T-13762

Temporary

T-13762

APP
Name Dave Kaver
Kaver Family Farms, triple K Farms
Address 7325 SE Amity Dayton Hwy
Amity Oregon 97101
* ~~Farmland Reserve Inc. P.O. Box 2308~~
PASCO, WA. 99302

Change in POU APPD
Date Filed 7/6/2021
Initial notice date 7/20/2021
DPD issued date
PD issued date
PD notice date
Date of FO Vol Page

C-Date
COBU due date
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream little luckiamute river

Trib. of luckiamute river

Use Irrigation County Polk
Quantity of water (CFS) No. of Acres
Name of ditch

App#	Per #	Cert #	PR Date
S 18037	S14272	21244	
		36427	
		37470	
		57711	
		58749	

FEES PAID

Date	Amount	Receipt #
7-6-2021	$2225.36	135763

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District APP Farmland reserve, inc PO Box 2308 Pasco washington 99302

Agent Bill Ferber BK water right

CWRE
CC's list Polk County

☐ - Oversized map – Location

Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

April 27, 2022

DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

REFERENCE: District Temporary Transfer Application T-13762

Enclosed is a copy of the final order approving your TEMPORARY water right transfer application.

The temporary change shall be effective at the **beginning of the 2021 irrigation season.** The use shall revert to the original authorized place of use at the **end of the 2024 irrigation season.**

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at Joan.M.Smith@oregon.gov.

Sincerely,

Julie C. Baustian
Water Rights Services Support
Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)
Polk County
Farmland Reserve
William Earl Ferber, Agent

Enclosure

Limit/Duty: 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 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	5 W	WM	7	SW NE	51	NONE GIVEN; BOWMAN DLC 51
9 S	5 W	WM	7	NW SE	51	NONE GIVEN; BOWMAN DLC 51
9 S	5 W	WM	7	NE SE	51	NONE GIVEN; BOWMAN DLC 51
9 S	5 W	WM	8	NW SW	51	NONE GIVEN; BOWMAN DLC 51

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	7	SW NE	51	10.4
9 S	5 W	WM	7	SE NE	51	1.4
9 S	5 W	WM	7	NE SE	51	8.6
9 S	5 W	WM	7	NW SE	51	4.8
9 S	5 W	WM	8	SW NW	51	3.0
9 S	5 W	WM	8	NW SW	51	1.8
					Total:	30.0

4. Temporary Transfer Application T-13762 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	7	NW NW	53	11.3
9 S	5 W	WM	7	NE NW	53	5.1
9 S	5 W	WM	7	NW NW	53	8.8
9 S	5 W	WM	7	NE NW	53	4.8
					Total:	30.0

5. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13762 proposes an additional point of diversion approximately 362.0 downstream located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	5 W	WM	7	SE NW	51	POD #2 – 1725 FEET SOUTH AND 2575 FEET EAST FROM THE NW CORNER OF SECTION 7

6. The portion of the second right to be temporarily transferred is as follows:

Certificate: 36427 in the name of DR. C. J. MOSER (perfected under Permit S-27996)
Use: IRRIGATION of 45.3 ACRES
Priority Date: APRIL 26, 1962
Rate: 0.57 CUBIC FEET PER SECOND
Limit/Duty: 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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: LITTLE LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Gov Lot	Measured Distances
8 S	5 W	WM	31	NW SW	2	1250 FEET NORTH AND 870 FEET WEST FROM THE NW CORNER OF BOWMAN DLC 55

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	6 W	WM	31	SW SW		55	3.2
8 S	6 W	WM	31	SW SW	3		2.0
8 S	6 W	WM	31	SE SW		55	3.2
8 S	6 W	WM	36	SW SE		56	1.4
8 S	6 W	WM	36	SW SE	3		2.4
8 S	6 W	WM	36	SE SE			6.5
8 S	6 W	WM	36	NW SE		56	0.1
8 S	6 W	WM	36	NWSE	3		13.5
8 S	6 W	WM	36	NE SE			3.0
8 S	6 W	WM	36	NE SE	3		7.8
8 S	6 W	WM	36	SW NE		56	0.2
9 S	6 W	WM	6	NE NW		39	0.3
9 S	6 W	WM	6	NW NW	1		0.3
9 S	6 W	WM	6	NW NW		39	1.4
						Total:	45.3

7. Temporary Transfer Application T-13762 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	5 W	WM	31	NW SE	54	7.2
8 S	5 W	WM	31	NE SW	54	16.0
8 S	5 W	WM	31	NW SW	54	0.6
8 S	5 W	WM	31	SE SW	54	0.1
9 S	5 W	WM	7	NW NW	53	10.9
9 S	5 W	WM	7	NE NW	53	8.6

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	7	SW NW	32	1.0
9 S	5 W	WM	7	SE NW	53	0.9
					Total:	45.3

8. Additional points of diversion are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13762 proposes additional points of diversion between approximate 0.1 and 1.9 mile downstream located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
8 S	5 W	WM	31	NW SW	54	POD #1 – 2010 FEET NORTH AND 600 FEET EAST FROM THE SE CORNER OF SECTION 36
9 S	5 W	WM	7	SE NW	53	POD #2 – 1725 FEET SOUTH AND 2575 FEET EAST FROM THE NW CORNER OF SECTION 7

9. The portion of the third right to be temporarily transferred is as follows:

Certificate: 37470 in the name of C. J. MOSER (perfected under Permit S-28913)
Use: IRRIGATION of 19.7 ACRES
Priority Date: JULY 24, 1963
Rate: 0.25 CUBIC FOOT PER SECOND
Limit/Duty: 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 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	5 W	WM	31	NW SW	2640 FEET SOUTH AND 880 FEET EAST FROM THE MOST SOUTHERLY SE CORNER OF HART DLC 39

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	6 W	WM	36	SW NE	56	10.5
8 S	6 W	WM	36	SE NW	56	1.6
8 S	6 W	WM	36	NE SW	56	0.2
8 S	6 W	WM	36	NW SE	56	7.4
					Total:	19.7

10. Temporary Transfer Application T-13762 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	7	SW NW	53	7.5
9 S	5 W	WM	7	SE NW	53	12.2
					Total:	19.7

11. Additional points of diversion are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13762 proposes an additional point of diversion approximately 1.8 mile downstream located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	5 W	WM	7	SE NW	POD #2 - 1725 FEET SOUTH AND 2575 FEET EAST FROM THE NW CORNER OF SECTION 7

12. The fourth right to be temporarily transferred is as follows:

Certificate: 57711 in the name of J. L. HENDRICKSON (perfected under Permit S-19633)

Use: IRRIGATION of 38.5 ACRES

Priority Date: MARCH 7, 1950

Rate: 0.48 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	5 W	WM	31	NW SW	2	2330 FEET NORTH AND 80 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	5 W	WM	31	SW SW	3		1.40
8 S	6 W	WM	36	SE SE			19.50
9 S	5 W	WM	6	NW NW		39	0.10
9 S	5 W	WM	6	NW NW	1	39	9.70
9 S	6 W	WM	1	NE NE	1		7.80
						Total:	38.5

13. Temporary Transfer Application T-13762 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	5 W	WM	31	SE NW	54	24.1
8 S	5 W	WM	31	SW NW	54	14.4
					Total:	38.5

14. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13762 proposes an additional point of diversion approximately 362.0 feet downstream located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
8 S	5 W	WM	31	NW SW	54	POD #1 - 2010 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 31

15. The portion of the fifth right to be temporarily transferred is as follows:

Certificate: 58749 in the name of J L. HENDRICKSON (perfected under Permit S-21626)
Use: IRRIGATION of 29.7 ACRES
Priority Date: JULY 21, 1952
Rate: 0.37 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	6 W	WM	36	NE NE	1	1280 FEET SOUTH AND 630 FEET WEST FROM THE NE CORNER OF SECTION 36
8 S	5 W	WM	31	NW SW	2	2330 FEET NORTH AND 80 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	5 W	WM	31	SW SW		55	0.30
8 S	5 W	WM	31	SW SW	3		11.10
8 S	6 W	WM	36	SW NE		56	5.3
8 S	6 W	WM	36	SE NW		56	12.50
8 S	6 W	WM	36	NE SW		56	0.50
						Total:	29.7

16. Temporary Transfer Application T-13762 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	5 W	WM	31	NW SW	54	10.1
8 S	5 W	WM	31	NE SW	54	18.7
8 S	5 W	WM	31	SE NW	54	0.5
8 S	5 W	WM	31	NW SE	54	0.4
					Total:	29.7

17. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13762 proposes an additional point of diversion approximately 362.0 feet downstream located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
8 S	5 W	WM	31	NW SW	54	POD #1 - 2010 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 31

Temporary Transfer Review Criteria

18. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

19. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.

20. The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).

21. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13762 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and additional points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13762 are approved.

2. The former place of use **shall not** be irrigated as part of these water rights during the 2021, 2022, 2023, and 2024 irrigation seasons.

3. The use shall revert to the authorized place of use at the end of the 2024 irrigation season. The authorization to use the additional points of diversion shall be terminated concurrently.

4. Water use measurement conditions:

   a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.

   b. The water user shall maintain the meters or measuring devices in good working order.

   c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.

6. A subsequent application for permanent transfer of Certificates 21244, 36427, 37470, 57711, and 58749 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 21244, 36427, 37470, 57711, and 58749.

8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

9. The use of the remaining water rights described by Certificates 21244, 36427, 37470, 57711, and 58749 shall continue to be in accordance with the terms and conditions of Certificates 21244, 36427, 37470, 57711, and 58749.

Dated in Salem, Oregon on APR 27 2022

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: APR 28 2022

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13762

Transfer Specialist: Jon

Transfer Type: Temporary Transfer

Applicant: DAVE KAUER 7325 SE AMITY DAYTON HWY AMITY, OR 97101 Farmland Reserve Email: Phone:	**Agent**: ☐ N/A WILLIAM EARL FERBER PO BOX 13434 SALEM, OR 97309 Email: Phone:
Irrigation District: ☐ N/A Email:	**CWRE**: ☐ N/A Email:
Affected Local Gov'ts: ☐ N/A Polk County Planning Department Email:	**Affected Tribal Gov't**: ☐ N/A UNAVAILABLE Email:
Current Landowner if other than Applicant: ☐ N/A Email:	**Receiving Landowner**: ☐ N/A Email:

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐			21244	☐ Yes ☐ No	
☐			36427	☐ Yes ☐ No	
☐			37470	☐ Yes ☐ No	
			57711		
			58749		

Key Dates & Initial Actions:

Rec'd: July 6, 2021	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2225.36	WM District: 22	ODFW District:
Initial Public Notice: July 20, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news $ sent:	News $ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	CW Sent: ____	N/A
PD	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____ Initials: ____	Date: ____	Date: ____
FO	Date: 11/3/21 Initials: JGM	Date: 11/4/21 Initials: SOH	Date: ____ Initials: Jon	Date: 3/24/22 Initials: PKS	Date: ____ Initials: Jon	Date: 4/6/22	Date: ____

Special Issues: needs measurement devices

Special Order Volume: Vol. 122 Pages 95-58

Application for Water Right

Temporary or Drought Temporary Transfer

Part 1 of 5 – Minimum Requirements Checklist

OREGON WATER RESOURCES DEPARTMENT
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.

RECEIVED
JUL 06 2021
OWRD

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. If you have questions, call Customer Service at (503) 986-0801.

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 5 List them here: C 21244, C 36427, C 37470, C 57711, C58749**

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: 2021 End Year: 2024.**

☐ ☒ 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 (or signed land use form receipt stub) 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/or is insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: 13762

RECEIVED
JUL 06 2021
OWRD

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°).

15762

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	$810.00
2	Number of water rights included in transfer: 5 (2a) Subtract 1 from the number in 3a above: 1 (2b) *If only one water right this will be 0* Multiply line 2b by $260.00 and enter » » » » » » » » » » » » » »	2	$1040.00
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » ☐ 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 $200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » ☒ Yes: enter the number of acres for the portions of the rights to be transferred: 163.2 (4a) Multiply the number of acres in 4a above by $2.30 and enter on line 4 » »	4	$375.36
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	$2225.36
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ 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
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » **Transfer Fee:**	7	**$2225.36**

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 x 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).*

RECEIVED
JUL 06 2021
OWRD

13762

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Dave Kauer/Kauer Family Farms, Triple K Farms			503.835.1006	
ADDRESS				FAX NO.
7325 SE Amity Dayton Hwy				
CITY	STATE	ZIP	E-MAIL	
Amity	Oregon	97101	davidk755@yahoo.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.				

RECEIVED
JUL 06 2021
OWRD

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Farmland Reserve, Inc.			509.734.1195	
ADDRESS				FAX NO.
PO Box 2308				
CITY	STATE	ZIP	E-MAIL	
Pasco	Washington	99302		
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			PHONE NO.	ADDITIONAL CONTACT NO.
Bill Ferber/BK Water Right Consulting, LLC			503.910.9212	
ADDRESS				FAX NO.
PO Box 13434				
CITY	STATE	ZIP	E-MAIL	
Salem	Oregon	97309	bill@bkwrc.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 senior water rights place of use to lands planted with high value crop.

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	Print Name (and Title if applicable)	Date
	Pat Tolman, Vice President	6/17/21

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes, Farm Land Reserve Inc. ☐ 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.

Affidavits of Consent attached.

13762

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Dave Kauer/Kauer Family Farms, Triple K Farms			503.835.1006	
ADDRESS				FAX NO.
7325 SE Amity Dayton Hwy				
CITY	STATE	ZIP	E-MAIL	
Amity	Oregon	97101	davidk755@yahoo.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.				

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Farm Land Reserve, Inc.			509.734.1195	
ADDRESS				FAX NO.
PO Box 2308				
CITY	STATE	ZIP	E-MAIL	
Pasco	Washington	99302		
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.				

RECEIVED
JUL 06 2021
OWRD

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Bill Ferber/BK Water Right Consulting, LLC			503.910.9212	
ADDRESS				FAX NO.
PO Box 13434				
CITY	STATE	ZIP	E-MAIL	
Salem	Oregon	97309	bill@bkwrc.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 senior water rights place of use to lands planted with high value crop.

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	Print Name (and Title if applicable)	Date
David Kauer	DAVID KAUER PRES	6-1-21

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes, Farm Land Reserve Inc. ☐ 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.

13762

☐ ***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 **Polk county**	ADDRESS **850 Main Street**	
CITY **Dallas**	STATE **Oregon**	ZIP **97338**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

JUL 06 2021

OWRD

13762

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 # 36427

RECEIVED
JUL 06 2021
OWRD

Description of Water Delivery System

System capacity: 4.02 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. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

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)
P.O.D. C-36427	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	1250' N and 870' W from NW Corner Bowman DLC 55.
P.O.D. #1	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	54	2010' N and 600' E from SE Corner of Section 36
P.O.D. #2	☐ Authorized ☒ Proposed		9	S	5	W	7	SE	N W	53	1725' S and 2575' E from NW Corner of Section 7
	☐ Authorized ☐ Proposed										

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?

13762

☐ 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.

RECEIVED
JUL 06 2021
OWRD

13762

RECEIVED

JUL 06 2021

OWRD

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 # 36427

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	6	W	31	SW	SW	200	3	2.0	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	NW	NW	201	53	10.9	N/A	P.O.D.#2	1962
8	S	6	W	31	SW	SW	200	55	3.2	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	NE	NW	201	53	8.6	N/A	P.O.D.#2	1962
8	S	6	W	31	SE	SW	200	55	3.2	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	SW	NW	201	32	1.0	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	SE	200	56	2.4	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	SE	NW	201	53	0.9	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	SE	200	3	1.4	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NW	SE	306	54	7.2	N/A	P.O.D.#1	1962
8	S	6	W	36	SE	SE	200		6.5	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NE	SW	306	54	16.0	N/A	P.O.D.#1	1962
8	S	6	W	36	NW	SE	200	3	0.1	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NW	SW	306	54	0.6	N/A	P.O.D.#1	1962
8	S	6	W	36	NW	SE	200	56	13.5	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	SE	SW	306	54	0.1	N/A	P.O.D.#1	1962
8	S	6	W	36	NE	SE	200	56	3.0	Irrigation	P.O.D. C-36427	1962	APOD	8	S	5	W	31	NW	SW	306	54	–	N/A	P.O.D.#1	1962
8	S	6	W	36	NE	SE	200	2	7.8	Irrigation	P.O.D. C-36427	1962	APOD	9	S	5	W	7	SE	NW	600	51	-	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	NE	200	56	0.2	Irrigation	P.O.D. C-36427	1962														

9	S	5	W	6	NW	NW	200	1	0.3	Irrigation	P.O.D. C-36427	1962										
9	S	5	W	6	NW	NW	702	39	1.4	Irrigation	P.O.D. C-36427	1962										
9	S	5	W	6	NE	NW	702	36	0.3	Irrigation	P.O.D. C-36427	1962										
TOTAL ACRES									45.3					TOTAL ACRES							45.3	

Additional remarks:_____

RECEIVED

JUL 06 2021

OWRD

13762

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has 2 existing water rights, C 36673 and C 41738, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD
18762

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 58749

Description of Water Delivery System

System capacity: 4.02 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. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

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)
P.O.D. #1 C-58749	☒ Authorized ☐ Proposed		8	S	6	W	36	NE	NE	1	1280' S and 630' W from the NE Corner of Section 36
P.O.D. #2 C-58749	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E from SW Corner of Section 31
P.O.D. #1	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	54	2010' N and 600' E from the SW Corner of Section 31
	☐ Authorized ☐ Proposed										

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.

