

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



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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 27254**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2028.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

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

Other/Explanation _____
Staff: _____ Phone: _____ Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter »	2	\$0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	\$0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>4.0 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$10.80
5	Add entries on lines 1 through 4 above » Subtotal:	5	\$960.80
6	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 5 by 0.5 and enter on line 6 »	6	
7	If no box is applicable, enter 0 on line 7 »	7	
7	Subtract line 6 from line 5 » Transfer Fee:	7	\$960.80

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 »	2	
3	Add entries on lines 1 through 2 above » Transfer Fee:	3	

***Example for Line 2a 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. 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 ($x 45 ac = 0.56 cfs$).
2. 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, $45.0 ac \times 0.0125 cfs/ac = 0.56 cfs$)
3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information


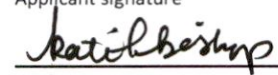
APPLICANT/BUSINESS NAME AARON L. BISHOP & KATI L. BISHOP		PHONE NO. 541-609-8325	ADDITIONAL CONTACT NO.
ADDRESS 16024 Alsea Hwy			FAX NO.
CITY Alsea	STATE OR	ZIP 97324	E-MAIL aaronb34@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830			FAX NO.
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.COM
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:
Temporarily transfer a 4.0 acre portion of C-27254 to a new place of use and point of diversion.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

 Applicant signature	Aaron L. Bishop Print Name (and Title if applicable)	10/26/23 Date
 Applicant signature	Kati L Bishop Print Name (and Title if applicable)	10/26/23 Date

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

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

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

DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Benton County Community Development Dept.	ADDRESS 4500 SW RESEARCH WAY	
CITY CORVALLIS	STATE OR	ZIP 97333-1139

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

Water Right Certificate # 27254

Description of Water Delivery System

System capacity: 0.68 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. **PIPED FROM POD TO HANDLINES**

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14	S	8	W	10	NW	NE	DLC 40	NOT ON CERTIFICATE
POD "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14	S	8	W	6	NE	SW	TL 300	760' S, 2110' E OF W ¼ COR SEC 6

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 27254

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
14	S	8	W	10	NE	NE	301	DLC 40	4.0	IR	POD "OFF"	1952	POU & POD	14	S	8	W	6	NE	SW	300		3.2	IR	POD "ON"	1952
													"	"	"	"	"	NW	SW	"		0.8	"	"	"	"
TOTAL ACRES										4.0	TOTAL ACRES										4.0					

Additional remarks: _____

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For Place of Use Changes

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

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



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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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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.

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State of Oregon)
) ss
 County of BENTON)

I, KETA K. TOM, in my capacity as OWNER,
 mailing address 2650 NE ASBAHR AVE CORVALLIS, OR 97330
 telephone number (541) 908-0306, being first duly sworn depose and say:

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

- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # _____; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
27254	14	S	8	W	WM	10	NE	NE	DLC 40	4.0

OR

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

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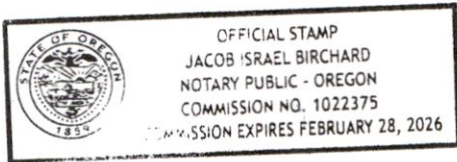
3. The water right was used for: (e.g., crops, pasture, etc.): GRASS PASTURE

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

19 September 2023
Date

Signed and sworn to (or affirmed) before me this 19th day of September, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: February 28th, 2023

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

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AARON BISHOP TFR
AUG 2022 Google Earth Imagery

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C-38

DC-38

DC-40

DC-40

DC-41

R08W

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DC-39

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DC-39

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NWSN

Google Earth
Imagery © 2023

400 ft

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
County of BENTON)ss
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I KETA K. TOM in my capacity as OWNER,

mailing address 2650 NE ASBAHR AVE, CORVALLIS, OR 97330

telephone number 541-908-0366 duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 27254

described in a Water Right Transfer Application (T-TBD),

(transfer number, if known)

submitted by AARON & KATI BISHOP

on the property in tax lot number(s) 301,

Section 10 Township 14 South Range 8 West, W.M.,

located at 27253 HAYDEN RD ALSEA, OR 97324

(site address)

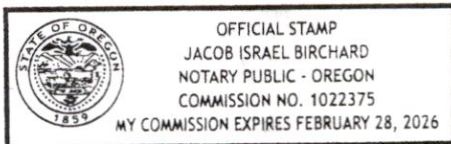
[Signature]
Signature of Affiant

9-19-2023
Date

Subscribed and Sworn to before me this 19th day of September, 2023.

