

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



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

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

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: 42109 & 55124**
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):

Application fee not enclosed/insufficient Map not included or incomplete

Land Use Form not enclosed or incomplete

Additional signature(s) required Part _____ is incomplete

Other/Explanation _____

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

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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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>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	\$310.00
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	\$0.00
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>45.7</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$123.39
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » » » » Subtotal:	5	\$1383.39
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 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	\$0.00
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	\$1383.39

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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, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
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

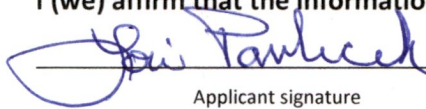
APPLICANT/BUSINESS NAME Butsch Properties LLC		PHONE NO. 503.845.2485	ADDITIONAL CONTACT NO.
ADDRESS 15234 Butsch Lane NE			FAX NO.
CITY Mt. Angel	STATE Oregon	ZIP 97362	E-MAIL 4Bfarms@mtangel.net
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Jeanne Boatwright		PHONE NO. 503.363.9225	ADDITIONAL CONTACT NO.
ADDRESS Boatwright Engineering, Inc. 2613 12th Street SE			FAX NO. 503.363.1051
CITY Salem	STATE Oregon	ZIP 97302	E-MAIL jeanne@boatwrightengr.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:
We propose to transfer a portion of our water rights, which have not been used this year, to our neighbor's leased farm across Boones Ferry Road and to the northwest. The authorized points of appropriation for the area to be transferred will be transferred to an existing well on land they own immediately north of the authorized place of use.
We propose to transfer another portion of our water rights, which have not been used this year, to our neighbor's leased farm located on the west side of Boones Ferry Road, approximately 2 miles south of our farm. The authorized points of appropriation for the area to be transferred will be transferred to an existing well on that leased farm land.
 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

**Lori Pavlicek, manager
 Butsch Properties LLC**

Print Name (and Title if applicable)

5/8/2024
 Date

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

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

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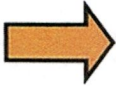
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Marion County	ADDRESS 555 Court Street NE	
CITY Salem	STATE Oregon	ZIP 97301

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 # 42109

Description of Water Delivery System

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System capacity: ___ cubic feet per second (cfs) **OR**

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516 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Well 1 - 40 Hp pump, 6" discharge and main transmission line, 70 sprinkler sets, 6 gal nozzles at 70 psi.**

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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 800 No L-TAG	4	S	1	W	27	NW	NW	4.1W 28 100 DLC 76	1340' N & 1450' W of Center of Section 27
Well A	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 678 No L-TAG	4	S	1	W	22	SW	SW	4.1W 22 700 DLC 50	440' N & 850' E of SW Corner of Section 22
Well B	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 17912 No L-TAG	4	S	1	W	32	NW	SE	4.1W 32 800 DLC 56	995' S & 2270' W of E ¼ Corner of Section 32

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

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

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

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

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

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

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 # 42109

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		
4	S	1	W 27	NE NW	100	3	2.6	Irrigation P	Well 1	1967	POU, APOA	4	S	1	W 21	SE SE	700 800 900	50	20.8	NA	Well A	1967
4	S	1	W 27	NE NW	100	76	3.5	Irrigation P	Well 1	1967	POU, APOA	4	S	1	W 22	SW SW	700 800	50	0.6	NA	Well A	1967
4	S	1	W 27	NW NW	100	76	30.7	Irrigation P	Well 1	1967	POU, APOA	4	S	1	W 28	NE NE	900	50	0.7	NA	Well A	1967
4	S	1	W 28	NE NE	100	76	1.3	Irrigation P	Well 1	1967	POU, APOA	4	S	1	W 32	NE SW	1200	56	15.0	NA	Well B	1967
---	---	---	---	---	---	---	---	---	---	---	POU, APOA	4	S	1	W 32	NW SW	1200	56	0.9	NA	Well B	1967
---	---	---	---	---	---	---	---	---	---	---	POU, APOA	4	S	1	W 32	NW SE	1200	56	0.1	NA	Well B	1967
TOTAL ACRES						38.1	TOTAL ACRES											38.1				

Additional remarks: **The transferred water right is being split between two farms.**

Well A has an existing water right on it for 0.6 cfs (270 gpm) (Certificate 58997). At a capacity of 970 gpm, Well A is capable of supplying both the existing water right and the proposed temporary transfer water right (0.28 cfs) (124 gpm) at the same time.

