Section line 363.0 feet; thence North 930.0 feet, more or less, to intersect the South line of the County Road; thence Southeasterly along said South line of County Road, 365.0 feet, more or less, to intersect the West line of the said tract; thence South along the West line of the said tract 840 feet, more or less, to the true point of beginning.

EXCEPTING that tract of land owned by the Nestucca Grange as recorded in Book 66, page 323, Deed Records, and further excepting that tract of land conveyed to Nestucca Grange #503 by deed recorded July 27, 1988 in Book 316, page 769, Tillamook County Records.

**PARCEL 5:**

Beginning at a point 1089.0 feet West of the quarter corner on the East line of Section 25, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon, said point being the Northeast corner of the Nancy Peerenboom tract as recorded in Book 103, page 92, Deed Records; thence South along the East line of the said Peerenboom tract 2640.00 feet to the Section line between Sections 25 and 36, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence East along said Section line 181.5 feet; thence North 2640.00 feet, to the quarter Section line; thence West along said quarter Section line 181.5 feet to the point of beginning.

EXCEPTING THEREFROM that tract conveyed to Nellie Ayer by deed recorded June 6, 1956 in Book 153, page 374, Deed Records in Tillamook County, Oregon.

**PARCEL 6:**

Beginning 16.50 chains West of the quarter Section corner on the East line of Section 25, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon; thence West 8.25 chains; thence South 40.0 chains to the Section line at a point 24.75 chains from the Southeast corner of Section 25; thence East 8.25 chains; thence North 40.0 chains to the point of beginning.

**PARCEL 7:**

Beginning at a point which is 3358.40 feet West and 1059.74 feet South of the quarter corner between Sections 29 and 30, Township 3 South, Range 8 West of the Willamette Meridian, in Tillamook County, Oregon; thence North 34° 02' East 388.1 feet; thence North 18° 30' East 314.1 feet; thence North 51°

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**EXHIBIT A**  
**LEGAL DESCRIPTION**  
(continued)

20' East 395.0 feet; thence North 01° 20' East 60 feet; thence South 86° 22' West 372.7 feet; thence West 430 feet; thence South 15° 46' West 937.93 feet; thence East 430 feet to the place of beginning.

**PARCEL 8:**

Beginning at a point 1089.0 feet West of the quarter corner on the East line of Section 25, Township 3 South, Range 9 West of the Willamette Meridian, in Tillamook County, Oregon, said point being the Northeast corner of the Nancy Peerenboom tract as recorded in Book 103, page 92, Deed Records of Tillamook County, Oregon; thence South along the East line of said Peerenboom tract, 920.0 feet to the true point of beginning of the land to be conveyed; thence East 181.5 feet; thence South 766.0 feet to the North line of the County Road; thence Westerly along the North line of said County road to a point South of the true point of beginning; thence North 734.5 feet, more or less, to the true point of beginning.

EXCEPTING portions lying in streets, roads and highways.

**PARCEL 9:**

Beginning at the Northwest corner of the Ivah Browning tract as described in Book 71, page 153, Deed Records; thence South along the West line of the tract 1320.0 feet to the true point of beginning of the land to be conveyed; thence West 363.0 feet; thence South 366.0 feet, more or less, to the North line of the County Road; thence Southeasterly along said North line of the County Road to intersect the West line of the said tract; thence North along the West line of said tract 420.0 feet, more or less, to the true point of beginning, in Tillamook County, Oregon.

EXCEPTING portions lying in street, roads and highways.

**PARCEL 10:**

Beginning at the Northwest corner of the Ivah Browning tract as described in Book 71, page 153, of Deeds of Tillamook County, Oregon; thence South along the West line of the said tract of 1320.0 feet; thence West 363.0 feet; thence North 1320.0 feet; thence East 363.0 feet, to the point of beginning.

EXCEPTING portions lying in streets, roads and highways.

**PARCEL 11:**

Beginning 26.74 chains South of the quarter section corner on the East line of Section 25, Township 3 South, Range 9 West, Willamette Meridian, Tillamook County, Oregon, and 8.25 chains West of the East line of said section; thence North 77° West 3.25 chains, along the South line of the County Road; thence South 1.50 chains; thence South 77° East 3.25 chains; thence North 1.50 chains to the place of beginning.