[Signature]
Notary Public for Oregon

My commission expires February 28th, 2026





I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
James V. Morales - County Clerk



STATUTORY WARRANTY DEED

Grantor's Name and Address:

Keta K. Tom, Trustee of the
The Teddy B. Tom
Trust dated April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Grantee's Name and Address:

Keta K. Tom, Trustee of the
Teddy B. Tom Disclaimer Trust
u/a/d April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

After recording return to:

Evashevski, Elliott, Cihak & Hediger, PC
Attorneys at Law
PO Box 983
Albany OR 97321-0369

**The true and actual
consideration for this
conveyance is \$ NONE**

**Until a change is requested
all tax statements shall be
sent to:**

Keta K. Tom, Trustee
Trustees of The Teddy B. Tom
Trust Disclaimer Trust u/a/d April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Keta K. Tom, Trustee of the
Keta K. Tom Trust dated April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Tax Account Information:

Account No. _____

Conveyance

Keta K. Tom, Trustee of The Teddy B. Tom Trust dated April 27, 2010, Grantor, conveys and warrants to Keta K. Tom, Trustee of the Teddy B. Tom Disclaimer Trust u/a/d April 27, 2010, Grantee, the following described real property located in Benton County, Oregon, free of encumbrances except as specifically set forth herein:

Parcel I – M248242-98:

Beginning at a point 378.79 feet S. 89° 54' E. of the East line of the Albany-Corvallis State Highway, the intersection with said East line of said Highway is N 20° 01' E., along the East line of said Highway, 1038.16 feet from a 1-inch iron pipe, 2,286.8 feet S., 0° 58' E., along the claim line and 148.9 feet N. 89° 02' E., at right angles to said claim line from the Northwest corner of the Jehiel S. Kendall D.L.C. No. 48 T 11 S., R. 4 W., in Benton County, Oregon; and running thence N. 0° 06' E. 187.25 feet to a ¾-inch iron pipe 40.0 feet at right angles, from the South line extended, of the Children's Farm Home Land described in Book 89, Page 103, Benton County Deed Records, thence S. 89° 54' E., parallel to and 40 feet from the South line of said land 153.31 feet to a 1-inch iron pipe, thence S. 20° 01' W., parallel to said Highway 200 feet to a ¾-inch iron pipe thence N. 89° 54' W., 84.52 feet to a ¾-inch iron pipe, the point of beginning, containing .51 acre.

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Parcel II – M248246-98:

Beginning at a point marked by a 5/8" iron rod 751.5 feet North 00° 06' East and 1,420.8 feet North 89° 50' West of the Southeast corner of the Emerson Rednours Donation Land Claim No. 40, in Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence South 1,825.9 feet to a point marked by a 3/4 " iron pipe; thence South 80° 36' West 710.7 feet to a point marked by a 1/2" iron pipe; thence South 12° 54' West 300.0 feet more or less to the West bank of the Alsea River; thence Northerly along the West bank of the Alsea River to a point North 89°50' West 600.0 feet more or less from the above described point of beginning; thence South 89° 50' East 600.0 feet more or less to the point of beginning and containing 32.0 acres more or less, all lying in said Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon, and being a portion of Parcel VI in Donation Land Claim No. 40 and a portion of Parcel VII in Donation Land Claim No. 39 as described on Page 3 of Pioneer National Title Insurance Company Policy No. 2-40-509.

Parcel III – M248250-98:

Parcel A. Beginning at a point on the center of the Alsea River 2,166.0 feet N. 00° 09' E., more or less, from the section corner between Sections 9, 10, 15 and 16, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence S. 00° 09' W. 270.00 feet, more or less, thence S. 48° 37' E. 425.0 feet, more or less; thence S. 56° 00' E. 480.4 feet, to an iron rod; thence S. 77° 48' E. 653.0 feet to an iron rod, thence N. 89° 42' E. 1,039.4 feet to an iron rod to a point South of the Southwest corner of the A. E. Ellis D.L.C. No. 39; thence N. 03° 29' E. 1,431.4 feet to an iron rod; thence N. 03° 29' E. 290.0 feet, more or less, to a point in the center of the Alsea River; thence Westerly following the centerline of the Alsea River to the point of beginning. SAVE AND EXCEPT that portion in County Roads.