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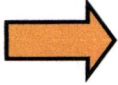
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For Place of Use Changes

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



If YES, list the certificate, water use permit, or ground water registration numbers: **55124**

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). <i>If less than full rate of water right</i>
Well 1	Yes	MARI 800 No L Tag	155'	12"	0-140'	24'	96-101'	46'	Gravel	400 GPM
Well A	Yes	MARI 678 No L-TAG	157'	12"	+1-157	21'	106-126'	39'	Gravel	1100 GPM
Well B	Yes	MARI 17912 No L Tag	190'	8"	+1-190'	20'+	125-148' 181-186'	70'	Sand & Gravel	350 GPM

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Description of Water Delivery System

System capacity: ___ cubic feet per second (cfs) OR

516 gpm Well 1, 1069 gpm Well 2 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Well 1 - 40 Hp pump, 6" discharge and main transmission line, 70 sprinkler maximum set, 6 gal nozzles at 70 psi.**

Well 2 - 100 Hp pump, 8" discharge and transmission line, 150 sprinklers maximum set, 6 gal nozzles at 80 psi.

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)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 800 No L-TAG	4	S	1	W	27	NW	NW	4.1W 28 100 DLC 76	1340' N & 1450' W of Center of Section 27
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 824 No L-TAG	4	S	1	W	28	SW	NE	4.1W 28 200 DLC 76	430' N & 1200' E of Center of Section 28
Well A	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 678 No L-TAG	4	S	1	W	22	SW	SW	4.1W 22 700 DLC 50	440' N & 850' E of SW Corner of Section 22
Well B	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	MARI 17912 No L-TAG	4	S	1	W	32	NW	SE	4.1W 32 800 DLC 56	995' S & 2270' W of E ¼ Corner of Section 32

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

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

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

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

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 # 55124

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			
4	S	1	W 27	NE NW	100	76	3.5	Irrigation S	Well 2	1979	POU, APOA	4	S	1	W 21	SE SE	700 800 900	50	20.8	NA	Well A	1979	
4	S	1	W 27	NE NW	100	3	2.6	Irrigation S	Well 2	1979	POU, APOA	4	S	1	W 22	SW SW	700 800	50	0.6	NA	Well A	1979	
4	S	1	W 27	NW NW	100	76	30.7	Irrigation S	Well 2	1979	POU, APOA	4	S	1	W 28	NE NE	900	50	0.7	NA	Well A	1979	
4	S	1	W 27	NW NW	100	76	1.3	Irrigation S	Well 2	1979	POU, APOA	4	S	1	W 32	NE SW	1200	56	15.0	NA	Well B	1979	
4	S	1	W 28	NE NE	100	76	4.3	Irrigation P	Well 1	1979	POU, APOA	4	S	1	W 32	NW SW	1200	56	0.9	NA	Well B	1979	
4	S	1	W 28	SE NE	100	76	3.3	Irrigation P	Well 1	1979	POU, APOA	4	S	1	W 32	NW SE	1200	56	0.1	NA	Well B	1979	
4	S	1	W 28	NE NE	100	76	4.3	<i>Irrigation Deficiency</i>	<i>Well 2</i>	1979	POU, APOA	4	S	1	W 32	NE SW	1200	56	1.4	NA	Well B	1979	
4	S	1	W 28	SE NE	100	76	3.3	<i>Irrigation Deficiency</i>	<i>Well 2</i>	1979	POU, APOA	4	S	1	W 32	NE SE	1200	56	6.2	NA	Well B	1979	
TOTAL ACRES						45.7											TOTAL ACRES						45.7

Additional remarks: **The transferred water right is being split between two farms. Well A has an existing water right for 0.6cfs (270 gpm) (Certificate 58997). With a capacity of 970 gpm, Well A is capable of supplying both the existing water right and the proposed temporary transfer water right (0.28 cfs) (124 gpm) at the same time.**

Information shown in italics is primary from Well 1 with any deficiency provided from Well 2.

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14462 -

MAY 15 2024

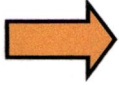
Water Right Certificate # 55124

For Place of Use Changes

Salem, OR

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: 42109



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 Interval s (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
Well 1	Yes	MARI 800 No L-Tag	155'	12"	0-140'	24'	96-101'	46'	Gravel	400 GPM
Well 2	Yes	MARI 824 No L-Tag	200.5'	16"	+2.8- 226.5'	26.5'	130.5- 206.42'	37.08'	Sand & Gravel	2400 GPM
Well B	Yes	MARI 17912 No L-Tag	190'	8"	+1-190'	20'+	125-148' 181-186'	70'	Sand & Gravel	350 GPM

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 Marion)

Received by OWRD
 MAY 15 2024
 Salem, OR

I, **Norm Wiesner**, in my capacity as **Farm Manager, 4B Farms**,
 mailing address **15234 Butsch Lane Mt. Angel, Oregon 97362**
 telephone number **503.845.2485**, 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)
42109	4	S	1	W	WM	27	NE	NW	3	2.6
42109	4	S	1	W	WM	27	NE	NW	76	3.5
42109	4	S	1	W	WM	27	NW	NW	76	30.7
42109	4	S	1	W	WM	28	NE	NE	76	1.3

OR

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

(continues on reverse side)

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

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.

Thomas Wilson
Signature of Affiant

May 8th, 2024
Date

Signed and sworn to (or affirmed) before me this 8 day of May, 2024.