T-13762

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 # 58749

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	5	W	31	SW	SW		3	11.1	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NW	SW	306	54	10.1	N/A	P.O.D. #1	1952
8	S	5	W	31	SW	SW		55	0.3	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NE	SW	306	54	18.7	N/A	P.O.D. #1	1952
8	S	6	W	36	NE	SW		56	0.5	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	SE	NW	306	54	0.5	N/A	P.O.D. #1	1952
8	S	6	W	36	SE	NW		56	12.5	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NW	SE	306	54	0.4	N/A	P.O.D. #1	1952
8	S	6	W	36	SW	NE		56	5.3	Irrigation	P.O.D. #1&2 C-58749	1952	APOD	8	S	5	W	31	NW	SW	306	54	--	N/A	P.O.D. #1	1952
TOTAL ACRES									29.7					TOTAL ACRES									29.7			

RECEIVED
JUL 06 2021
OWRD

Additional remarks:_____

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has an existing water right, C 42675, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD

13762

Water Right Certificate # 57711

RECEIVED
JUL 06 2021
OWRD

Description of Water Delivery System

System capacity: 4.02 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. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

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)
P.O.D. C-57711	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	2330' N and 80' E from SW Corner of Section 31
P.O.D. #1	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	2	2010' N and 600' E of the SW Corner of Section 31
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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.

13762.

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 # 57711

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date				Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																									
2	S	9	E	15	NE	NW	100		15.0	irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	8	S	5	W	31	SE	NW	306	54	24.1	N/A	P.O.D. #1	1950
													POU	8	S	5	W	31	SW	NW	306	54	14.4	N/A	P.O.D. #1	1950
													APOD	8	S	5	W	31	NW	SW	306	54	--	N/A	P.O.D. #1	1950
TOTAL ACRES														TOTAL ACRES									38.5			

RECEIVED
JUL 06 2021
OWRD

137 62

Additional remarks: **The total POU of this Water Right is part of this Temporary Transfer.**

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has an existing water right, C 42675, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD

13762

RECEIVED

JUL 06 2021

OWRD

Water Right Certificate # 37470

Description of Water Delivery System

System capacity: 4.02 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. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

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)
P.O.D. C-37470	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	2640' S and 880' E from the most southerly SE Corner, Hart DLC 39
P.O.D. #2	☐ Authorized ☒ Proposed		9	S	5	W	7	SE	N W	51	1725' S and 2575' E from NW Corner of Section 7
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

RECEIVED

JUL 06 2021

OWRD

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.

10703

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 # 37470

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	6	W	36	SW	NE		56	10.5	Irrigation	P.O.D. C-37470	1963	POU	9	S	5	W	7	SW	NW	201	53	7.5	N/A	P.O.D. #2	1963
8	S	6	W	36	SE	NW		56	1.6	Irrigation	P.O.D. C-37470	1963	POU	9	S	5	W	7	SE	NW	201	53	12.2	N/A	P.O.D. #2	1963
8	S	6	W	36	NE	SW		56	0.2	Irrigation	P.O.D. C-37470	1963	APOD	9	S	5	W	7	SE	NW	600	51	--	N/A	P.O.D. #2	1963
8	S	6	W	36	NW	SE		56	7.4	Irrigation	P.O.D. C-37470	1963														
TOTAL ACRES									19.7					TOTAL ACRES									19.7			

RECEIVED
JUL 06 2021
OWRD

Additional remarks:_____

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: TO lands: Tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37472, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 21244

Description of Water Delivery System

System capacity: 4.02 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. Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated

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)
P.O.D. C-21244	☒ Authorized ☐ Proposed		9	S	5	W				51	SWNE,NWSE,NESE as projected within Bowman D.L.C. No.51, Sect. 7 and NWSW as projected within Bowman D.L.C., Sect. 8, all in 9S 5W. (Appears to be a reach - WEF)
P.O.D. #2	☐ Authorized ☒ Proposed		9	S	5	W	7	SE	N W	51	1725' S and 2575' E from NW Corner Section 7
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

13762

- ☒ 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 # 21244

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	9	S	5	W	7	NW	NW	500	53	11.3	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NE	NW	500	53	5.1	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NW	NW	201	53	8.8	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NE	NW	201	53	4.8	N/A	P.O.D. #2	1940
													APOD	9	S	5	W	7	NW	NW	600	51	--	N/A	P.O.D. #2	1940
TOTAL ACRES													TOTAL ACRES										30.0			

RECEIVED
JUL 06 2021
OWRD

Additional remarks: **The total POU of this Water Right is part of this Temporary Transfer.**

RECEIVED

JUL 06 2021

OWRD

Water Right Certificate # 21244

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: TO lands: Tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37472, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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
								137	62	

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.

RECEIVED
JUL 06 2021
OWRD

State of Oregon)
) ss
County of POLK)

I, David Kaiser, in my capacity as TENANT FARMER,

mailing address 7325 SE AMITY-DAYTON HWY

telephone number (503)835-1006, 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 # 21244, 36427, 37470, 57711, 58749; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☐ Confirming Certificate # ____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached. 13762

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____(For Historic POD/POA Transfers)

(continues on reverse side)

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

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

RECEIVED

JUL 06 2021

OWRD

David Kam
Signature of Affiant

6-2-21
Date

Signed and sworn to (or affirmed) before me this 2 day of June, 2021.

OFFICIAL STAMP
PRAVEEN K BADU
NOTARY PUBLIC - OREGON
COMMISSION NO. 1001634
MY COMMISSION EXPIRES JULY 09, 2024

Praveen
Notary Public for Oregon

My Commission Expires: July 09, 2024

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	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.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13762

0011956401

CONSUMERS POWER INC.
P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

94 1 SP 0.500 4 94
TRIPLE K LLC C-1 P-2
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

Account Number 11956401	
Statement Date 07/08/2020	Due Date 08/01/2020

Billing Summary

LAST MONTH'S BILL	$1,030.14
PAYMENTS - THANK YOU	$1,030.14 CR
BALANCE FORWARD	$0.00
Current Charges	$1,153.39
Account Balance	**$1,153.39**

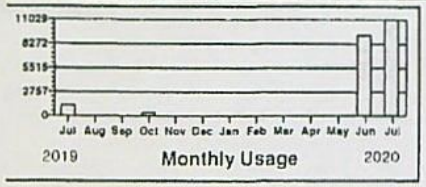
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: A great way to use that summer heat and lower your bill is by using a heat pump water heater. These hot water heaters efficiently transfer the heat from the air to heat the water, which lowers your electric bill. CPI also offers substantial rebates, so call or visit us online for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/30/20	06/30/20	31	KWH	48620	37591	1	11029		034
TD875	05/30/20	06/30/20	31	KW	70.490		1	70.490		034



Average KWH per Day: 356
This Month Last Year: 43

Detail of Charges - Electric

Basic Service Charge	$63.00
KWH Revenue	$757.69
KW Revenue	$332.70
Load Factor - 21%	
Total This Service	$1153.39

RECEIVED
JUL 06 2021
OWRD

13762

.0011956401.

CONSUMERS POWER INC.
P.O. BOX 1180
5990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

Account Number 11956401	
Statement Date 06/08/2020	Due Date 07/01/2020

Billing Summary

LAST MONTH'S BILL	$0.00
NO PAYMENTS RECEIVED	$0.00
BALANCE FORWARD	$0.00
Current Charges	$1,030.14
Account Balance	**$1,030.14**

82 1 SP 0.500 4 82
TRIPLE X LLC C-1 P-2
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

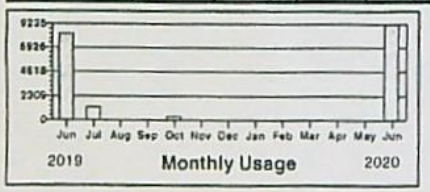
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

CPI offers rebates for your many home improvement projects. This includes windows to heat pumps and insulation and heat pump water heaters. Visist our website at www.cpi.coop, or give us a call for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	04/30/20	05/30/20	30	KWH	37591	28356	1	9235		034
TD875	04/30/20	05/30/20	30	KW	70.490		1	70.490		034



Average KWH per Day: 308
This Month Last Year: 266

Detail of Charges - Electric

Basic Service Charge	$63.00
KWH Revenue	$634.44
KW Revenue	$332.70
Load Factor - 18%	
Total This Service	**$1030.14**

RECEIVED
JUL 06 2021
OWRD

13762

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072212

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.16
Ticket(s)	375815457

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.160 Tons	38-0.0-0.0 7S	345.00 /Tons	4,195.20 Paid

RECEIVED
JUL 06 2021
OWRD

This invoice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

Sub Total	4,195.20
Prepay $ Used	4,195.20
Amount Due	.00
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072212

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072214

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.29
Ticket(s)	375815463

RECEIVED
JUL 06 2021
OWRD

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.290 Tons	38-0.0-0.0 7S	345.00 /Tons	4,240.05 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation, invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,240.05
Prepay $ Used	4,240.05
Amount Due	.00
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072214

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072218

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.8
Ticket(s)	375815469

RECEIVED
JUL 06 2021
OWRD

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.800 Tons	38-0.0-0.0 7S	345.00 /Tons	4,416.00 Paid

This invoice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

Sub Total	4,416.00
Prepay $ Used	4,416.00
Amount Due	.00
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072218

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072219

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.69
Ticket(s)	375815467

RECEIVED
JUL 06 2021
OWRD

hip To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

ments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.690 Tons	38-0.0-0.0 7S	345.00 /Tons	4,378.05 Paid

voice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this invoice and the ent between Customer and Simplot Grower Solutions.

er will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date er will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on paid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

necessary for this invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying ication. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the nd conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,378.05
Prepay $ Used	4,378.05
Amount Due ** DO NOT PAY **	.00

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

mmendation Was Made By or Provided to the Seller. Yes No
PLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
cide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072219

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072220

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.81
Ticket(s)	375815474

RECEIVED
JUL 06 2021
OWRD

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to smith rd

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.810 Tons	38-0.0-0.0 7S	345.00 /Tons	4,419.45 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer including without limitation liability for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,419.45
Prepay $ Used	4,419.45
Amount Due	.00
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072220

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072221

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.68
Ticket(s)	375815477

RECEIVED
JUL 06 2021
OWRD

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to smith rd

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.680 Tons	38-0.0-0.0 7S	345.00 /Tons	4,374.60 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,374.60
Prepay $ Used	4,374.60
Amount Due ** DO NOT PAY **	.00

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072221

7222

RECEIVED

JUL 06 2021

OWRD

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Orig Acq - Three Sisters)

RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-000299

$46.00

00085932200300002990050058

01/07/2003 02:15:36 PM

REC-WD Cnt=1 Stn=1 A. CAPTAIN
$25.00 $10.00 $11.00

Fidelity National Title Acq 388332

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

13762

1/5

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUNK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651896.1

13762

21

RECEIVED
JUL 06 2021
OWRD

EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

A tract of land in Sections 6 and 7, Township 9, South, Range 5 West of the Willamette Meridian and in Section 1, Township 9 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, said tract being bound by the following:

Beginning at a 2 inch brass disk set in concrete at the Southeast corner of the Julianna Jones Donation Land Claim No. 52 in said Section 7; thence North 05°33'15" West, on an Easterly line of said Claim No. 52, 1475.18 feet to a 1 inch pipe; thence North 89°36'36" West 2027.47 feet to the Easterly right of way line of Airlie Road (Market Road No. 8); thence South 12°28'44" East, on the said right of way line, 577.62 feet to a 5/8 inch rod which is 40 feet from the centerline of said Airlie Road; thence South 09°49'07" East, on the said right of way line, 200.54 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence South 12°27'41" East, on the said right of way line, 1299.03 feet to a 5/8 inch rod; thence South 14°03'45" East, on the said right of way line, 349.76 feet to a 5/8 inch rod which is 40 feet from the said centerline; thence South 11°49'09" East, on the said right of way line, 450.13 feet to a point which is 35 feet from the said centerline; thence South 11°37'53" East, on the said right of way line, 339.74 feet to a point which is 30 feet from a point of spiral curve on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline), the chord of which bears South 16°56'36" East 441.19 feet; thence continuing on the said right of way line, 346.54 feet on a 924.93 foot radius circular curve left, the chord of which bears South 36°43'13" East 344.52 feet to a 5/8 inch rod; thence South 57°46'15" East, on the said right of way line, 440.99 feet to a 5/8 inch rod which is 40 feet from a point of tangent on the said centerline; thence South 60°57'08" East, on the said right of way line, 1840.64 feet; thence South 89°43'54" East 513.08 feet to a 5/8 inch rebar; thence North 01°18'21" East, on an Easterly line of the Jonathan Ligget Donation Land Claim No. 53 in said Section 7, 264.14 feet to a 2 inch brass disk set in concrete marking the Northwest corner of the David R. Lewis Donation Land Claim No. 55; thence North 22°45'19" West, on an Easterly line of said Claim No. 53, 214.14 feet to a 2 inch brass disk set in concrete marking the Southwest corner of the Sarah Bowman Donation Land Claim No. 51; thence North 22°43'22" West, on an Easterly line of said Claim No. 53, 3283.36 feet to the point of beginning.

PARCEL II:

A tract of land in Section 36, Township 8 South, Range 6 West of the Willamette Meridian, the North 1/2 of Section 1, Township 9 South, Range 6 West of the Willamette Meridian, the Northwest 1/4 of Section 6, Township 9 South, Range 5 West of the Willamette Meridian, and the Southwest 1/4 of Section 31, Township 8 South, Range 5 West of the Willamette Meridian, all in Polk County, Oregon, said tract being bound by the following:

Beginning at a point on the center of the present channel of the Little Luckiamute River which is 95.65 feet North 42°15' East and 264.00 feet, more or less, South 42°09'29" East from the angle corner on the Northeast boundary of the William Burns Donation Land Claim No. 56 in said Section 36; thence Easterly, on the center of the said present channel, 890 feet, more or less, to the point at which the said center of the present channel intersects the center of an old channel of the said river; thence North 15°52'40" East, on the center of the said old channel, 314 feet, more or less, to an angle point on the said center of the old channel; thence North 31°16'09" East on the center of the said old channel, 108.46 feet to the point at which the center of