Parcel B. Beginning at an iron rod 135.0 feet N. 00° 16' W. of the Southeast corner of the Emerson Rednours D.L.C. No. 40, Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence N. 00° 16' W. 616.7 feet to an iron pipe; thence N. 89° 50' W. 1,420.8 feet to an iron rod; thence South 616.7 feet to an iron rod; thence S. 89° 52' E. 1,424.5 feet to the point of beginning.

Parcel C. Beginning at a point 2,177.9 feet West and 998.8 feet South of the Southeast corner of the Emerson Rednours Donation Land Claim Number 40, Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon, and being on the North edge of Benton County Road No. 4-01 right of way; thence N. 12° 54' W. to the centerline of the Alsea River; thence southwesterly along the centerline of the Alsea River to a point 2,555.9 feet East and 2,880.0 feet North, more or less, of the Southwest corner of Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence S 03° 29' W. 250.0 feet, more or less, to a point on the North edge of the Benton County Road No. 4-01 right of way; thence northeasterly along the North edge of Benton County Road No. 4-01 right of way to the point of beginning.

SUBJECT TO the right of way easements, terms and provisions as granted to the United States of America as recorded in Book 164, Page 605, Deed Records of Benton County, Oregon.

Parcel IV - M248244-98:

Lot 5, Block 13, DIXONS SECOND ADDITION to the City of Corvallis, Benton County, Oregon.

The premises are located within the boundaries of the Redevelopment Plan for the Corvallis Downtown Redevelopment Project and is subject to the terms and provisions of said plan and resolution of the City Council of Corvallis pertaining thereto, recorded as Instrument No. 89178, M-90439, Microfilm Records.

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THIS TRANSACTION IS NOT INTENDED TO CONSOLIDATE ANY OF THE INDIVIDUALLY DESCRIBED PARCELS OR TAX LOTS FOR LAND USE, TAX LOTS, OR ANY OTHER PURPOSE.

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

Dated this 17 day of December, 2010.

The Teddy B. Tom Trust dated April 27, 2010

By: [Signature]
Keta K. Tom, Trustee

STATE OF OREGON)
) ss.
County of Benton)

Date: Dec. 17, 2010

Personally appeared Keta K. Tom who, being duly sworn did say that she is the trustee of the Teddy B. Tom Trust dated April 27, 2010, and that said instrument was signed in behalf of said trust; and she acknowledged said instrument to be her voluntary act and deed.

[Signature]
Notary Public for Oregon



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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.wrd.state.or.us

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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WR/FS

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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.wrd.state.or.us

Applicant(s): AARON & KATI BISHOP

Mailing Address: 16024 ALSEA HWY

City: ALSEA State: OR Zip Code: 97324 Daytime Phone: _____

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>14S</u>	<u>8W</u>	<u>6</u>	<u>NESW</u> & <u>NWSW</u>	<u>300</u> Taxlot: <u>148060000300</u>	<u>MPA (MULTI-PURPOSE AGRICULTURE)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IRRIGATION</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<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:

BENTON COUNTY.

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 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) ALSEA RIVER

Estimated quantity of water needed: 0.027 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:

TEMPORARY 5 YEAR TRANSFER OF A 4.0 ACRE PORTION OF A WATER RIGHT TO A NEW PLACE OF AND USE AND POINT OF DIVERSION DOWNSTREAM ON THE ALSEA RIVER FOR IRRIGATION USE.

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. →

Land Use Information Form - Page 2 of 3

Revised 2/8/2010

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WR / FS

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.

None

Name: Inga Williams Title: Associate Planner

Signature: *Inga R Williams* Phone: 541-766-6027 Date: 9/26/23

Government Entity: Benton 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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 OWRD

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That BERYL O. TOM

of Alsea, 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 Alsea River a tributary of Pacific Ocean for the purpose of irrigation of 100.1 acres & stock

under Permit No. 22109 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 December 24, 1952,

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 0.68 cubic feet per second; being 0.67 cubic feet per second for irrigation & 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40, Section 10, Township 14 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:

22.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40
3.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
1.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
stock, 14.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40
19.6 acres S $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
stock, 26.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
5.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
7.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within A. E. Ellis DLC 39

Section 10
Township 14 South, Range 8 West, W.M.

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

WITNESS the signature of the State Engineer, affixed

this date. July 11, 1960

14345-
LEWIS A. STANLEY
State Engineer