Kattie L. Ackley
Notary Public for Oregon

My Commission Expires: March 14, 2026

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 checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water PGE Bill for Well 1	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <p style="text-align: center;">Received by OWRD MAY 15 2024 Salem, OR</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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

WELL#1



(503)228-6322 or 1-800-542-8818
portlandgeneral.com

Account # 0473331000

Previous Amount Due 3.19
Payments 3.19 CR
Balance Forward 0.00
Current Charges 40.74

Service Address:
4-B FARMS INC
19601 BOONES FERRY RD NE
HUBBARD, OR 97032-9673

Cycle: 20

AMOUNT DUE \$40.74
Due date for current bill 06/14/23

This month's charges (Turn over for details)

Meter # 31075294AB, Schedule 47
Energy Charges (14 kWh) 39.76
Adjustments 0.37

40.13
Total Taxes and Fees 0.61

Current Energy Charges 40.74

Thank you for your payment.

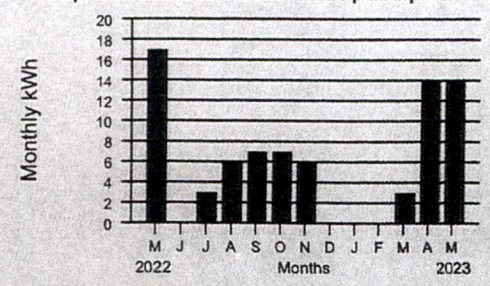
Your energy use

Meter # 31075294AB
Schedule 47
Service Period Meter Reading
05/26/23 119
04/27/23 105
29 days of service 14 kWh

PAID 6-6-23
DATE:
CK #: 49510
AMOUNT: 115.86

Period Ending	Avg Daily Temperature*	Monthly kWh	Monthly Cost
May 2023	60	14	40.74
May 2022	54	17	41.26

*Temperature source: Aurora Municipal Airport



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Salem, OR

14462 -

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 **Marion**)

I, **Norm Wiesner**, in my capacity as **Farm Manager, 4B Farms**,
 mailing address **15234 Butsch Lane Mt. Angel, Oregon 97362**
 telephone number **503.845.2485**, being first duly sworn depose and say:

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 Salem, OR

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)
55124	4	S	1	W	WM	27	NE	NW	3	2.6
55124	4	S	1	W	WM	27	NE	NW	76	3.5
55124	4	S	1	W	WM	27	NW	NW	76	30.7
55124	4	S	1	W	WM	28	NE	NE	76	1.3
55124	4	S	1	W	WM	28	NW	NW	76	4.3
55124	4	S	1	W	WM	28	SE	NW	76	3.3

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)

14462 -

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

Thomas Nelson
Signature of Affiant

May 8th, 2024
Date

Signed and sworn to (or affirmed) before me this 8 day of May, 2024.



Kattie L. Ackley
Notary Public for Oregon

My Commission Expires: March 14, 2026

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 checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water PGE bills for Well 1 and Well 2	<ul style="list-style-type: none"> ● Power usage records for pumps associated with irrigation use ● Fertilizer or seed bills related to irrigated crops ● Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> ● District assessment records for water delivered ● Crop reports submitted under a federal loan agreement ● Beneficial use reports from district ● IRS Farm Usage Deduction Report ● Agricultural Stabilization Plan ● CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <div style="text-align: center;"> <p>Received by OWRD</p> <p>MAY 15 2024</p> <p>Salem, OR</p> </div>	<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

WELL#1



(503)228-6322 or 1-800-542-8818
portlandgeneral.com

Account # [REDACTED]

Previous Amount Due	3.19
Payments	3.19 CR
Balance Forward	0.00
Current Charges	40.74

Service Address:
4-B FARMS INC
19601 BOONES FERRY RD NE
HUBBARD, OR 97032-9673

Cycle: 20

AMOUNT DUE \$40.74
Due date for current bill 06/14/23

This month's charges (Turn over for details)

Meter # 31075294AB, Schedule 47	
Energy Charges (14 kWh)	39.76
Adjustments	0.37
	<hr/>
	40.13
Total Taxes and Fees	0.61
	<hr/>
Current Energy Charges	40.74

Your energy use

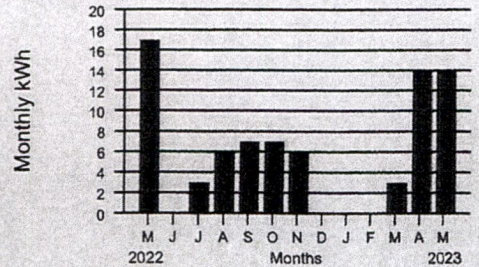
Meter # 31075294AB	
Schedule 47	
Service Period	Meter Reading
05/26/23	119
04/27/23	105
<hr/>	<hr/>
29 days of service	14 kWh

Thank you for your payment.