CONTINUED

JUL 06 2021

OWRD

the said old channel intersects the Westerly line of the John Chamberlain Donation Land Claim No. 40 in said Section 36 at a point 82.00 feet South 14°16'05" East from the most Southerly Southeast corner of the Thomas Hart Donation Land Claim No. 39 in said Section 36; thence South 14°16'05" East, on the said Westerly Claim Line, 477.88 feet to a point on the center of the said old channel; thence South 06°55'36" West, on the center of the said old channel, 225 feet, more or less, to the center of the said present channel; thence Southerly, on the center of the said present channel, 610 feet, more or less, to the point at which the center of an old channel of the said river intersects the center of the said present channel; thence South 60°33'23" East, on the center of the said old channel, 185 feet, more or less, to the said Westerly line of said Claim No. 40; thence South 14°16'05" East, on the said Westerly Claim Line, 529.06 feet to an angle corner on the said Westerly Claim Line; thence South 40°54'41" East, on the said Westerly Claim Line, 2400.45 feet to the Southwest corner of the John Chamberlain Donation Land Claim No. 54 in said Section 31; thence North 80°00'16" East, on the South line of said Claim No. 54, 380 feet, more or less, to the center of the said river; thence Southerly, on the center of the said river 1770 feet, more or less, to a point which is 71.10 feet North 01°23'40" East and 1280.00 feet, more or less, North 61°30'58" East from the most Westerly Southwest corner of the Preston Bowman Donation Land Claim No. 39 in said Section 6; thence South 61°30'58" West 3930 feet, more or less, to the Northerly right of way line of Airlie Road (Market Road No. 8); thence North 40°31'07" West, on the said right of way line, 41.55 feet to a 5/8 inch rod which is 40 feet from a point of spiral curve on the centerline of said Airlie Road; thence North 43°28'41" West, on the said right of way line, 182.77 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence North 40°22'56" West, parallel with said centerline, 599.69 feet to a 5/8 inch rod; thence North 37°32'31" West, on the said right of way line, 204.69 feet to a 5/8 inch rod which marks a point 40 feet from a point of tangent on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 43°04'15" West 405.11 feet; thence continuing on the said right of way line 55.86 feet on a 1472.39 foot radius circular curve left, the chord of which bears North 49°28'22" West 55.85 feet; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 55°52'56" West 405.05 feet to a 5/8 inch rod which is 40 feet from a point of spiral on the said centerline; thence North 61°32'19" West, on the said right of way line, 191.20 feet to a point 30 feet from the said centerline; thence North 58°33'26" West, on the said right of way line, 205.96 feet to a 5/8 inch rebar with a yellow plastic cap; thence North 27°49'03" East 2273.81 feet to a point which is 892.29 feet North 42°10'45" West and 2200.79 feet South 27°49'03" West from the Northeast corner of the said Claim No. 56 in said Section 36; thence North 47°12'35" West 1229.94 feet; thence South 38°08'27" West 2198.51 feet to the Northerly right of way line of said Airlie Road; thence North 34°49'10" West, on the said right of way line, 178.58 feet to a point which is 40.00 feet from a point of curve to spiral on the said centerline; thence continuing on the said right of way line, 192.08 feet on a 1185.92 foot radius circular curve left, the chord of which bears North 45°35'16" West 191.87 feet; thence North 56°21'02"West, on the said right of way line, 203.34 feet to a 5/8 inch rod which is 30 feet from a centerline point of spiral; thence North 55°13'08" West, on the said right of way line, 179.08 feet to the point of intersection of the said Northerly right of way line with the Easterly right of way line of King's Valley Highway (State Highway No. 223); thence continuing on the said Easterly right of way line, 136.59 feet on a 2814.79 foot radius circular curve right, the chord of which bears North 37°36'25" East 136.58 feet; thence continuing on the said right of way line on a non-ciruclar curve right (50 feet from a spiral curve on the centerline of the said highway) the chord of which bears North 41°41'32" East 396.22 feet; thence North 43°00'57" East, 50 feet from and parallel with the said highway centerline, 3790

CONTINUED

feet, more or less, to the center of the Little Luckiamute River; thence Easterly on the center of the said river, 350 feet, more or less, to the point of beginning.

- - - - - - - -

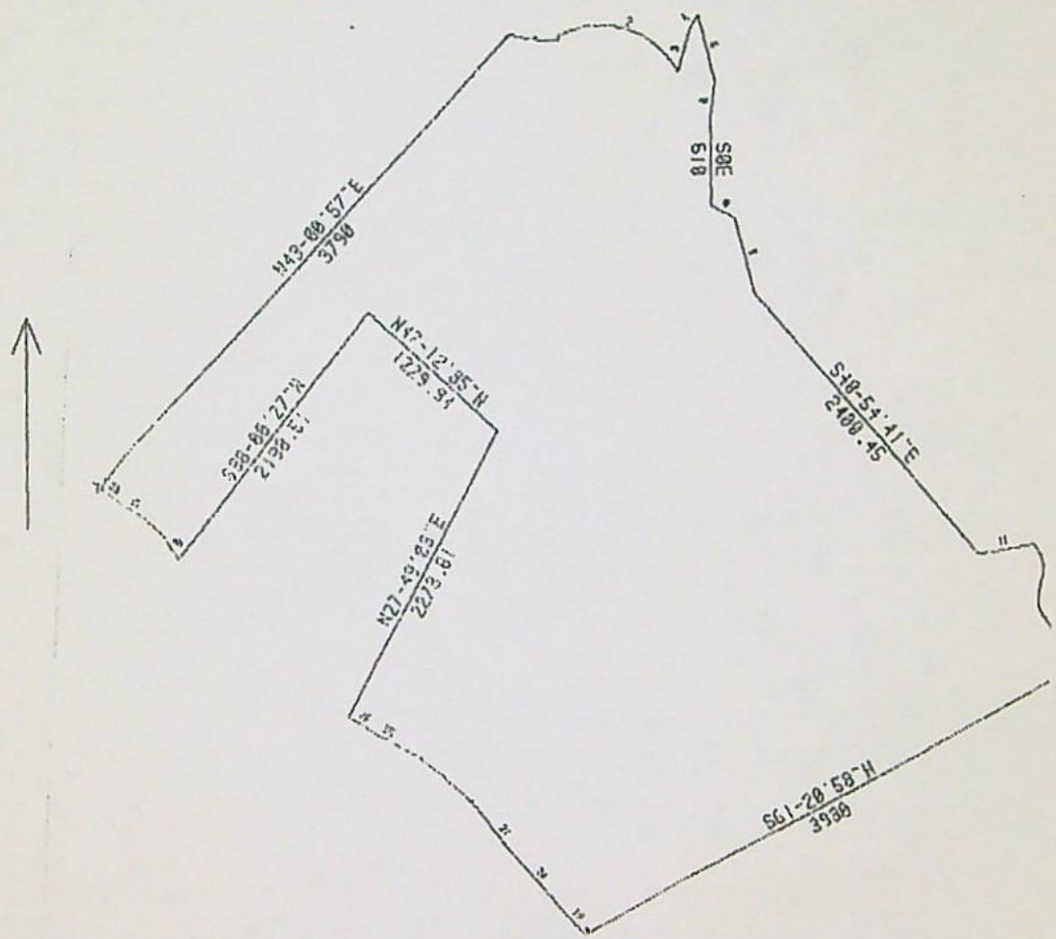
RECEIVED
JUL 06 2021
OWRD

13762.

5/5

EXHIBIT "A"
Continued

RECEIVED
JUL 06 2021
OWRD



13762

Client: DALLAS

7223

RECEIVED

JUL 06 2021

OWRD

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Add. I - Garner)

RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-000298

$36.00

00065931200300002980030038

01/07/2003 02:14:36 PM

REC-WD Cnt=1 Stn=1 A. CAPTAIN
$15.00 $10.00 $11.00

Fidelity National Title TICOR ACO 243876

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUNK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651885.1

RECEIVED
JUL 06 2021
OWRD

EXHIBIT 'A'

LEGAL DESCRIPTION

All that portion of the following described tract of land lying West of the West line of the Monmouth-Falls City Highway and West of the West line of Smith Road No. 85-15, as they now exist, to wit:

Beginning at the Southwest corner of the John Chamberlain Donation Land Claim No. 54, Notification No. 2276 in Township 8 South, Range 5 West, Willamette Meridian in Polk County, Oregon, and running thence North 79° East along the South line of said Claim to the Southeast corner thereof; thence Northerly along the East line of said Claim, 2749.28 feet, more or less, to the Northeast corner of premises sold to Hal K. Ward, et ux, by instrument recorded November 1, 1976, in Volume 97, Page 283, Book of Records for Polk County, Oregon; thence South 78°23'38" West 2609.59 feet; thence South 66°13'54" West 3075.40 feet to an angle corner on the West line of said Chamberlain Claim; thence South 41° East along the West line of said Claim to the place of beginning.

SAVE AND EXCEPT: Beginning at an iron rod which is 1162.38 feet South 79°50' West from the Northeast corner of the Preston Bowman Donation Land Claim No. 55 in Township 8 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; thence South 79°50' West along the Northerly line of said Claim a distance of 2741.62 feet to an iron rod; thence continuing South 79°50' West, 127 feet, more or less, to the center of the Little Luckiamute River; thence North 20° West along the center of said river, 10.4 feet, more or less; thence North 79°30'48" East, 128.3 feet, more or less, to an iron rod; thence North 79°30'48" East 1502.25 feet to an iron rod; thence North 62°14'59" East, 60.19 feet to an iron rod; thence North 81°38'59" East 1183.08 feet to the point of beginning, which parcel was conveyed by Harold O. Bressler and Faye M. Bressler to Edward L. Walton and LeNore Walton by Bargain and Sale Deed dated January 16, 1981.

RECEIVED
JUL 06 2021

7224

RECORDED IN POLK COUNTY OWRD 2003-000393
VALERIE UNGER, COUNTY CLERK
$46.00
00066041200300003930050055
01/08/2003 02:24:01 PM
REC-WD Cnt=1 Stn=1 A. CAPTAIN
$25.00 $10.00 $11.00

RECORDED BY LAWYERS TITLE INS. CORP. AS AN ACCOMMODATIO
ONLY NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OF
FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Add. II - Ratzlaff)

LAWYERS TITLE INS. CORP. 330195K

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

13762

1/5

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUSK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651890.1

13762

2/5

RECEIVED
JUL 06 2021
OWRD

EXHIBIT "A"
Legal Description

That certain property located in the County of Polk and State of Oregon, described as follows:

PARCEL I:
Beginning at the Southeast corner of the Donation Land Claim of Sarah A. Bowman and heirs at law of William Bowman, Notification No. 2807, Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence North 32.93 chains; thence West to the West boundary of said Bowman Claim; thence South 22° 57' East, 35.76 chains to the Southwest corner of said Bowman Claim; thence East 38.56 chains to the place of beginning.

PARCEL II:
ALSO:
Beginning at a point which is 32.93 chains North from the Southeast corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence West 1 rod; thence North 20.10 chains; thence East 1 rod; thence South 20.10 chains to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:
Beginning at the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence North 22° 43' 41' West along the Westerly line of said Bowman Claim, 291.97 feet to an iron rod; thence North 57° 45' 20" East 228.71 feet to a point in the center of the Little Luckiamute River; thence South 64° 23' 07" East 65.62 feet to a point in the center of said river; thence South 37° 39' 42" East, 253.94 feet to a point in the center of said river; thence South 82° 55' 30" East, 285.65 feet to a point in the center of said river; thence North 78° 34' 49" East 116.18 feet to a point in the center of said river; thence South 80° 56' 20" East 81.26 feet to a point in the center of said river; thence South 69° 36' 05" East, 182.20 feet to a point in the center of said river; thence South 68.39 feet to a point on the South line of said Bowman Claim; thence South 89° 41' 35" West 943.35 feet more or less to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 943.35 feet North 89° 41' 35" East and 68.39 feet North and 15.13 feet North 69° 36' 05" West from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River; thence North 69° 36' 05" West 50.76 feet to a point in the center of said river; thence

(Continued)

RECEIVED
JUL 06 2021
OWRD

Continued

North 10° 29' 37" East 100.00 feet; thence South 69° 36' 05" East, 50.76 feet; thence South 10° 29' 37" West, 100.00 feet to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 943.35 feet North 89° 41' 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being on the South line of said Bowman claim; thence North 68.39 feet to a point in the center of the Luckiamute River; thence South 70° 05' 04" East 96.53 feet to a point in the center of said river; thence North 82° 57' 12" East 106.00 feet to a point in the center of said river; thence North 47° 00' 12" East, 136.00 feet to a point in the center of said river; thence North 82° 00' 42" East 181.00 feet to a point in the center of said river; thence South 37° 55' 48" East, 206.89 feet to a point where the center of said river intersects the South line of said Bowman Claim; thence leaving said river and proceeding South 89° 41' 35" West 601.85 feet more or less to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 2179.47 feet North 89° 41' 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River and on the South line of said Bowman Claim; thence North 62° 54' 12" East 273.40 feet to a point in the center of said river; thence South 84° 46' 48" East 135.52 feet to a point where said center line intersects the East line of said Bowman claim; thence South 00° 01' 24" East, 110.16 feet to the Southeast corner of said Bowman Claim; thence South 89° 41' 35" West 378.39 feet to the point of beginning.

PARCEL III:
TOGETHER WITH:
That tract of land which is more particularly described as follows:

Beginning at a point which is 2179.47 feet North 89° 41' 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River and on the South line of said Bowman Claim; thence running upstream South 62° 54' 12" West 297.60 feet to a point in the center of said river; thence North 72° 44' 18" West 368.00 feet to a point in the center of said river; thence North 37° 55' 48" West 29.11 feet to the South line of said Bowman Claim; thence leaving said river and running North 89° 41' 35" East along said Claim line, 634.27 feet more or less to the point of beginning.

(Continued)

RECEIVED
JUL 06 2021
OWRD

Continued

TOGETHER WITH:
An easement for access to install and maintain an irrigation pump station at the present location of the irrigation diversion point over and across the following described 50 foot stip of land without blocking the prior Grantor's ingress and egress over said 50 foot strip of land.

Beginning at a point which is 943.35 feet North 89° 41' 35" East and 68.39 feet North and 15.13 feet North 69° 36' 05" West from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River; thence North 69° 36' 05" West 50.76 feet to a point in the center of said river; thence North 10° 29' 37" East 100.00 feet; thence South 69° 36' 05" East 50.76 feet; thence South 10° 29' 37" West 100.00 feet to the point of beginning:

13762

5/5

Watermaster Review Form: Water Right Transfer

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

Transfer Application: T-13762 Review Due Date:

Applicant Name: Kauer Family

Proposed Changes: ☑ POU ☑ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Joel Plahn Date of Review: 07/20/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☑ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☑ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Have headgate notices been issued for the source that serves the transferred right(s)?
   ☐ Yes ☑ No ☐ Records not available.

4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☑ No If "Yes", explain:

5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☑ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☑ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☑ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:
☑ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☑ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?
☐ Yes ☑ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☑ N/A
    a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?
    ☐ Yes ☐ No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☑ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☑ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☑ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. **Before water use may begin** under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, ☑ at each point of diversion/appropriation (new and existing) **OR** at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. **Before water use may begin** under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

*b. **Before water use may begin** under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

☐ Weir
☐ Parshall Flume
☐ Other: __
☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13762

☑ In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- ☑ *at each point of diversion/appropriation (new and existing)* ***OR***
- ☐ *at each new point of diversion/appropriation.*

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Joel Plahn

District: 22

Address: 725 Summer St NE Suite A

City/State/Zip: Salem OR 97301

Phone: 503-508-2394

Email: joel.m.plahn@oregon.gov

Note: *If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

****

Approval of an Alternate Measurement Device T- 13762

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

_____

_____

_____ _____

Watermaster signature District Date

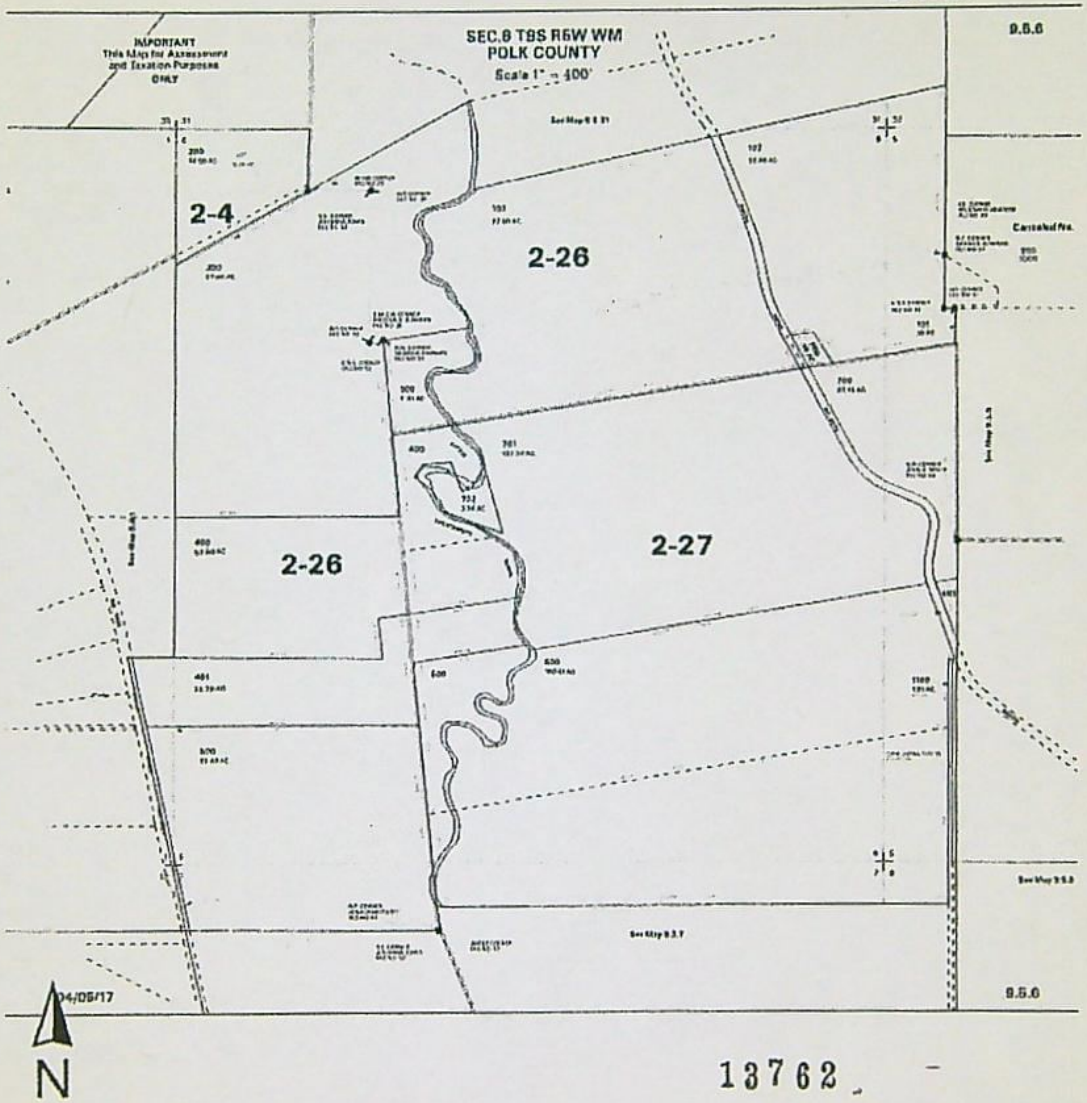
If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