ALSO: Beginning at a 5/8 inch iron rod set by F.M. Gaylord PLS No. 929, in June 1984, for the Northeast corner of that tract described in Book 66, page 323, Tillamook County Deed Records (see Survey No. A-5134, Tillamook County Surveyor Records), said iron rod being South 18° 12' 17" West 1858.16 feet (Gaylord's plat = South 18° 12' 17" West 1857.45 feet) from the East one-quarter of said Section 25; thence South 01° 11' 02" West (Gaylord's plat = South 01° 09' 43" West) along East deed boundary 4.56 feet to a point on the apparent Southerly right-of-way boundary of the "Beaver - Blaine" County Road, said point being the true point of beginning; thence South 01° 11' 02" West 94.40 feet to a 5/8 inch iron rod; thence South 77° 51' 38" East 14.72 feet to a 1/2 inch iron pipe; thence North 02° 18' 11" East 25.95 feet to a 5/8 inch iron rod; thence North 88° 24' 31" East 1.93 feet to a 5/8 inch iron rod; thence North 00° 05' 32" West 22.46 feet to a 5/8 inch iron rod; thence South 88° 13' 50" West 1.87 feet to a 5/8 inch iron rod; thence North 00° 16' 00" East 45.44 feet to a 1/2 inch iron pipe on the apparent Southerly right-of-way boundary of the "Beaver - Blaine" County Road; thence North 75° 06' 28" West 14.20 feet to the true point of beginning.

ALSO: Beginning at the 5/8 inch iron rod at the Southwest corner of the parcel; thence South 86° 04' 39" West 30.60 feet to a 1/2 inch iron pipe; thence North 73° 37' 35" West 175.45 feet to a 1/2 inch iron pipe; thence North 08° 39' 13" East 5.78 feet; thence South 74° 59' 36" East 204.98 feet to the point of beginning.

SAVE AND EXCEPT the following described property:

Beginning at a 5/8 inch iron rod set by F.M. Gaylord PLS No. 929, in June 1984, for the Northeast corner of that tract described in Book 66, page 323, Tillamook County Deed Records (see Survey No. A-5134, Tillamook County Surveyor Records), said iron rod being South 18° 12' 17" West 1858.16 feet (Gaylord's plat = South 18° 12' 17" West 1857.45 feet) from the East one-quarter of said Section 25; thence North 74° 59' 42" West 214.58 feet (Gaylord Survey = North 74° 58' 00" West 214.50 feet) to a 5/8 inch iron rod; thence South 01° 05' 47" West 4.99 feet to a point on the apparent Southerly Right-of-Way boundary of the "Beaver - Blaine" County Road, said point being the true point of beginning of the tract conveyed; thence South 01° 05' 47" West 94.00 feet to a 5/8 inch iron rod (Southwest corner of Gaylord's Survey); thence South 74° 59' 36" East 9.45 feet; thence North 08° 39' 13" East 91.84 feet to a 1/2 inch iron pipe on the apparent Southerly right-of-Way boundary of the "Beaver - Blaine" County Road; thence North 75° 06' 28" West 21.88 feet to the true point of beginning.

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**EXHIBIT A**  
**LEGAL DESCRIPTION**  
(continued)