PAID 6-6-23
DATE:
CK #: 49510
AMOUNT: 115.86

Period Ending	Avg Daily Temperature*	Monthly kWh	Monthly Cost
May 2023	60	14	40.74
May 2022	54	17	41.26

*Temperature source: Aurora Municipal Airport



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Salem, OR

14462 -



(503)228-6322 or 1-800-542-8818
portlandgeneral.com

WELL # 2

Account # ~~XXXXXXXXXX~~

Service Address:
4-B FARMS INC
19102 BOONES FERRY RD NE
HUBBARD, OR 97032

Previous Amount Due 660.49
Payments 660.49 CR
Balance Forward 0.00
Current Charges 661.44

Cycle: 20

AMOUNT DUE \$661.44
Due date for current bill 08/14/23

This month's charges (Turn over for details)

Meter # 31063215AB, Schedule 49
Energy Charges (3071 kWh) 580.93
Adjustments 67.88

Total Taxes and Fees 648.81
12.63

Current Energy Charges 661.44

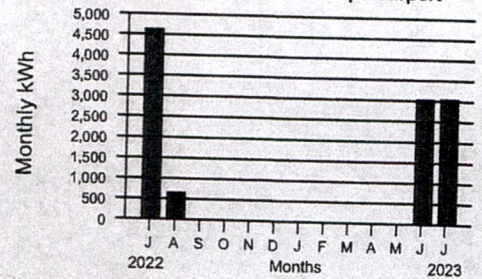
Your energy use

Meter # 31063215AB
Schedule 49
Service Period Meter Reading
07/27/23 43555
06/27/23 40484
30 days of service 3071 kWh

Thank you for your payment.

Period Ending	Avg Daily Temperature*	Monthly kWh	Monthly Cost
Jul 2023	71	3071	661.44
Jul 2022	69	4646	888.88

*Temperature source: Aurora Municipal Airport



2

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Salem, OR

14462 -

DEED

JAMES F. BUTSCH and DONNA M. BUTSCH, as tenants in common and not as tenants by the entirety, hereinafter called the Grantor, conveys to BUTSCH PROPERTIES, LLC, an Oregon limited liability company, hereinafter called the Grantee, the following described real property.

This deed is executed and delivered unto Grantee limited liability company as a contribution to the capital of such company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Marion, and state of Oregon, and is described as follows:

Parcel 1: Commencing at a point in the center of the County Road 40.09 chains West and South 9°30' West 5.25 chains of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 21, Township 6 South, Range 1 West of the Willamette Meridian; thence West 18.80 chains; thence South 34.91 chains; thence South 89° East 15.86 chains to the middle of the County Road; thence meandering said road North 3°30' East 11.30 chains; thence North 1° East 8.25 chains; thence North 9°30' East 16.41 chains to the place of beginning. (6887 Mount Angel Highway NE, Silverton, Oregon - Tax Account No. 45952-000)

EXCEPTING all roads and highways.

Parcel 2: Commencing at the Northeast corner of Section 1, Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence running West 100 rods; thence South 160 rods; thence East 100 rods; thence North 160 rods to the place of beginning and containing 100 acres of land, more or less. The same being a part of the Northeast quarter of Section 1, Township 6 South, Range 1 West of the Willamette Meridian, Marion County, Oregon. (15234 Butsch Lane NE, Mt. Angel, Oregon - Tax Account No. 44762-000)

Parcel 3: Beginning at the intersection of Market Road No. 58 and Boone's Ferry Road (County Road No. 432) as monumented by the Marion County Surveyor in March 1966, said point being 624.94 feet North 5°53'00" West from the Northwest corner of the Charles Hubbard Donation Land Claim No. 70, as monumented by the Marion County Surveyor in March 1966, and being in Section 28, Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, and running thence North 37°27'03" East along the center line of County Road No. 432, 488.05 feet to a County Monument; thence North 36°56'00" East along the center line of County Road No. 432, 614.46 feet; thence South 55°57'10" East 159.02 feet; thence North 88°18'56" East 367.93 feet; thence North 8°37'10" West 220.44 feet to an iron rod; thence South 88°22'46" East 177.82 feet to an iron rod; thence North 54°58'17" East 218.78 feet to an iron rod; thence South 85°21'49" East 216.49 feet to an iron rod; thence North 64°51'56" East 160.49 feet to an iron rod; thence South 69°34'07" East 181.97 feet to an iron rod; thence South 44°05'28" East 103.06 feet to an iron rod; thence South 28°13'26" West 185.94 feet to an iron rod; thence South 9°07'40" West to the center of Mill Creek; thence in a Westerly and Southerly direction along

TL
4.1.28
200

MAIL TAX STATEMENTS TO:
Butsch Properties, LLC
15234 Butsch Lane NE
Mt. Angel, OR 97362-9732

✓ AFTER RECORDING RETURN TO:
Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

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Salem, OR 14462 -

the center of Mill Creek to the North line of the Charles Hubbard Donation Land Claim No. 70; thence South 87°12'20" West along said North line to an iron pipe at the Northwest corner of a tract of land described in Volume 246, page 569, Deed Records for Marion County, Oregon; thence South 1°01'50" West along the West line of said tract 658.59 feet to an iron pipe; thence South 87°11'46" West 1220.76 feet to an iron pipe in Market Road No. 58; thence North 1°09'21" East 58.10 feet to a Marion County monument in the center line of Market Road No. 58; thence North 2°32' West 1224.39 feet to the point of beginning. (Tax Account No. 41070-001)

SAVE AND EXCEPT therefrom land described in a deed recorded in Volume 10, page 661, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT therefrom a tract of land described in Volume 138, page 590, Deed Records of Marion County, Oregon.