JUL 06 2021

OWRD



13762

TICOR TITLE™

ParcelID: 364289

, OR 97361

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

57711

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

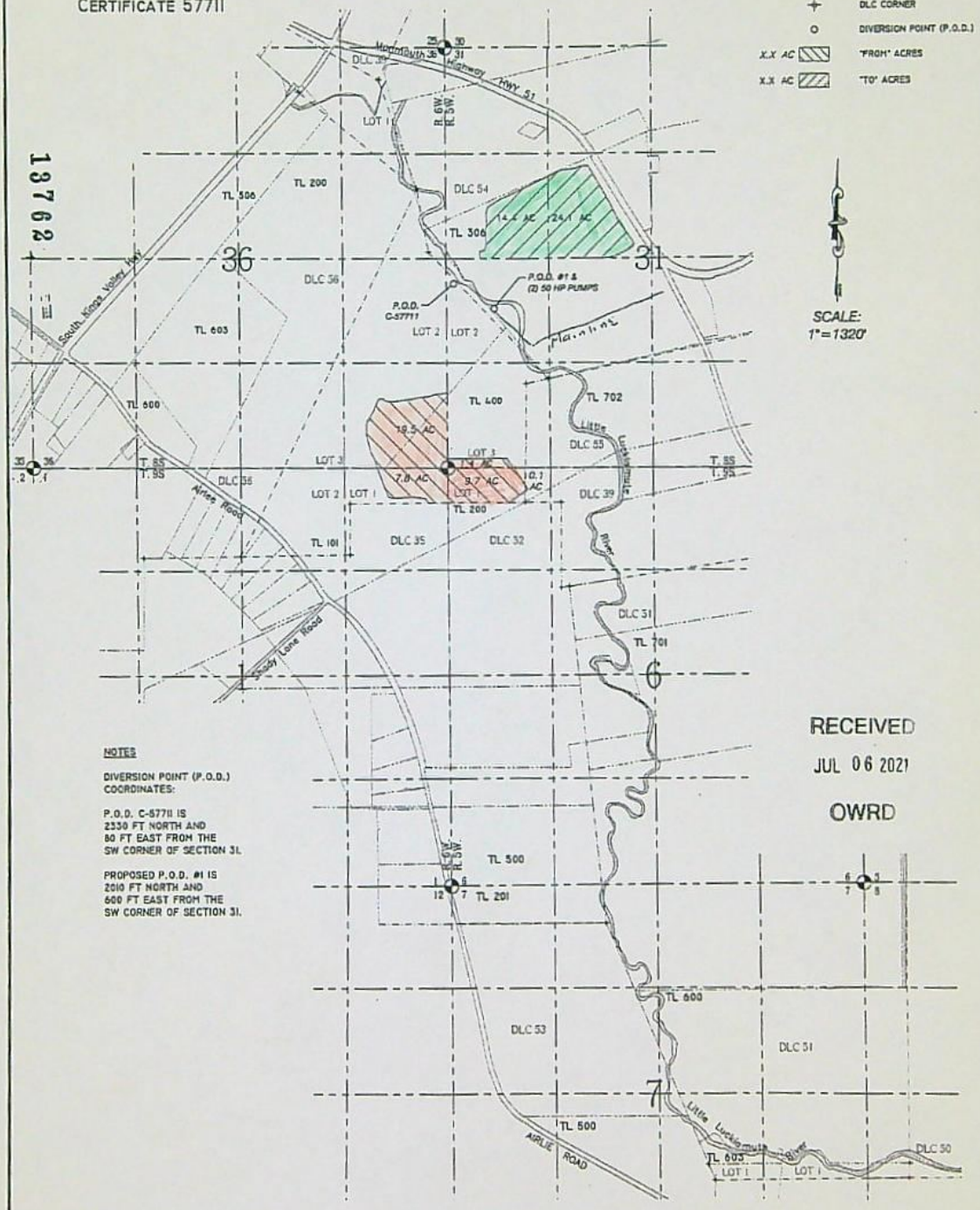
LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES

Temporary Transfer

CERTIFICATE 57711

13762



NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-57711 IS 2330 FT NORTH AND 80 FT EAST FROM THE SW CORNER OF SECTION 31.

PROPOSED P.O.D. #1 IS 2010 FT NORTH AND 600 FT EAST FROM THE SW CORNER OF SECTION 31.

RECEIVED
JUL 06 2021
OWRD

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

21244

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

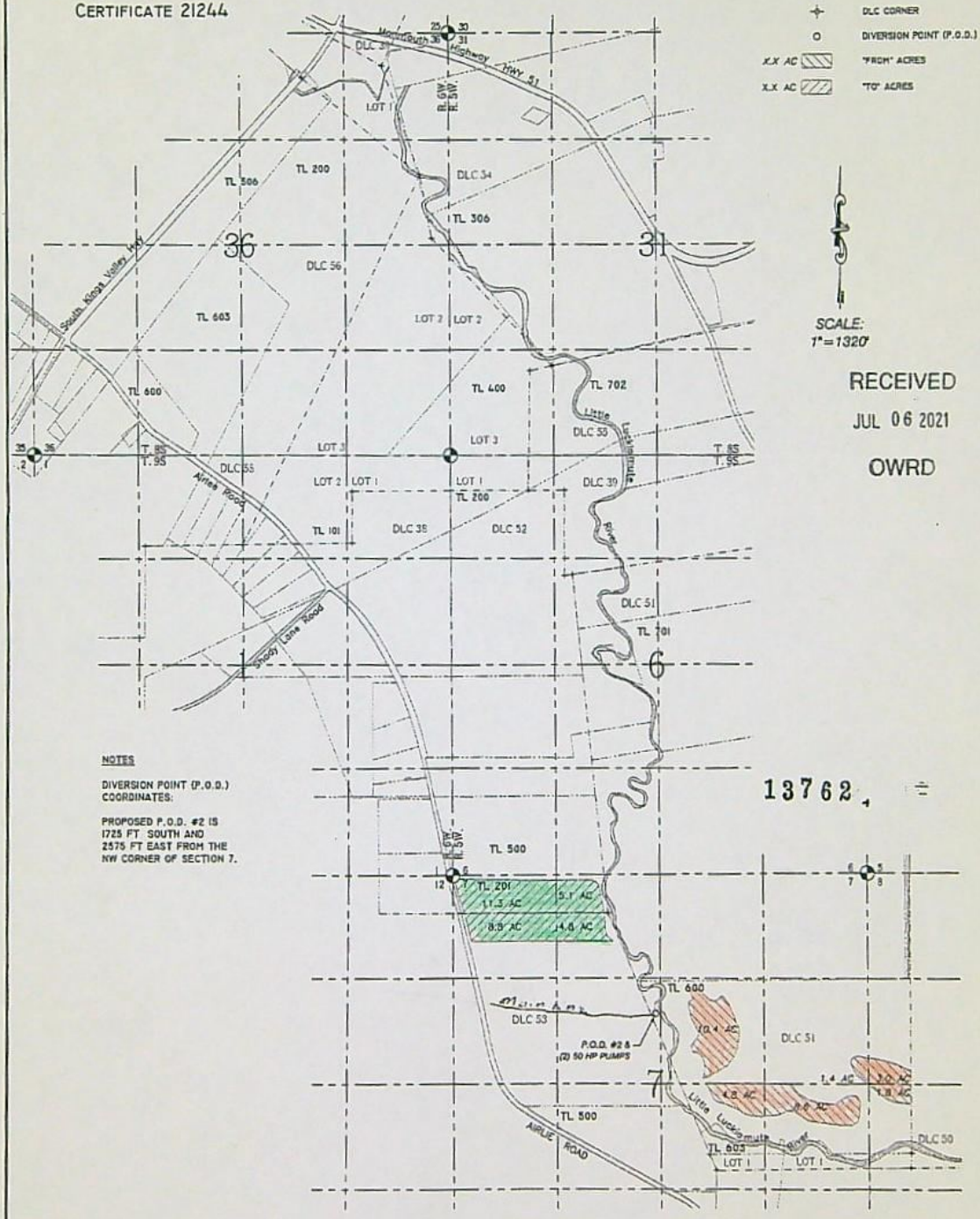
SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Temporary Transfer
CERTIFICATE 21244

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES



SCALE: 1"=1320'

RECEIVED
JUL 06 2021
OWRD

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

13762

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

37470

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

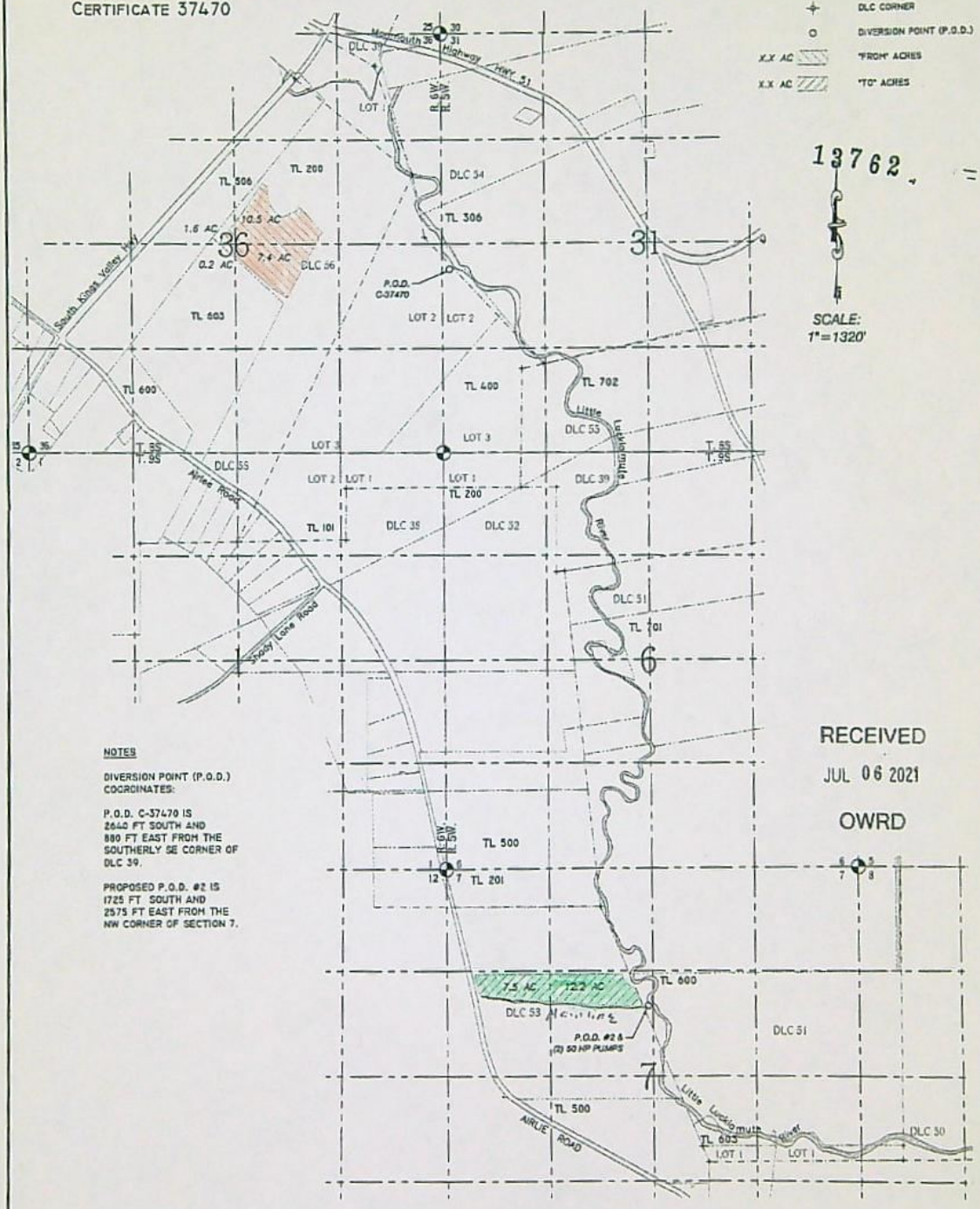
SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES

Temporary Transfer
CERTIFICATE 37470



NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-37470 IS 2640 FT SOUTH AND 880 FT EAST FROM THE SOUTHERLY SE CORNER OF DLC 39.

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

RECEIVED
JUL 06 2021
OWRD

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

36427

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

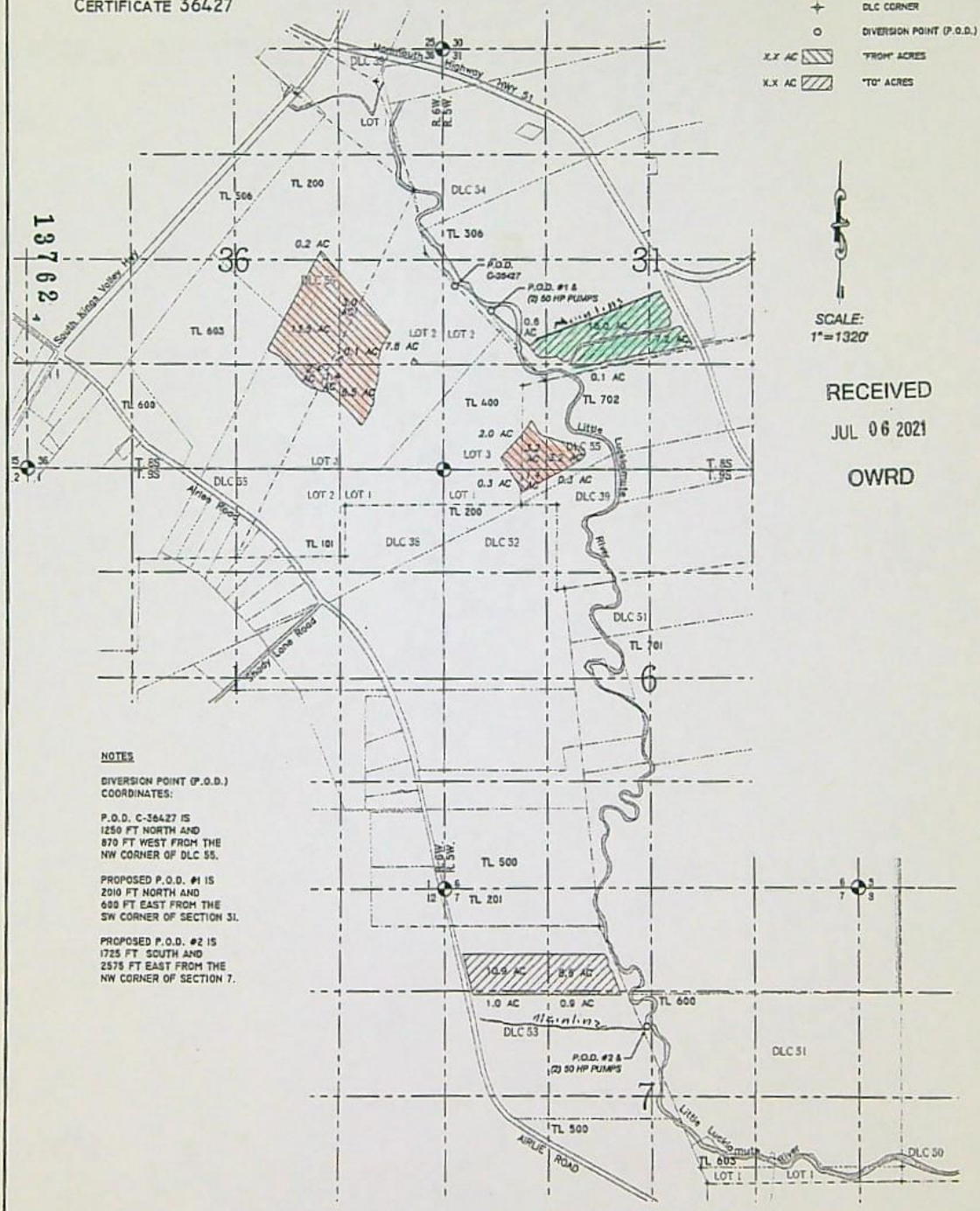
SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Temporary Transfer
CERTIFICATE 36427

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES



RECEIVED
JUL 06 2021
OWRD

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-36427 IS 1250 FT NORTH AND 870 FT WEST FROM THE NW CORNER OF DLC 55.