**PARCEL 12:**

A tract of land in the Southeast quarter of Section 25, Township 3 South, Range 9 West of the Willamette Meridian in Tillamook County, Oregon, said tract being more particularly described as follows: Beginning at a 5/8 inch iron rod set by F.M. Gaylord PLS No. 929, in June 1984, for the Northeast corner of that tract described in Book 66, page 323, Tillamook County Deed Records (see Survey No. A-5134, Tillamook County Surveyor Records), said iron rod being South 18° 12' 17" West 1858.16 feet (Gaylord's plat = South 18° 12' 17" West 1857.45 feet) from the East one-quarter of said Section 25; thence North 74° 59' 42" West 214.58 feet (Gaylord Survey = North 74° 58' 00" West 214.50 feet) to a 5/8 inch iron rod; thence South 01° 05' 47" West 4.99 feet to a point on the apparent Southerly Right-of-Way boundary of the "Beaver - Blaine" County Road, said point being the true point of beginning of the tract conveyed; thence South 01° 05' 47" West 94.00 feet to a 5/8 inch iron rod (Southwest corner of Gaylord's Survey); thence South 74° 59' 36" East 9.45 feet; thence North 08° 39' 13" East 91.84 feet to a 1/2 inch iron pipe on the apparent Southerly right-of-Way boundary of the "Beaver - Blaine" County Road; thence North 75° 06' 28" West 21.88 feet to the true point of beginning.

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STATE OF OREGON  
COUNTY OF TILLAMOOK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ADAM LAPIN

of Salem, 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 Unnamed Creek a tributary of Nestucca River for the purpose of Irrigation under Permit No. 9821 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 August 22, 1930;

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 0.19 cubic foot per second.

The point of diversion is located in the NE 1/4 SE 1/4 of Section 25, Township 5S, Range 9W, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation, or any other purpose), is as follows: 5 acres in the SW 1/4 SW 1/4, Section 30, Township 3 South, Range 8 West, and 10 acres in the SE 1/4 SE 1/4, Section 25, Township 3 South, Range 9 West, Willamette Meridian, in Tillamook County, Oregon.

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

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,

affixed this 28th day of January, 1932

CHAS. E. STRICKLIN  
State Engineer



### Business Name Search

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### Business Entity Data

08-22-2023  
08:51

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1437631-91	ABN	ACT		05-07-2018	05-07-2024	
<b>Entity Name</b> HUDSPETH FAMILY FARMS						
<b>Foreign Name</b>						
<b>Affidavit?</b> N						

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### Associated Names

<b>Type</b>	PPB	PRINCIPAL PLACE OF BUSINESS			
<b>Addr 1</b>	29995 BLAINE RD				
<b>Addr 2</b>					
<b>CSZ</b>	BEAVER	OR	97108	<b>Country</b>	UNITED STATES OF AMERICA

The Authorized Representative address is the mailing address for this business.

<b>Type</b>	REP	AUTHORIZED REPRESENTATIVE		<b>Start Date</b>	05-07-2018	<b>Resign Date</b>	
<b>Name</b>	JESSICA	J	HUDSPETH				
<b>Addr 1</b>	29995 BLAINE RD						
<b>Addr 2</b>							
<b>CSZ</b>	BEAVER	OR	97108	<b>Country</b>	UNITED STATES OF AMERICA		

<b>Type</b>	REG	REGISTRANT			
<b>Name</b>	ZACHARY	ANDREW	HUDSPETH		
<b>Addr 1</b>	29995 BLAINE RD				
<b>Addr 2</b>					
<b>CSZ</b>	BEAVER	OR	97108	<b>Country</b>	UNITED STATES OF AMERICA

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### Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
HUDSPETH FAMILY FARMS	EN	CUR	05-07-2018	

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## Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	RENEWAL OF REGISTRATION	04-13-2022		FI		
	RENEWAL OF REGISTRATION	04-24-2020		FI		
	APPLICATION FOR REGISTRATION	05-07-2018		FI	Representative	

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## Counties

### Counties Filed

Tillamook

### Counties Not Filed (but not necessarily available)

Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

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STATE OF OREGON  
COUNTY OF TILLAMOOK  
CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** . . . IVAH L. BROWNING

of Beaver, 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 Nestucca River a tributary of Pacific Ocean for the purpose of irrigation under Permit No. 16878 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 29, 1946

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 0.23 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 Lot #4 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 30, Township 3 South, Range 8 West, W.M.

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

5.9 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$   
4.7 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  - Lot 4  
Section 30  
Township 3 South, Range 8 West, W.M.  
8.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 25  
Township 3 South, Range 9 West, W.M.

Land on which water is to be used is part of the property described as follows:

Those parts of the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Lot 4, of Section 30, Township 3 South, Range 8 West, W. M., and the E $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 25, Township 3 South, Range 9 West, W.M. lying between the Nestucca River and the County Road.