ALSO SAVE AND EXCEPT therefrom all roads and rights of way.

Parcel 4: Lots 23 and 24, CLOVERDALE, Marion County, Oregon. (Tax Account No. 70830-090)

SUBJECT TO right of the public in and to that portion of the above described property included in the public roads on the West line of said Lot 24 and on the North line of both of said Lots.

Parcel 5: The tract of land situate in the Charles Rondeau Donation Land Claim No. 47, Sections 33 and 34, Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, which is more particularly described as follows:

Beginning at a 1½ inch iron pipe marking the Northwest corner of the Charles Rondeau Donation Land Claim No. 47, in Township 5 South, Range 2 West of the Willamette Meridian, Marion County, Oregon, said 1½ inch pipe also marking the Northwest corner of that tract of land conveyed to J. and E. Carskadon by deed recorded in Volume 467, page 388, Marion County Record of Deeds; and running thence from this the true point of beginning, South 84°01'55" East 5062.81 feet along the Northerly boundary line of said Rondeau Donation Land Claim and the Northerly boundary line of said Carskadon Tract to a ⅝ inch iron rod with an aluminum cap on a line parallel to that portion of the Westerly right of way line of U.S. Highway 99 East, Northerly of a 34,417.47 foot radius curve said ⅝ inch iron rod being 939.85 feet Westerly (measured along the North line of said Donation Land Claim) from an iron pipe set on the Westerly line of said Highway; thence South 38°27' West 1077.74 feet parallel to said portion of the Westerly highway right of way line to a ⅝ inch iron rod with an aluminum cap; thence South 83°37'58" East 937.62 feet parallel to the Southerly boundary line of said Carskadon Tract as surveyed on March 23, 1968, to a ⅝ inch iron rod with an aluminum cap on said Westerly right of way line of U.S. Highway 99 East said right of way line being the arc of a 34,417.47 foot radius curve to the right; thence Southwesterly along the arc of said curve right to a ¼ inch iron rod, the long chord bears South 37°56' West 1.43 feet; thence continuing along said Westerly highway right of way line South 37°56' West 298.57 feet to a ⅝ inch iron rod with an aluminum cap; thence North 83°37' West 5300.91 feet to a ⅝ inch iron rod with an aluminum cap on the Westerly boundary line of said Rondeau Donation Land Claim; thence North 07°53'15" East 1133.88 feet along said Westerly boundary line to the point of beginning. (Tax Account No. 44563-000)

SAVE AND EXCEPT a strip of land 120.00 feet in width bearing South 40°39'09" West, lying within the above described tract, said strip being the Southern Pacific Railroad, including, but not limited to, those tracts described in Deeds recorded in Volume 10, page 800; Volume 12, page 201; Volume 23, page 109; Volume 92, page 582; and Volume 127, page 570, Deed Records, Marion County, Oregon.

Parcel 6: Beginning at a County Monument marking the intersection of the North line of the Alford Hovenden Donation Land Claim No. 76 in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, with the center line of Boone's Ferry Road, and running thence South 88°26'19" East along the North line of said Hovenden Donation Land Claim 1945.68 feet to an iron rod marking the Northeast corner of said Hovenden Donation Land Claim; thence South 88°26'19" East along the North lines of Lots 3 and 2 of Section 27 in said Township and Range 1186.58 feet to a 2" x 2" steel H beam marking the most Westerly Northwest corner of James Kester Donation Land Claim No. 52 in said Township and Range; thence South 3°58'10" West along the West line of said Kester Donation Land Claim 773.52 feet to an iron rod; thence South 52°56'41" West 2097.21 feet to an iron rod on the East line of the above mentioned Hovenden Donation Land Claim, said point being 347.16 feet North 14°39'52" East from the Southeast corner of said Hovenden Donation Land Claim; thence North 14°39'52" East along the East line of said Hovenden Donation Land Claim to the center of Mill Creek; thence in a Westerly direction along the center of Mill Creek to its intersection with a ditch or intermittent creek that flows into Mill Creek from the North, the survey notes of the meander of this section of Mill Creek being filed at the Marion County Surveyor's Office; thence North 9°07'40" East to an iron rod; thence North 28°13'26" East 185.94 feet to an iron rod; thence North 44°05'28" West 103.06 feet to an iron rod; thence North 69°34'07" West 181.97 feet to an iron rod; thence South 64°51'56" West 160.49 feet to an iron rod; thence North 85°21'49" West 216.49 feet to an iron rod; thence South 54°58'17" West 218.78 feet to an iron rod; thence North 88°22'46" West 177.82 feet to an iron rod; thence South 8°37'10" East 220.44 feet; thence South 88°18'56" West 367.93 feet; thence North 55°57'10" West 159.02 feet to a railroad spike set in the center of Boone's Ferry Road; thence along the center of Boone's Ferry Road, North 36°56'00" East 239.21 feet to an iron rod; and continuing along the center of Boone's Ferry Road, North 42°48'33" East 2199.31 feet to the point of beginning. (Tax Account No. 41075-255)