PROPOSED P.O.D. #1 IS 2010 FT NORTH AND 600 FT EAST FROM THE SW CORNER OF SECTION 31.

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

RECEIVED
JUL 06 2021
OWRD

13762

Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

July 14, 2021

KAUER FAMILY FARMS/TRIPLE K FARMS
DAVE KAUER
7325 SE AMITY DAYTON HWY
AMITY, OR 97101

Reference: Application T- 13762

On July 6, 2021, we received your water right Transfer application. The application was accompanied by $2225.36. Our receipt number 135763 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Except as provided under ORS 540.510(3) for municipalities, you may not ***temporarily*** use water at the new place of use or from the new point of diversion/appropriation until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands **from** which an irrigation water right is to be temporarily transferred and the land **to** which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #22 (via email)
Polk County
Farmland Reserve
William Earl Ferber, Agent

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 135763

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Kauer Family Farms, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13762

CASH: ☐ CHECK # ☒ 3946 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 2225.36

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	$
_____	OTHER: (IDENTIFY) _____	$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

46110

	MISCELLANEOUS	
0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) _____	$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	$
0240	EXTENSION OF TIME	$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 2225.36		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD#	
0210	MONITORING WELLS	$	CARD#	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ $

RECEIPT: 135763 DATED: 7-6-2021 BY: Mindy Cadson

Distribution – White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

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

OREGON WATER RESOURCES DEPARTMENT
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.

RECEIVED
JUL 06 2021
OWRD

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. If you have questions, call Customer Service at (503) 986-0801.

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 5 List them here: C 21244, C 36427, C 37470, C 57711, C58749**

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: 2021 End Year: 2024.**

☐ ☒ 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 (or signed land use form receipt stub) 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/or is insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part _____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: 13762

RECEIVED
JUL 06 2021
OWRD

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°).

15762

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	*1*	$810.00
2	Number of water rights included in transfer: 5 (2a) Subtract 1 from the number in 3a above: 1 (2b) *If only one water right this will be 0* Multiply line 2b by $260.00 and enter » » » » » » » » » » » » »	*2*	$1040.00
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » » » ☐ 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 $200.00, then enter on line 3	*3*	0
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres for the portions of the rights to be transferred: 163.2 (4a) Multiply the number of acres in 4a above by $2.30 and enter on line 4 » »	*4*	$375.36
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	*5*	$2225.36
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ 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
7	Subtract line 6 from line 5 » » » » » » » » » » » » » **Transfer Fee:**	***7***	**$2225.36**

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 x 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).*

RECEIVED
JUL 06 2021
OWRD

13762

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Dave Kauer/Kauer Family Farms, Triple K Farms			503.835.1006	
ADDRESS				FAX NO.
7325 SE Amity Dayton Hwy				
CITY	STATE	ZIP	E-MAIL	
Amity	Oregon	97101	davidk755@yahoo.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.				

RECEIVED
JUL 06 2021
OWRD

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Farmland Reserve, Inc.			509.734.1195	
ADDRESS				FAX NO.
PO Box 2308				
CITY	STATE	ZIP	E-MAIL	
Pasco	Washington	99302		
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			PHONE NO.	ADDITIONAL CONTACT NO.
Bill Ferber/BK Water Right Consulting, LLC			503.910.9212	
ADDRESS				FAX NO.
PO Box 13434				
CITY	STATE	ZIP	E-MAIL	
Salem	Oregon	97309	bill@bkwrc.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 senior water rights place of use to lands planted with high value crop.

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	Pat Tolman, Vice President Print Name (and Title if applicable)	Date 6/17/21
Applicant signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes, Farm Land Reserve Inc. ☐ 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.

Affidavits of Consent attached.

13762

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Dave Kauer/Kauer Family Farms, Triple K Farms			503.835.1006	
ADDRESS				FAX NO.
7325 SE Amity Dayton Hwy				
CITY	STATE	ZIP	E-MAIL	
Amity	Oregon	97101	davidk755@yahoo.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.				

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Farm Land Reserve, Inc.			509.734.1195	
ADDRESS				FAX NO.
PO Box 2308				
CITY	STATE	ZIP	E-MAIL	
Pasco	Washington	99302		
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.				

RECEIVED
JUL 06 2021
OWRD

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Bill Ferber/BK Water Right Consulting, LLC			503.910.9212	
ADDRESS				FAX NO.
PO Box 13434				
CITY	STATE	ZIP	E-MAIL	
Salem	Oregon	97309	bill@bkwrc.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 senior water rights place of use to lands planted with high value crop.

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.

David Kauer — DAVID KAUER PRES — 6-1-21
Applicant signature — Print Name (and Title if applicable) — Date

_____ — _____ — _____
Applicant signature — Print Name (and Title if applicable) — Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes, Farm Land Reserve Inc. ☐ 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.

13762

☐ ***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 **Polk county**	ADDRESS **850 Main Street**	
CITY **Dallas**	STATE **Oregon**	ZIP **97338**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED
JUL 06 2021
OWRD

13762

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 # 36427

RECEIVED
JUL 06 2021
OWRD

Description of Water Delivery System

System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

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)
P.O.D. C-36427	☒ Authorized ☐ Proposed		**8**	**S**	**5**	**W**	**31**	**N W**	**S W**	**2**	**1250' N and 870' W from NW Corner Bowman DLC 55.**
P.O.D. #1	☐ Authorized ☒ Proposed		**8**	**S**	**5**	**W**	**31**	**N W**	**S W**	**54**	**2010' N and 600' E from SE Corner of Section 36**
P.O.D. #2	☐ Authorized ☒ Proposed		**9**	**S**	**5**	**W**	**7**	**SE**	**N W**	**53**	**1725' S and 2575' E from NW Corner of Section 7**
	☐ Authorized ☐ Proposed										

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?

13762

☐ 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.

RECEIVED
JUL 06 2021
OWRD

13762

RECEIVED

JUL 06 2021

OWRD

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 # 36427

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	6	W	31	SW	SW	200	3	2.0	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	NW	NW	201	53	10.9	N/A	P.O.D.#2	1962
8	S	6	W	31	SW	SW	200	55	3.2	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	NE	NW	201	53	8.6	N/A	P.O.D.#2	1962
8	S	6	W	31	SE	SW	200	55	3.2	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	SW	NW	201	32	1.0	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	SE	200	56	2.4	Irrigation	P.O.D. C-36427	1962	POU	9	S	5	W	7	SE	NW	201	53	0.9	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	SE	200	3	1.4	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NW	SE	306	54	7.2	N/A	P.O.D.#1	1962
8	S	6	W	36	SE	SE	200		6.5	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NE	SW	306	54	16.0	N/A	P.O.D.#1	1962
8	S	6	W	36	NW	SE	200	3	0.1	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	NW	SW	306	54	0.6	N/A	P.O.D.#1	1962
8	S	6	W	36	NW	SE	200	56	13.5	Irrigation	P.O.D. C-36427	1962	POU	8	S	5	W	31	SE	SW	306	54	0.1	N/A	P.O.D.#1	1962
8	S	6	W	36	NE	SE	200	56	3.0	Irrigation	P.O.D. C-36427	1962	APOD	8	S	5	W	31	NW	SW	306	54	--	N/A	P.O.D.#1	1962
8	S	6	W	36	NE	SE	200	2	7.8	Irrigation	P.O.D. C-36427	1962	APOD	9	S	5	W	7	SE	NW	600	51	-	N/A	P.O.D.#2	1962
8	S	6	W	36	SW	NE	200	56	0.2	Irrigation	P.O.D. C-36427	1962														

137642

9	S	5	W	6	NW	NW	200	1	0.3	Irrigation	P.O.D. C-36427	1962											
9	S	5	W	6	NW	NW	702	39	1.4	Irrigation	P.O.D. C-36427	1962											
9	S	5	W	6	NE	NW	702	36	0.3	Irrigation	P.O.D. C-36427	1962											
TOTAL ACRES									45.3													TOTAL ACRES	45.3

Additional remarks:_____

RECEIVED
JUL 06 2021
OWRD

13762

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has 2 existing water rights, C 36673 and C 41738, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
13762
OWRD

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 58749

Description of Water Delivery System

System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

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)
P.O.D. #1 C-58749	☒ Authorized ☐ Proposed		8	S	6	W	36	NE	NE	1	**1280' S and 630' W from the NE Corner of Section 36**
P.O.D. #2 C-58749	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	**2330' N and 80' E from SW Corner of Section 31**
P.O.D. #1	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	54	**2010' N and 600' E from the SW Corner of Section 31**
	☐ Authorized ☐ Proposed										

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.

T9702

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 # 58749

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	5	W	31	SW	SW		3	11.1	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NW	SW	306	54	10.1	N/A	P.O.D. #1	1952
8	S	5	W	31	SW	SW		55	0.3	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NE	SW	306	54	18.7	N/A	P.O.D. #1	1952
8	S	6	W	36	NE	SW		56	0.5	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	SE	NW	306	54	0.5	N/A	P.O.D. #1	1952
8	S	6	W	36	SE	NW		56	12.5	Irrigation	P.O.D. #1&2 C-58749	1952	POU	8	S	5	W	31	NW	SE	306	54	0.4	N/A	P.O.D. #1	1952
8	S	6	W	36	SW	NE		56	5.3	Irrigation	P.O.D. #1&2 C-58749	1952	APOD	8	S	5	W	31	NW	SW	306	54	--	N/A	P.O.D. #1	1952
TOTAL ACRES									29.7					TOTAL ACRES									29.7			

RECEIVED
JUL 06 2021
OWRD

137 62

Additional remarks:_____

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has an existing water right, C 42675, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD

13762

Water Right Certificate # 57711

RECEIVED
JUL 06 2021
OWRD

Description of Water Delivery System

System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

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)
P.O.D. C-57711	☒ Authorized ☐ Proposed		8	S	5	W	31	N W	S W	2	**2330' N and 80' E from SW Corner of Section 31**
P.O.D. #1	☐ Authorized ☒ Proposed		8	S	5	W	31	N W	S W	2	**2010' N and 600' E of the SW Corner of Section 31**
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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.

13762

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 # 57711

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼			Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼ ¼			Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	8	S	5	W	31	SE	NW	306	54	24.1	N/A	P.O.D. #1	1950
													POU	8	S	5	W	31	SW	NW	306	54	14.4	N/A	P.O.D. #1	1950
													APOD	8	S	5	W	31	NW	SW	306	54	--	N/A	P.O.D. #1	1950
TOTAL ACRES														TOTAL ACRES									38.5			

RECEIVED
JUL 06 2021
OWRD

137 62

Additional remarks: **The total POU of this Water Right is part of this Temporary Transfer.**

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: TO lands: Tax lot 8 S 5 W Sect. 31, 306 has an existing water right, C 42675, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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
									RECEIVED	
									JUL 06 2021	
									OWRD	

13762

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 37470

Description of Water Delivery System

System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

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)
P.O.D. C-37470	☒ Authorized ☐ Proposed		**8**	**S**	**5**	**W**	**31**	**N W**	**S W**	**2**	**2640' S and 880' E from the most southerly SE Corner, Hart DLC 39**
P.O.D. #2	☐ Authorized ☒ Proposed		**9**	**S**	**5**	**W**	**7**	**SE**	**N W**	**51**	**1725' S and 2575' E from NW Corner of Section 7**
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

RECEIVED
JUL 06 2021
OWRD

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.

T-13702

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 # 37470

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																									
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
8	S	6	W	36	SW	NE		56	10.5	Irrigation	P.O.D. C-37470	1963	POU	9	S	5	W	7	SW	NW	201	53	7.5	N/A	P.O.D. #2	1963
8	S	6	W	36	SE	NW		56	1.6	Irrigation	P.O.D. C-37470	1963	POU	9	S	5	W	7	SE	NW	201	53	12.2	N/A	P.O.D. #2	1963
8	S	6	W	36	NE	SW		56	0.2	Irrigation	P.O.D. C-37470	1963	APOD	9	S	5	W	7	SE	NW	600	51	--	N/A	P.O.D. #2	1963
8	S	6	W	36	NW	SE		56	7.4	Irrigation	P.O.D. C-37470	1963														
TOTAL ACRES									19.7					TOTAL ACRES									19.7			

RECEIVED
JUL 06 2021
OWRD

T36 R2

Additional remarks:_____

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: TO lands: Tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37472, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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

RECEIVED
JUL 06 2021
OWRD

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 21244

Description of Water Delivery System

System capacity: **4.02** 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. **Two (2) 50 hp Berkley pumps connect to 6" mainlines which supply water to big guns and handlines. The number of big guns and handlines varies depending upon the shape of the irrigated area and number of acres being irrigated**

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)
P.O.D. C-21244	☒ Authorized ☐ Proposed		**9**	**S**	**5**	**W**				**51**	**SWNE,NWSE,NESE as projected within Bowman D.L.C. No.51, Sect. 7 and NWSW as projected within Bowman D.L.C., Sect. 8, all in 9S 5W. (Appears to be a reach - WEF)**
P.O.D. #2	☐ Authorized ☒ Proposed		**9**	**S**	**5**	**W**	**7**	**SE**	**N W**	**51**	**1725' S and 2575' E from NW Corner Section 7**
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

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

13762

- ☒ 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.

SMITH Joan M * WRD

From: bill@bkwrc.com
Sent: Tuesday, August 10, 2021 11:34 AM
To: SMITH Joan M * WRD
Subject: RE: Temporary Transfer T-13762
Attachments: T 3541 Sp21626 C58749 FPmap CF.pdf

Good morning Joan,

Attached is the Final Proof Map I used. Regarding the blank acreage in the POU table, those are for the APOD locations and I should have noted that in the POU/POD column. If I didn't please let me know and I'll send you new tables. Joan, I've done this on past Temporary Transfers and if it's not the correct procedure please let me know.