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 8th day of August, 1956.

.....LEWIS A. STANLEY.....  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 21436

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# Permanent Transfer Application Intake Checklist

**Transfer # T-14311**

Reviewer Corie Date 8/21/23	<b>Type of Change(s) Proposed:</b> <input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input type="checkbox"/> SW to GW
Calculated Fee \$3060 Use fee calculator on back of this form	Fee Received \$3060
Certificate(s): 9536, 21436	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: N/A	

<b>Application:</b> OAR 690-380-3000; OAR 690-380-3220				
1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have <b>ALL</b> 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?

<b>Map Requirements:</b> OAR 690-380-3100				
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Has the map been completed and signed by a CWRE?	
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department
Notes: N/A				

<b>Attachments:</b> OAR 690-380-3000				
6.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
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	Consent Form included, signed, and notarized?
9.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	District: Place of use is in <u>or</u> near an irrigation district?
	<input type="checkbox"/> YES	<input type="checkbox"/> NO		If Yes, is Form D included? Name of the District
10.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	For changes in POA/APOA – are the well logs included?
11.	<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"/>	<b>Application complete:</b> no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	<b>Application DEFICIENT: DO NOT accept</b> - return to applicant with letter explaining deficiencies identified.

Oregon Water Resources Department  
 Transfer Fee Calculation for Permanent (Non-District) Transfer

Today's Date: Tuesday, August 22, 2023

Fee Calculation

Base Fee (includes one type of change to one water right for up to 1 cfs) \$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

- Place of Use
- Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD
- Character of Use

\$1,090.00

Enter total number of water rights included in transfer.

\$610.00

Check this box if you propose to add or change a well, or change from a surface water POD to a well.

Enter total number of groundwater wells (POAs) included in transfer.

\$0.00

Check this box if you propose to change the place of use or character of use for a NON-irrigation right.

Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
<input style="width: 50px;" type="text" value="9536"/>	<input style="width: 50px;" type="text" value="15"/>	<input style="width: 50px;" type="text" value="13"/>	<input style="width: 50px;" type="text" value=".19"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text" value="0.164667"/>
<input style="width: 50px;" type="text" value="21436"/>	<input style="width: 50px;" type="text" value="18.6"/>	<input style="width: 50px;" type="text" value="8.5"/>	<input style="width: 50px;" type="text" value=".23"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text" value="0.105108"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>
<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 50px;" type="text"/>	<input style="width: 80px;" type="text"/>

Total Transfer CFS(rounded up to the next whole cfs): 1.00

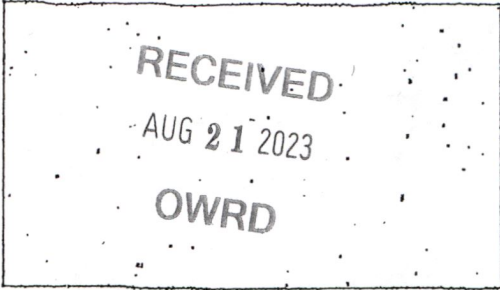
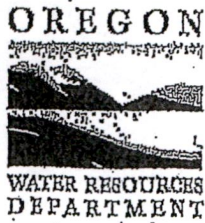
Subtotal: \$3,060.00

Check each box that applies.

- The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.
- The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee: **1 4 3 1**



Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Hudspeth Family Farms  
30180 Blaine Rd, Beaver OR 97108

Transaction Type: Perm. Transfer

Fees Received: \$ 3060.00

Cash     Check;    Check No. 2181  
Name(s) on Check: Will McGill Surveying

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

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

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

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

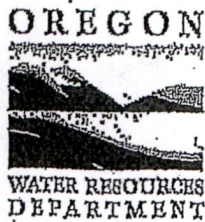
Sincerely,  
OWRD Customer Service Staff

Submission received by: \_\_\_\_\_  
(Name of OWRD staff)

### Instructions for OWRD staff:

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

14311 -



RECEIVED  
AUG 21 2023  
OWRD

Date Received (Date Stamp Here)

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