TL
4-1-28
100

SAVE AND EXCEPT therefrom lands described in Volume 10, page 661, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT all roads and rights of way.

This parcel contains approximately 164 acres, including road rights of way.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF

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MAY 15 2024

Salem, OR 14462 -

APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

The foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 27 day of March, 1998.

James F. Butsch
James F. Butsch

Donna M. Butsch
Donna M. Butsch

STATE OF OREGON)
County of Marion) ss.

On this 27th day of March, 1998, before me personally appeared the above named JAMES F. BUTSCH and DONNA M. BUTSCH and acknowledged the foregoing instrument to be their voluntary act and deed.



Diana L. Jones
Notary Public of Oregon
My Commission Expires: 6/16/98

REEL:1474

PAGE: 506

March 30, 1998 , 04:15P

CONTROL #: 1474506

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$50.00

ALAN H DAVIDSON
COUNTY CLERK

Received by OWRD

MAY 15 2024

Salem, OR

14462 -

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

Received by OWRD

MAY 15 2024

Salem, OR

NAME Butsch Properties LLC			PHONE 503.845.2485	
MAILING ADDRESS 15234 Butsch Lane				
CITY Mt. Angel	STATE Oregon	ZIP 97362	EMAIL 4Bfarms@mtangel.net	

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:
4S	1W	21	SE-SE	41W 21 700, 800 & 900	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	1W	22	SW-SW	41W 21 700 & 800	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	1W	22	SW-SW	41W 22 700	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Farming
4S	1W	28	NE-NE	41W 21 900	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	1W	32	NE-SW	41W 32 1200	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	1W	32	NW-SW	41W 32 1200	AG/EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
4S	1W	32	NW-SE	41W 32 1200	AG/EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

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

Marion County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: **0.57** 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:

A temporary transfer of water rights from one farm to two farms that are under a separate ownership.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department. See Page 2 →

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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136.020
- Land uses to be served by the proposed water use(s), 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"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued

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

Name: Alexander Seifer Title: Assistant Planner
 Signature: *Alexander Seifer* Date: 5/13/2024
 Governmental Entity: Marion County Planning Department Phone: 503.588.5038

Receipt Acknowledging Request for Land Use Information	
<p>Note to Local Government Representative: Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.</p>	
Applicant Name: _____	Received by OWRD
Staff Name: _____	Title: _____
Staff Signature: _____	Date: <u>MAY 15 2024</u>
Governmental Entity: _____	Salem, OR
Phone: _____	

The original and first copy of this report are to be filed with the

RECEIVED WATER WELL REPORT

678
MARIAN

43/1w-22

WATER RESOURCES DEPARTMENT

SALEM, OREGON 97310

within 30 days from the date of well completion

STATE OF OREGON

(Please type or print)

State Well No. _____

State Permit No. _____

OCT 9 1978

WATER RESOURCES DEPT. not write above this line

SALEM, OREGON

WELL A

(1) OWNER:

Name Paul Daily 148
Address Rte 2 Box 23 Aurora, Oregon 97002

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
2" Diam. from +1 ft. to 157 ft. Gage 1/4"
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? Yes No.

Type of perforator used Pre-perforated pipe
Size of perforations 2 1/2 in. by 3/16 in.
960 perforations from 106 ft. to 126 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level 39

Was a pump test made? Yes No If yes, by whom? driller

Yield: 1100 gal./min. with 75 ft. drawdown after 8 hrs.
1000 " 68 " " 8 "
800 " 45 " " 8 "

Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m.

Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement

Well sealed from land surface to 21 ft.

Diameter of well bore to bottom of seal 26 in.

Diameter of well bore below seal 22 in.