Thank you and hope all is well with you,
Bill

William (Bill) Ferber CWRE, PE
BK Water Right Consulting LLC
PO Box 13
Brush Prairie, Washington 98606

Phone: 503.910.9212
FAX: 1 503.339.9536
Email: bill@bkwrc.com

From: SMITH Joan M * WRD <Joan.M.Smith@oregon.gov>
Sent: Tuesday, August 10, 2021 08:22
To: bill@bkwrc.com
Subject: Temporary Transfer T-13762

Subject: Temporary Transfer T-13762

Good Moring Bill, I'm working on Temporary Transfer Application T-13762 and I don't have maps for Certificate 58749. Also, in the application in the place of use tables, sometimes you leave the acreage blank please confirm that no place of use is actually occurring in these areas.
Thanks
Joan

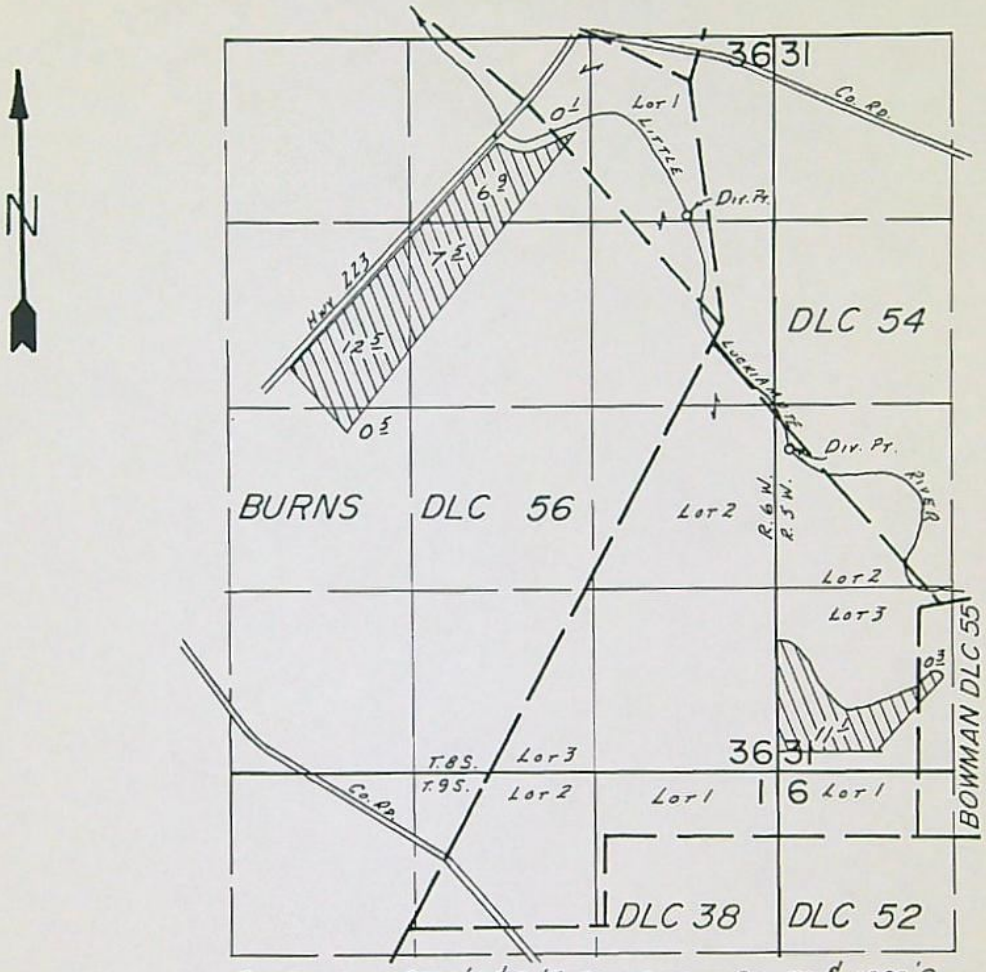
JOAN M. SMITH | TRANSFER SPECIALIST
TRANSFER & CONSERVATION SECTION
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

OREGON WATER RESOURCES DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

90684

T.8&9S., R.5&6W., W.M.



Div. Pts. Loc.: 2330'N. & 80'E FROM SW COR SEC. 31 & 1280'S. & 630'W. FROM NE COR. SEC. 36.

SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

Transfer No. 3541

IN NAME OF

J. L. HENDRICKSON

Surveyed Aug. 8 19 83, by L.M. TOLL

Prs 1983-Y
DFP-ILL-98

BWB

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 # 21244

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU	9	S	5	W	7	NW	NW	500	53	11.3	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NE	NW	500	53	5.1	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NW	NW	201	53	8.8	N/A	P.O.D. #2	1940
													POU	9	S	5	W	7	NE	NW	201	53	4.8	N/A	P.O.D. #2	1940
													APOD	9	S	5	W	7	NW	NW	600	51	--	N/A	P.O.D. #2	1940
TOTAL ACRES														TOTAL ACRES									30.0			

RECEIVED
JUL 06 2021
OWRD

1 3 7 6 2

Additional remarks: **The total POU of this Water Right is part of this Temporary Transfer.**

RECEIVED
JUL 06 2021
OWRD

Water Right Certificate # 21244

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: TO lands: Tax lot 9 S 5 W Sect. 7, 201 has an existing water right, C 37472, that will not be used on the listed POU during the period of time this Temporary Transfer is in effect. G 4480, G 8747 for Group Domestice use for another entity. These rights are not part of this Temporary Transfer.

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
								13762		

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.

RECEIVED
JUL 06 2021
OWRD

State of Oregon)
) ss
County of POLK)

I, David Kauer, in my capacity as TENANT FARMER,

mailing address 7325 SE AMITY-DAYTON HWY

telephone number (503)835-1006, 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 # 21244, 36427, 37470, 57711, 58749; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

☐ Confirming Certificate # ____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached. 13762

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____(For Historic POD/POA Transfers)

(continues on reverse side)

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

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

RECEIVED
JUL 06 2021
OWRD

David K
Signature of Affiant

6-2-21
Date

Signed and sworn to (or affirmed) before me this 2 day of June, 2021.

OFFICIAL STAMP
PRAVEEN K BADU
NOTARY PUBLIC - OREGON
COMMISSION NO. 1001634
MY COMMISSION EXPIRES JULY 09, 2024

Praveen
Notary Public for Oregon

My Commission Expires: July 09, 2024

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	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.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

13762

0011956401

CONSUMERS POWER INC.
P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

Account Number 11956401	
Statement Date 07/08/2020	Due Date 08/01/2020

Billing Summary

LAST MONTH'S BILL	$1,030.14
PAYMENTS - THANK YOU	$1,030.14 CR
BALANCE FORWARD	$0.00
Current Charges	$1,153.39
Account Balance	**$1,153.39**

94 1 SP 0.500 4 94
TRIPLE K LLC C-1 P-2
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

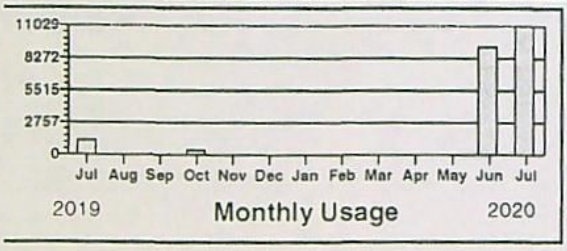
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

Summer energy savings tip from CPI: A great way to use that summer heat and lower your bill is by using a heat pump water heater. These hot water heaters efficiently transfer the heat from the air to heat the water, which lowers your electric bill. CPI also offers substantial rebates, so call or visit us online for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	05/30/20	06/30/20	31	KWH	48620	37591	1	11029		034
TD875	05/30/20	06/30/20	31	KW	70.490		1	70.490		034



Average KWH per Day: 356
This Month Last Year: 43

Detail of Charges - Electric

Basic Service Charge	$63.00
KWH Revenue	$757.69
KW Revenue	$332.70
Load Factor - 21%	
Total This Service	$1153.39

RECEIVED
JUL 06 2021
OWRD

13762

.0011956401.

CONSUMERS POWER INC.
P.O. BOX 1180
6990 WEST HILLS ROAD
PHILOMATH, OR 97370

(541) 929-3124 • (800) 872-9036

Account Number 11956401	
Statement Date 06/08/2020	Due Date 07/01/2020

Billing Summary

LAST MONTH'S BILL	$0.00
NO PAYMENTS RECEIVED	$0.00
BALANCE FORWARD	$0.00
Current Charges	$1,030.14
Account Balance	**$1,030.14**

82 1 SP 0.500 4 82
TRIPLE K LLC C-1 P-2
7145 SE AMITY DAYTON HWY
AMITY OR 97101-2004

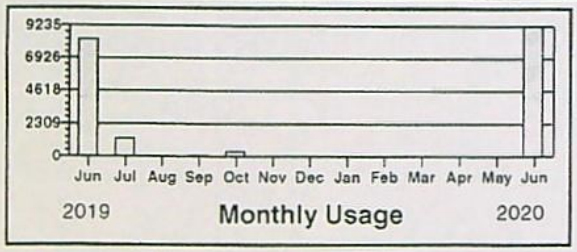
Any BALANCE FORWARD is subject to DISCONNECTION of services.

Messages

CPI offers rebates for your many home improvement projects. This includes windows to heat pumps and insulation and heat pump water heaters. Visist our website at www.cpi.coop, or give us a call for more information.

Location J L HENDRICKSON PL - Irrigation

Meter	From	Through	Days	Type	End Read	Start Read	Mult	Usage	Code	Rate
TD875	04/30/20	05/30/20	30	KWH	37591	28356	1	9235		034
TD875	04/30/20	05/30/20	30	KW	70.490		1	70.490		034



Average KWH per Day: 308
This Month Last Year: 266

Detail of Charges - Electric

Basic Service Charge	$63.00
KWH Revenue	$634.44
KW Revenue	$332.70
Load Factor - 18%	
Total This Service	**$1030.14**

RECEIVED
JUL 06 2021
OWRD

13762

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072212

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.16
Ticket(s)	375815457

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $	
Analysis: 38 - 0 - 0 - 7				
12.160 Tons	38-0.0-0.0 7S	345.00 /Tons	4,195.20	Paid

RECEIVED
JUL 06 2021
OWRD

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,195.20
Prepay $ Used	4,195.20
Amount Due	**.00**
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No
TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021
Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072212

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072214

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.29
Ticket(s)	375815463

RECEIVED
JUL 06 2021
OWRD

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.290 Tons	38-0.0-0.0 7S	345.00 /Tons	4,240.05 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,240.05
Prepay $ Used	4,240.05
Amount Due	**.00**
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No

TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021

Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072214

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072218

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.8
Ticket(s)	375815469

RECEIVED
JUL 06 2021
OWRD

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.800 Tons	38-0.0-0.0 7S	345.00 /Tons	4,416.00 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,416.00
Prepay $ Used	4,416.00
Amount Due	**.00**
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No

TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021

Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072218

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072219

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.69
Ticket(s)	375815467

RECEIVED
JUL 06 2021
OWRD

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

hip To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

ments: 38-0-0 Triple K ss/del by hugo to river bend shop

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.690 Tons	38-0.0-0.0 7S	345.00 /Tons	4,378.05 Paid

voice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the ment between Customer and Simplot Grower Solutions.

ner will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, ner will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on paid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

: necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying ication. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,378.05
Prepay $ Used	4,378.05
Amount Due	.00
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

mmendation Was Made By or Provided to the Seller. Yes No

PLE K FARMS County Permit # AG-L0164561PAL 12/31/2021

cide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072219

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072220

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.81
Ticket(s)	375815474

RECEIVED
JUL 06 2021
OWRD

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Comments: 38-0-0 Triple K ss/del by hugo to smith rd

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.810 Tons	38-0.0-0.0 7S	345.00 /Tons	4,419.45 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise aporoved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,419.45
Prepay $ Used	4,419.45
Amount Due	**.00**
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No

TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021

Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072220

Simplot Grower Solutions Independence
225 E Street
Independence OR 97351
(503)838-1861 Fax: (503)838-5690
Pest Lic#: AG-L0075483PD

Simplot GROWER SOLUTIONS

Invoice 758072221

Bill To: TRIPLE K FARMS
7145 SE AMITY-DAYTON HWY
AMITY, OR 97101

Ship To: Triple K Farms - Monmouth
16405 Airlie Rd
Monmouth, OR 97361

Invoice Date	02/20/2020
Due Date	03/20/2020 C__Standard20th
Customer ID	14262
Salesperson	lorenzem
Shipping Loc.	1057
Field ID	All
Tons	12.68
Ticket(s)	375815477

RECEIVED
JUL 06 2021
OWRD

Comments: 38-0-0 Triple K ss/del by hugo to smith rd

Quantity	Description	Unit Price	Total $
Analysis: 38 - 0 - 0 - 7			
12.680 Tons	38-0.0-0.0 7S	345.00 /Tons	4,374.60 Paid

This Invoice is subject to the Terms & Conditions of Sale on the back of this Invoice, which form an integral part of this Invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this Invoice when due. If Customer fails to pay amounts due under this Invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this Invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this Invoice, including the Terms & Conditions of Sale.

Sub Total	4,374.60
Prepay $ Used	4,374.60
Amount Due	**.00**
** DO NOT PAY **	

13762

Remit To: Simplot Grower Solutions
PO Box 97
Independence OR 97351
Phone #: (503)838-1861

Recommendation Was Made By or Provided to the Seller. Yes No

TRIPLE K FARMS County Permit # AG-L0164561PAL 12/31/2021

Pesticide # AG-L0164561PAL - Kasey Kauer Exp. Date 12/31/2021

Invoice 758072221

RECEIVED
JUL 06 2021
OWRD

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Orig Acq - Three Sisters)

RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK
2003-000299
$46.00
00065932200300002990050058
01/07/2003 02:15:36 PM
REC-WD Cnt=1 Stn=1 A. CAPTAIN
$25.00 $10.00 $11.00

Fidelity National Title Acq. 38833

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUNK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651896.1

13762

21

RECEIVED
JUL 06 2021
OWRD

EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

A tract of land in Sections 6 and 7, Township 9, South, Range 5 West of the Willamette Meridian and in Section 1, Township 9 South, Range 6 West of the Willamette Meridian, Polk County, Oregon, said tract being bound by the following:

Beginning at a 2 inch brass disk set in concrete at the Southeast corner of the Julianna Jones Donation Land Claim No. 52 in said Section 7; thence North 05°33'15" West, on an Easterly line of said Claim No. 52, 1475.18 feet to a 1 inch pipe; thence North 89°36'36" West 2027.47 feet to the Easterly right of way line of Airlie Road (Market Road No. 8); thence South 12°28'44" East, on the said right of way line, 577.62 feet to a 5/8 inch rod which is 40 feet from the centerline of said Airlie Road; thence South 09°49'07" East, on the said right of way line, 200.54 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence South 12°27'41" East, on the said right of way line, 1299.03 feet to a 5/8 inch rod; thence South 14°03'45" East, on the said right of way line, 349.76 feet to a 5/8 inch rod which is 40 feet from the said centerline; thence South 11°49'09" East, on the said right of way line, 450.13 feet to a point which is 35 feet from the said centerline; thence South 11°37'53" East, on the said right of way line, 339.74 feet to a point which is 30 feet from a point of spiral curve on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline), the chord of which bears South 16°56'36" East 441.19 feet; thence continuing on the said right of way line, 346.54 feet on a 924.93 foot radius circular curve left, the chord of which bears South 36°43'13" East 344.52 feet to a 5/8 inch rod; thence South 57°46'15" East, on the said right of way line, 440.99 feet to a 5/8 inch rod which is 40 feet from a point of tangent on the said centerline; thence South 60°57'08" East, on the said right of way line, 1840.64 feet; thence South 89°43'54" East 513.08 feet to a 5/8 inch rebar; thence North 01°18'21" East, on an Easterly line of the Jonathan Ligget Donation Land Claim No. 53 in said Section 7, 264.14 feet to a 2 inch brass disk set in concrete marking the Northwest corner of the David R. Lewis Donation Land Claim No. 55; thence North 22°45'19" West, on an Easterly line of said Claim No. 53, 214.14 feet to a 2 inch brass disk set in concrete marking the Southwest corner of the Sarah Bowman Donation Land Claim No. 51; thence North 22°43'22" West, on an Easterly line of said Claim No. 53, 3283.36 feet to the point of beginning.

PARCEL II:

A tract of land in Section 36, Township 8 South, Range 6 West of the Willamette Meridian, the North 1/2 of Section 1, Township 9 South, Range 6 West of the Willamette Meridian, the Northwest 1/4 of Section 6, Township 9 South, Range 5 West of the Willamette Meridian, and the Southwest 1/4 of Section 31, Township 8 South, Range 5 West of the Willamette Meridian, all in Polk County, Oregon, said tract being bound by the following:

Beginning at a point on the center of the present channel of the Little Luckiamute River which is 95.65 feet North 42°15' East and 264.00 feet, more or less, South 42°09'29" East from the angle corner on the Northeast boundary of the William Burns Donation Land Claim No. 56 in said Section 36; thence Easterly, on the center of the said present channel, 890 feet, more or less, to the point at which the said center of the present channel intersects the center of an old channel of the said river; thence North 15°52'40" East, on the center of the said old channel, 314 feet, more or less, to an angle point on the said center of the old channel; thence North 31°16'09" East on the center of the said old channel, 108.46 feet to the point at which the center of

CONTINUED

RECEIVED
JUL 06 2021
OWRD

the said old channel intersects the Westerly line of the John Chamberlain Donation Land Claim No. 40 in said Section 36 at a point 82.00 feet South 14°16'05" East from the most Southerly Southeast corner of the Thomas Hart Donation Land Claim No. 39 in said Section 36; thence South 14°16'05" East, on the said Westerly Claim Line, 477.88 feet to a point on the center of the said old channel; thence South 06°55'36" West, on the center of the said old channel, 225 feet, more or less, to the center of the said present channel; thence Southerly, on the center of the said present channel, 610 feet, more or less, to the point at which the center of an old channel of the said river intersects the center of the said present channel; thence South 60°33'23" East, on the center of the said old channel, 185 feet, more or less, to the said Westerly line of said Claim No. 40; thence South 14°16'05" East, on the said Westerly Claim Line, 529.06 feet to an angle corner on the said Westerly Claim Line; thence South 40°54'41" East, on the said Westerly Claim Line, 2400.45 feet to the Southwest corner of the John Chamberlain Donation Land Claim No. 54 in said Section 31; thence North 80°00'16" East, on the South line of said Claim No. 54, 380 feet, more or less, to the center of the said river; thence Southerly, on the center of the said river 1770 feet, more or less, to a point which is 71.10 feet North 01°23'40" East and 1280.00 feet, more or less, North 61°30'58" East from the most Westerly Southwest corner of the Preston Bowman Donation Land Claim No. 39 in said Section 6; thence South 61°30'58" West 3930 feet, more or less, to the Northerly right of way line of Airlie Road (Market Road No. 8); thence North 40°31'07" West, on the said right of way line, 41.55 feet to a 5/8 inch rod which is 40 feet from a point of spiral curve on the centerline of said Airlie Road; thence North 43°28'41" West, on the said right of way line, 182.77 feet to a 5/8 inch rod which is 30 feet from the said centerline; thence North 40°22'56" West, parallel with said centerline, 599.69 feet to a 5/8 inch rod; thence North 37°32'31" West, on the said right of way line, 204.69 feet to a 5/8 inch rod which marks a point 40 feet from a point of tangent on the said centerline; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 43°04'15" West 405.11 feet; thence continuing on the said right of way line 55.86 feet on a 1472.39 foot radius circular curve left, the chord of which bears North 49°28'22" West 55.85 feet; thence continuing on the said right of way line on a non-circular curve left (40 feet from a spiral curve on the said centerline) the chord of which bears North 55°52'56" West 405.05 feet to a 5/8 inch rod which is 40 feet from a point of spiral on the said centerline; thence North 61°32'19" West, on the said right of way line, 191.20 feet to a point 30 feet from the said centerline; thence North 58°33'26" West, on the said right of way line, 205.96 feet to a 5/8 inch rebar with a yellow plastic cap; thence North 27°49'03" East 2273.81 feet to a point which is 892.29 feet North 42°10'45" West and 2200.79 feet South 27°49'03" West from the Northeast corner of the said Claim No. 56 in said Section 36; thence North 47°12'35" West 1229.94 feet; thence South 38°08'27" West 2198.51 feet to the Northerly right of way line of said Airlie Road; thence North 34°49'10" West, on the said right of way line, 178.58 feet to a point which is 40.00 feet from a point of curve to spiral on the said centerline; thence continuing on the said right of way line, 192.08 feet on a 1185.92 foot radius circular curve left, the chord of which bears North 45°35'16" West 191.87 feet; thence North 56°21'02"West, on the said right of way line, 203.34 feet to a 5/8 inch rod which is 30 feet from a centerline point of spiral; thence North 55°13'08" West, on the said right of way line, 179.08 feet to the point of intersection of the said Northerly right of way line with the Easterly right of way line of King's Valley Highway (State Highway No. 223); thence continuing on the said Easterly right of way line, 136.59 feet on a 2814.79 foot radius circular curve right, the chord of which bears North 37°36'25" East 136.58 feet; thence continuing on the said right of way line on a non-ciruclar curve right (50 feet from a spiral curve on the centerline of the said highway) the chord of which bears North 41°41'32" East 396.22 feet; thence North 43°00'57" East, 50 feet from and parallel with the said highway centerline, 3790

CONTINUED

feet, more or less, to the center of the Little Luckiamute River; thence Easterly on the center of the said river, 350 feet, more or less, to the point of beginning.

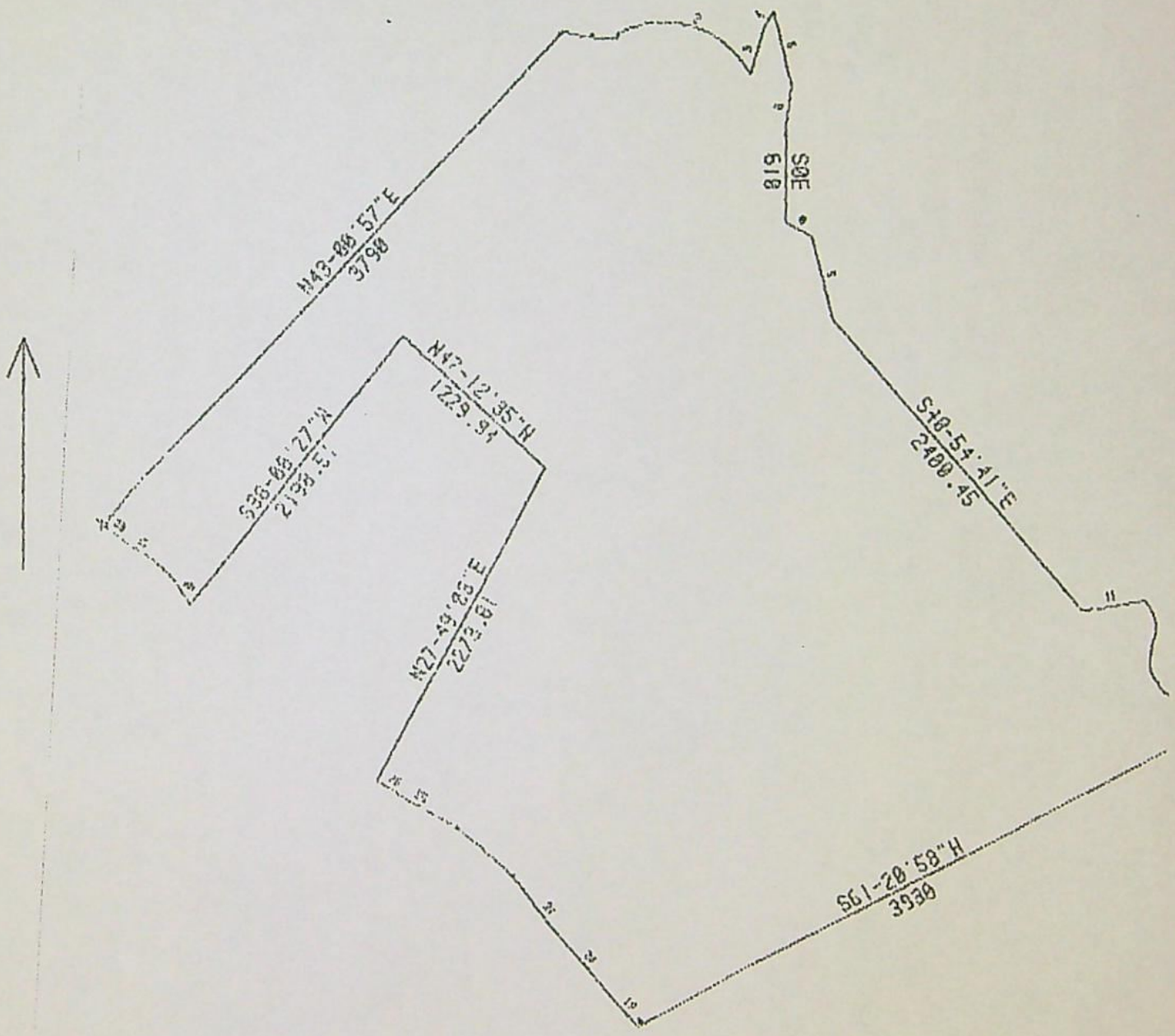
- - - - - - - -

RECEIVED
JUL 06 2021
OWRD

13762

EXHIBIT "A"
Continued

RECEIVED
JUL 06 2021
OWRD



13762

Client: BALLAST

7223

RECEIVED

JUL 06 2021

OWRD

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Add. I - Garner)

RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-000298

$36.00

00065931200300002980030038

01/07/2003 02:14:36 PM

REC-WD Cnt=1 Stn=1 A. CAPTAIN
$15.00 $10.00 $11.00

Fidelity National Title Tlco Aco 2438776

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUNK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651885.1

13762

RECEIVED
JUL 06 2021
OWRD

EXHIBIT 'A'

LEGAL DESCRIPTION

All that portion of the following described tract of land lying West of the West line of the Monmouth-Falls City Highway and West of the West line of Smith Road No. 85-15, as they now exist, to wit:

Beginning at the Southwest corner of the John Chamberlain Donation Land Claim No. 54, Notification No. 2276 in Township 8 South, Range 5 West, Willamette Meridian in Polk County, Oregon, and running thence North 79° East along the South line of said Claim to the Southeast corner thereof; thence Northerly along the East line of said Claim, 2749.28 feet, more or less, to the Northeast corner of premises sold to Hal K. Ward, et ux, by instrument recorded November 1, 1976, in Volume 97, Page 283, Book of Records for Polk County, Oregon; thence South 78°23'38" West 2609.59 feet; thence South 66°13'54" West 3075.40 feet to an angle corner on the West line of said Chamberlain Claim; thence South 41° East along the West line of said Claim to the place of beginning.

SAVE AND EXCEPT: Beginning at an iron rod which is 1162.38 feet South 79°50' West from the Northeast corner of the Preston Bowman Donation Land Claim No. 55 in Township 8 South, Range 5 West of the Willamette Meridian, Polk County, Oregon; thence South 79°50' West along the Northerly line of said Claim a distance of 2741.62 feet to an iron rod; thence continuing South 79°50' West, 127 feet, more or less, to the center of the Little Luckiamute River; thence North 20° West along the center of said river, 10.4 feet, more or less; thence North 79°30'48" East, 128.3 feet, more or less, to an iron rod; thence North 79°30'48" East 1502.25 feet to an iron rod; thence North 62°14'59" East, 60.19 feet to an iron rod; thence North 81°38'59" East 1183.08 feet to the point of beginning, which parcel was conveyed by Harold O. Bressler and Faye M. Bressler to Edward L. Walton and LeNore Walton by Bargain and Sale Deed dated January 16, 1981.

RECEIVED
JUL 06 2021

7224

RECORDED IN POLK COUNTY OWRD 2003-000393
VALERIE UNGER, COUNTY CLERK
$46.00
0006604120030000393005005 5
01/08/2003 02:24:01 PM
REC-WD Cnt=1 Stn=1 A. CAPTAIN
$25.00 $10.00 $11.00

After recording, return to:
Wallace O. Felsted
Kirton & McConkie
60 East South Temple, #1800
P. O. Box 45120
Salt Lake City, UT 84145-0120

Tax statements to be sent to:
C/O LDS Church Tax Division
50 East North Temple St., 22nd Floor
Salt Lake City, Utah 84150-3620

Property No. 544-1412
(OR, Falls City - Add. II - Ratzlaff)

RECORDED BY LAWYERS TITLE INS. CORP. AS AN ACCOMMODATIO
ONLY NO LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR
FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.

SPECIAL WARRANTY DEED

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, with its principal office located at 50 East North Temple, Salt Lake City, Utah 84150, conveys and specially warrants to FARMLAND RESERVE, INC., a Utah nonprofit corporation, Grantee, of 50 East North Temple, Salt Lake City, Utah 84150, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A," and all of Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, all water rights appurtenant to said real property described on Exhibit "A," and all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue in front of or adjoining the land, to have and to hold, the same in fee simple forever.

Subject to current taxes and assessments, reservations, easements, rights-of-way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances and all other matters of record or enforceable at law or equity.

The true consideration for this conveyance is Zero Dollars ($0.00).

THIS INSTRUMENT WILL 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 APPROVED USES AND TO

LAWYERS TITLE INS. CORP. 320195K

13762

1/5

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 31st day of December, 2002.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: _____
Its Authorized Agent

RECEIVED
JUL 06 2021
OWRD

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 31st day of December, 2002, by John W. Creer, as Authorized Agent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Notary Public
SUSAN STRUNK
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 8411
My Commission Expires
June 24, 2006
State of Utah

_____
Notary Public

651890.1

13762

RECEIVED
JUL 06 2021
OWRD

EXHIBIT "A"
Legal Description

That certain property located in the County of Polk and State of Oregon, described as follows:

PARCEL I:
Beginning at the Southeast corner of the Donation Land Claim of Sarah A. Bowman and heirs at law of William Bowman, Notification No. 2807, Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence North 32.93 chains; thence West to the West boundary of said Bowman Claim; thence South 22° 57' East, 35.76 chains to the Southwest corner of said Bowman Claim; thence East 38.56 chains to the place of beginning.

PARCEL II:
ALSO:
Beginning at a point which is 32.93 chains North from the Southeast corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence West 1 rod; thence North 20.10 chains; thence East 1 rod; thence South 20.10 chains to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:
Beginning at the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon; thence North 22° 43' 41' West along the Westerly line of said Bowman Claim, 291.97 feet to an iron rod; thence North 57° 45' 20" East 228.71 feet to a point in the center of the Little Luckiamute River; thence South 64° 23' 07" East 65.62 feet to a point in the center of said river; thence South 37° 39' 42" East, 253.94 feet to a point in the center of said river; thence South 82° 55' 30" East, 285.65 feet to a point in the center of said river; thence North 78° 34' 49" East 116.18 feet to a point in the center of said river; thence South 80° 56' 20" East 81.26 feet to a point in the center of said river; thence South 69° 36' 05" East, 182.20 feet to a point in the center of said river; thence South 68.39 feet to a point on the South line of said Bowman Claim; thence South 89° 41' 35" West 943.35 feet more or less to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 943.35 feet North 89° 41' 35" East and 68.39 feet North and 15.13 feet North 69° 36' 05" West from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River; thence North 69° 36' 05" West 50.76 feet to a point in the center of said river; thence

(Continued)

RECEIVED
JUL 06 2021
OWRD

Continued

North 10° 29′ 37" East 100.00 feet; thence South 69° 36′ 05" East, 50.76 feet; thence South 10° 29′ 37" West, 100.00 feet to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 943.35 feet North 89° 41′ 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being on the South line of said Bowman claim; thence North 68.39 feet to a point in the center of the Luckiamute River; thence South 70° 05′ 04" East 96.53 feet to a point in the center of said river; thence North 82° 57′ 12" East 106.00 feet to a point in the center of said river; thence North 47° 00′ 12" East, 136.00 feet to a point in the center of said river; thence North 82° 00′ 42" East 181.00 feet to a point in the center of said river; thence South 37° 55′ 48" East, 206.89 feet to a point where the center of said river intersects the South line of said Bowman Claim; thence leaving said river and proceeding South 89° 41′ 35" West 601.85 feet more or less to the point of beginning.

SAVE AND EXCEPT:
A portion of the above described tract of land which is more particularly described as follows:

Beginning at a point which is 2179.47 feet North 89° 41′ 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River and on the South line of said Bowman Claim; thence North 62° 54′ 12" East 273.40 feet to a point in the center of said river; thence South 84° 46′ 48" East 135.52 feet to a point where said center line intersects the East line of said Bowman claim; thence South 00° 01′ 24" East, 110.16 feet to the Southeast corner of said Bowman Claim; thence South 89° 41′ 35" West 378.39 feet to the point of beginning.

PARCEL III:
TOGETHER WITH:
That tract of land which is more particularly described as follows:

Beginning at a point which is 2179.47 feet North 89° 41′ 35" East from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River and on the South line of said Bowman Claim; thence running upstream South 62° 54′ 12" West 297.60 feet to a point in the center of said river; thence North 72° 44′ 18" West 368.00 feet to a point in the center of said river; thence North 37° 55′ 48" West 29.11 feet to the South line of said Bowman Claim; thence leaving said river and running North 89° 41′ 35" East along said Claim line, 634.27 feet more or less to the point of beginning.