Number of sacks of cement used in well seal 45 sacks

How was cement grout placed? pumped

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: 3/4

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Marian Driller's well number _____
1/4 1/4 Section 22 T48 R. 1W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 68 ft.
Static level 39 ft. below land surface. Date 9/12/78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing _____
Depth drilled 157 ft. Depth of completed well 157 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Surface	0	3	
Brown clay	3	29	
Blue sandy clay	29	68	
Black sand	68	78	
Blue clay	78	90	
Sand & gravel	90	93	
Sand	93	98	
Gravel	98	145	
Blue sandy clay	145	157	

Received by OWRD

MAY 15 2024

Salem, OR

Work started Aug 25 1978 Completed Sept 12 1978

Date well drilling machine moved off of well Sept 14 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] John T. Miller Date Oct 2, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. 26

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name John T. Miller
(Person, firm or corporation) (Type or print)

Address 1780 Tomlin Woodburn, Ore 97071

[Signed] John T. Miller
(Water Well Contractor)

Contractor's License No. 277 Date Oct 2, 1978

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

MARI
17912

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JUN 29 1992

WELL B

(START CARD)

45/1W/32CA
W 36769

(1) OWNER:
Name Wesley Toran
Address 828 Par Rd
City Woodburn State Ore Zip 97071

WATER RESOURCES DEPT.
SALEM, OREGON (9) LOCATION OF WELL by legal description:

County Marion Latitude _____ Longitude _____
Township 4S N or S, Range 1W E or W, WM.
Section 32 NE 1/4 SW 1/4
Tax Lot 41169-1000 Block _____ Subdivision _____
Street Address of Well (or nearest address) 17911 Boone's Ferry Rd. Hubbard Ore 97032

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 190 ft.
Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
12+	0	20	Cement	0	20+	27 Sacks
8	20	190				

How was seal placed: Method A B C D E
 Other Tremmi
Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
8	1	190	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 190

(7) PERFORATIONS/SCREENS:
 Perforations Method Star Drive Down
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
125	148	3/16	288	8		<input checked="" type="checkbox"/>	<input type="checkbox"/>
181	186	1/2"	75	8		<input checked="" type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min 350+ Drawdown - Drill stem at 188 Time 6 hr. +

Temperature of water 53° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other Sandy
Depth of strata: 100-120 - 154-129

(10) STATIC WATER LEVEL:
70 ft. below land surface. Date 6-24-92
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found Surface water 18 ft

From	To	Estimated Flow Rate	SWL
120	152	300 +	70
180	182	100 +	70

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Top + Brown silty clay	0	14	
Light Brown clay	14	31	
Blue clay silty	31	53	
Blue clay sticky	53	61	
Blue silty clay	61	78	
Fine sand	78	91	
Dark blue clay	91	100	
Dark sand fine	100	120	
Sand & gravel	120	134	70
Cement gravel	134	140	
Sand & gravel	140	152	70
Fine sand	152	154	
Fine sand and very little gravel	154	179	
loose gravel & coarse sand	179	182	70
Dark clay stone	182	190	

Date started 6-10-92 Completed 6-24-92

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
WVC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
WVC Number 449
Signed John W Beck Date 6-25-92

NC

MARI. 800

RECEIVED
MAY 11 1966

WELL 1

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the
STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE ENGINEER OF OREGON
SALEM, OREGON
(Please type or print)

State Well No. 4/1w-27D
State Permit No. _____

G-3769

(1) OWNER:

Name Shady Oak Ranch, Inc.
Address 1737 N E Broadway
Portland, Oregon

(2) LOCATION OF WELL:

County Marian Driller's well number _____
1/4 Section 27 T. 1W R. 4S W.M.
Bearing and distance from section or subdivision corner _____

(3) TYPE OF WORK (check):

Well Deepening Reconditioning Abandon
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic Industrial Municipal Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven Cable Jetted Dug Bored

(6) CASING INSTALLED:

Threaded Welded
12" Diam. from 0 ft. to 140 ft. Gage 1/4"
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? Yes No
Type of perforator used Millknife
Size of perforations 3/8 in. by 3 in.
124 perforations from 96 ft. to 101 ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____ Model No. _____
_____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Puddled Mud
Depth of seal 24 ft. Was a packer used? no
Diameter of well bore to bottom of seal 15 1/2 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 46 ft. below land surface Date 4/22/66
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? driller
Yield: 400 gal./min. with 50 ft. drawdown after 8 hrs.
" " " " " "
" " " " " "
" " " " " "
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes No

(12) WELL LOG:

Diameter of well below casing 12
Depth drilled 155 ft. Depth of completed well 155 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Soil	0	3
Brown sandy clay	3	78
Brown sand	78	96
Broken gravel	96	101
Green clay and sand	101	121
Sticky blue clay	121	128
Blue sandy clay	128	134
Sand	134	138
Sticky green clay	138	147
Sandy grey clay	147	155

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MAY 15 2024

Salem, OR

Work started March 31 19 66 Completed April 22 19 66
Date well drilling machine moved off of well April 22 19 66

(13) PUMP:

Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John Truman Miller
(Person, firm or corporation) (Type or print)
Address P O Box 42 Hubbard, Oregon

Drilling Machine Operator's License No. 26

[Signed] John Truman Miller
(Water Well Contractor)

Contractor's License No. 277 Date April 26, 19. 66

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James Butsch

#7812

JUN 28 1978

WATER RESOURCES DEPT.

SALEM, OREGON

Material	From	To	X
Top soil, brown	0	4	
Clay, brown	4	56	
Clay, blue-green	56	61	
Clay, green fine sandy	61	70	
Clay, black	70	72	
Clay, black w/ some pea gravel & fine sand	72	74	
Pea gravel & sand, fine & clay, black	74	75	
Sand, black medium coarse	75	82	
Clay, green fine sandy	82	86	
Clay, green w/ coarse sand & pea gravel	86	88	
Sand, black medium coarse	88	89	
Sand, black cement w/ some clay, gray	89	91'6"	
Sand, black & pea gravel loosely cemented	91'6"	96	
Sand, coarse & pea gravel cemented loosely	96	102	
Gravel & sand, coarse up to 5"	102	117	
Clay, dark brown fine sandy w/ wood	117	118	
Clay, black medium sandy	118	119'6"	
Sand, medium blue w/ some gravel	119'6"	129	
Gravel & sand, black medium coarse	129	137	
Sand, coarse & gravel	137	142	
Gravel & coarse sand	142	158	
Gravel & sand w/ wood	158	160	
Gravel & sand cemented somewhat w/ wood	160	162	
Gravel & sand loose	162	184	
Clay, green fine sandy	184	186	
Clay, gray & pea gravel	186	187	
Sand & pea gravel, medium coarse	187	195	
Wood & sand, some cemented medium coarse	195	200	
Clay & wood, gray	200	202	
Sand, coarse & wood	202	204	
Clay, grayish-brown	204	207	
Clay, blue-green	207	210	
Clay, green dry hard	210	220	
Clay, green medium sandy dry	220	225	

Received by OWRS

MAY 15 2024

Salem, OR

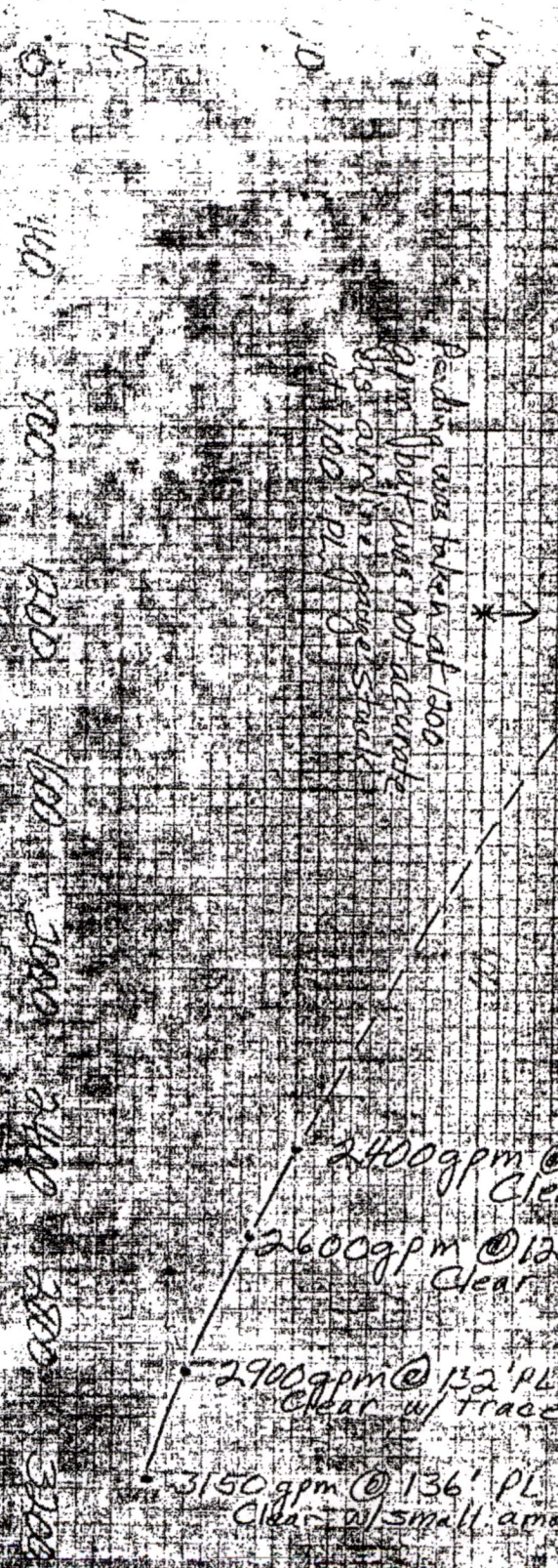
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JUN 2 1978

WATER RESOURCES DEPT.
SALEM, OREGON

SCHNEIDER EQUIPMENT, INC.
21881 RIVER ROAD N. E.
ST. PAUL, OREGON 97137
(503) 633-2666

James Butsch
Well Test



2400 gpm @ 120' PL after 9 1/2 hrs
Clear

2600 gpm @ 125' PL after 8 1/2 hrs
Clear

2900 gpm @ 132' PL after 7 3/4 hrs
Clear w/ trace of sand

3150 gpm @ 136' PL after 7 hrs
Clear w/ small amount of sand

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MAY 15 2071

6/13/78

Salem, OR