(Continued)

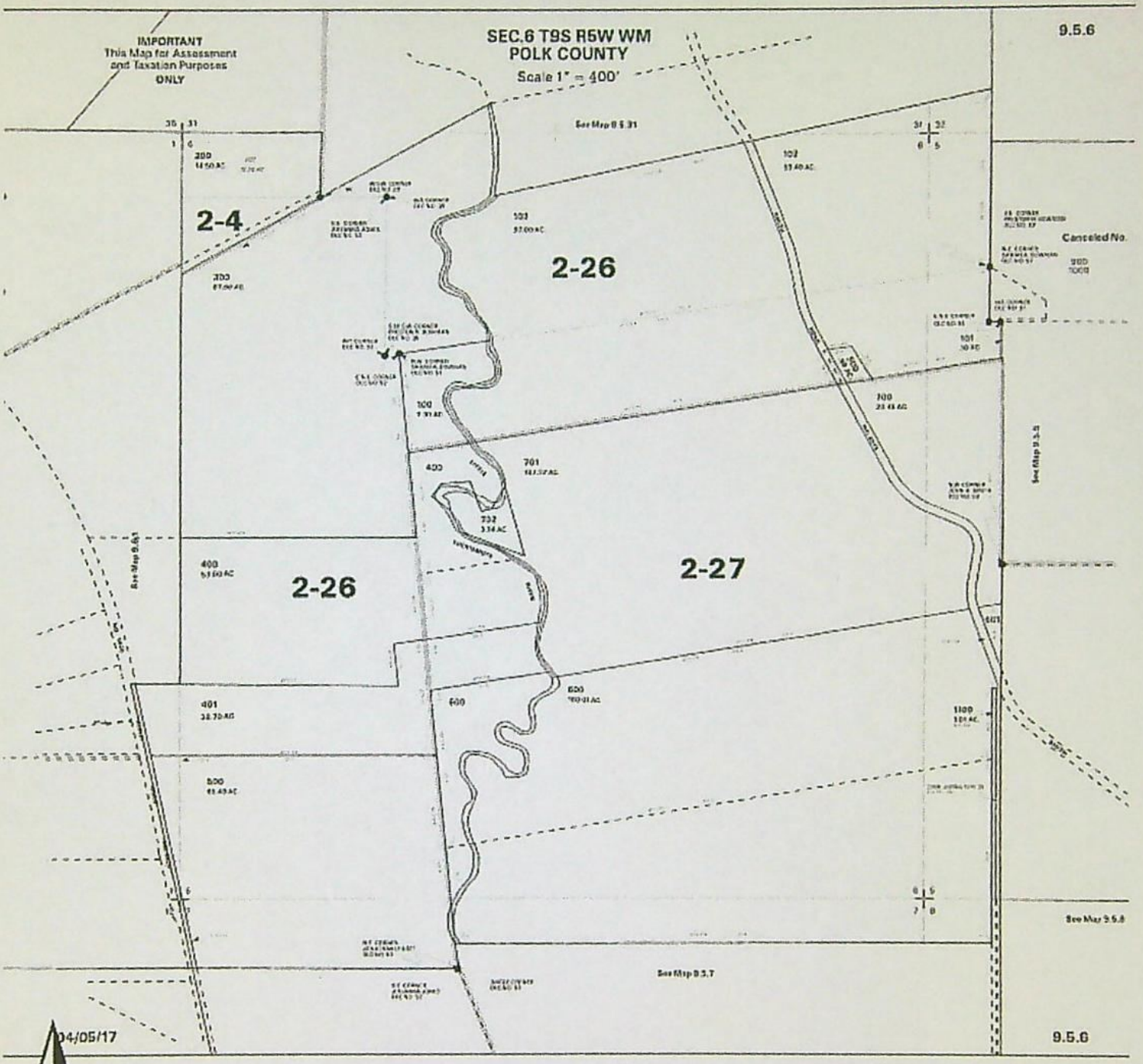
RECEIVED
JUL 06 2021
OWRD

Continued

TOGETHER WITH:
An easement for access to install and maintain an irrigation pump station at the present location of the irrigation diversion point over and across the following described 50 foot stip of land without blocking the prior Grantor's ingress and egress over said 50 foot strip of land.

Beginning at a point which is 943.35 feet North 89° 41' 35" East and 68.39 feet North and 15.13 feet North 69° 36' 05" West from the Southwest corner of the Sarah A. Bowman Donation Land Claim No. 51 in Township 9 South, Range 5 West of the Willamette Meridian in the County of Polk and State of Oregon, said point being in the center of the Little Luckiamute River; thence North 69° 36' 05" West 50.76 feet to a point in the center of said river; thence North 10° 29' 37" East 100.00 feet; thence South 69° 36' 05" East 50.76 feet; thence South 10° 29' 37" West 100.00 feet to the point of beginning:

RECEIVED
JUL 06 2021
OWRD



13762

TICOR TITLE™

ParcelID: 364289

, OR 97361

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

RECEIVED
JUL 06 2021
OWRD

13762

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

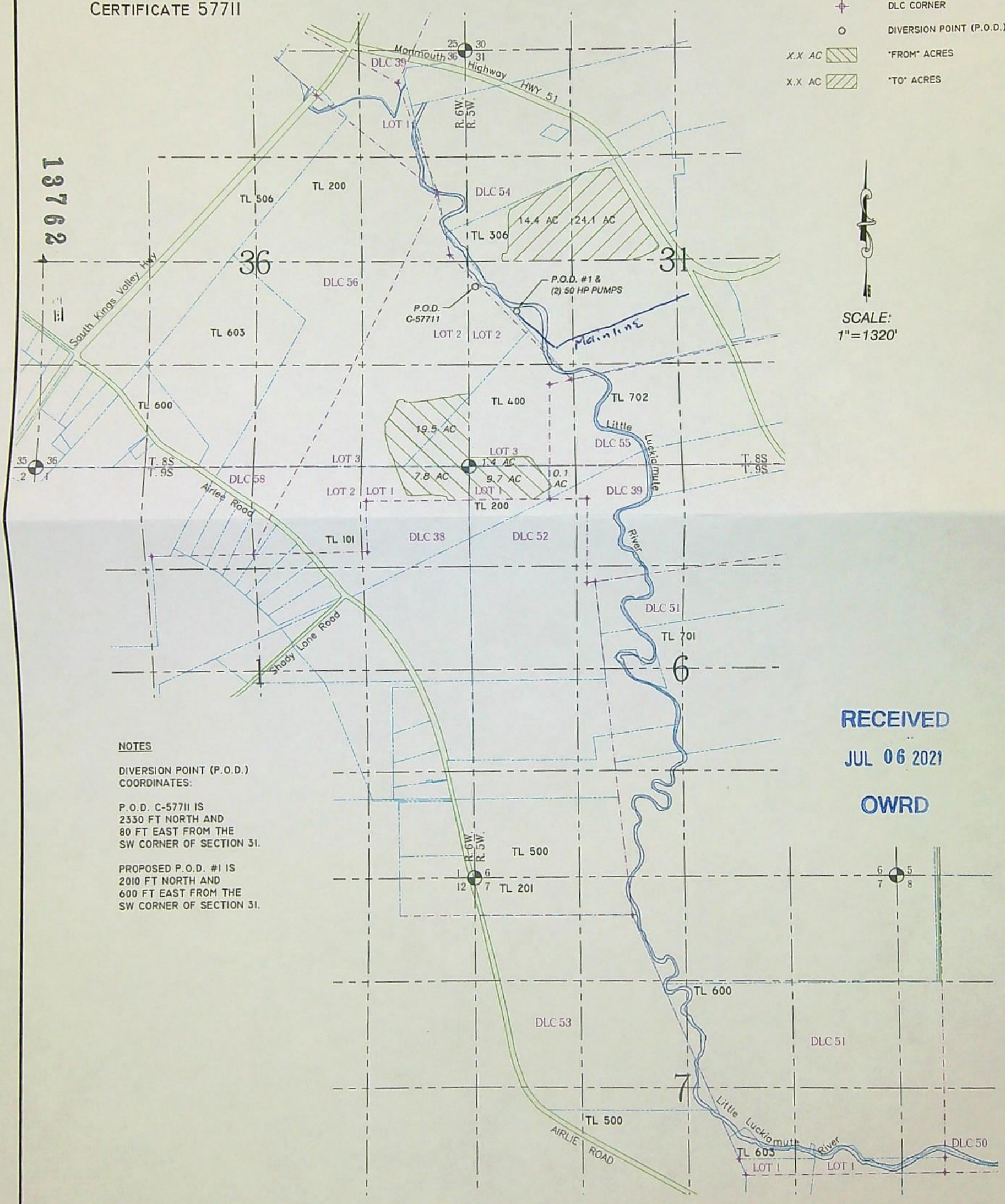
Temporary Transfer

CERTIFICATE 57711

13762

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES



SCALE:
1"=1320'

RECEIVED
JUL 06 2021
OWRD

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-57711 IS 2330 FT NORTH AND 80 FT EAST FROM THE SW CORNER OF SECTION 31.

PROPOSED P.O.D. #1 IS 2010 FT NORTH AND 600 FT EAST FROM THE SW CORNER OF SECTION 31.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING
PO Box 13434 Salem, Oregon 97309

Kauer - Riverbend Farms Temporary Transfer 2021

APPLICATION#: PERMIT#: AMENDMENT#: SHEET 1 OF 1

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

RECEIVED
JUL 06 2021
OWRD

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

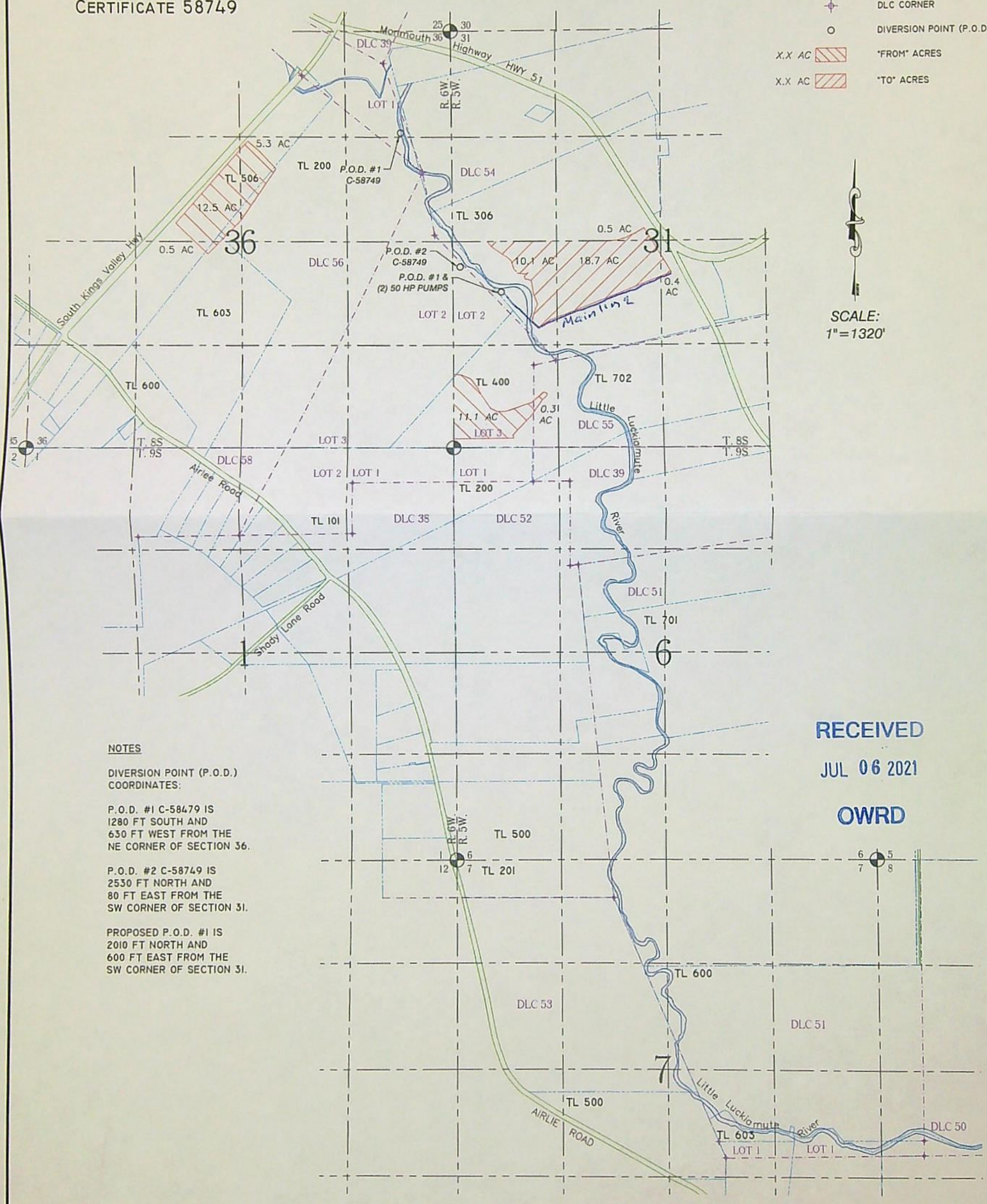
LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES

13762

Temporary Transfer

CERTIFICATE 58749



SCALE:
1"=1320'

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. #1 C-58479 IS
1280 FT SOUTH AND
630 FT WEST FROM THE
NE CORNER OF SECTION 36.

P.O.D. #2 C-58749 IS
2530 FT NORTH AND
80 FT EAST FROM THE
SW CORNER OF SECTION 31.

PROPOSED P.O.D. #1 IS
2010 FT NORTH AND
600 FT EAST FROM THE
SW CORNER OF SECTION 31.

RECEIVED
JUL 06 2021
OWRD

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING
PO Box 13434 Salem, Oregon 97309

Kauer - Riverbend Farms Temporary Transfer 2021

APPLICATION#: PERMIT#: AMENDMENT#:

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

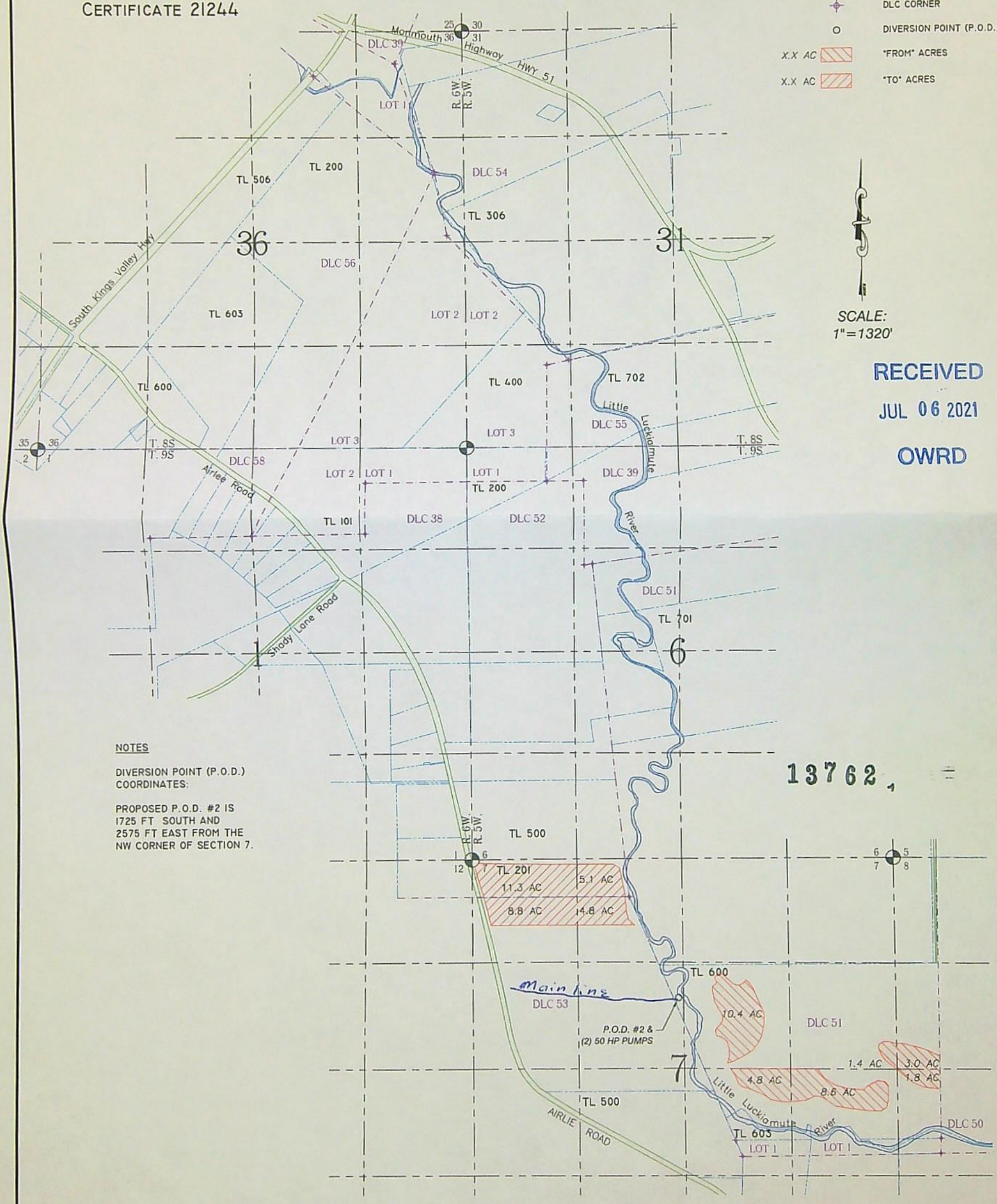
SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Temporary Transfer
CERTIFICATE 21244

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES



SCALE:
1"=1320'

RECEIVED
JUL 06 2021
OWRD

13762

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

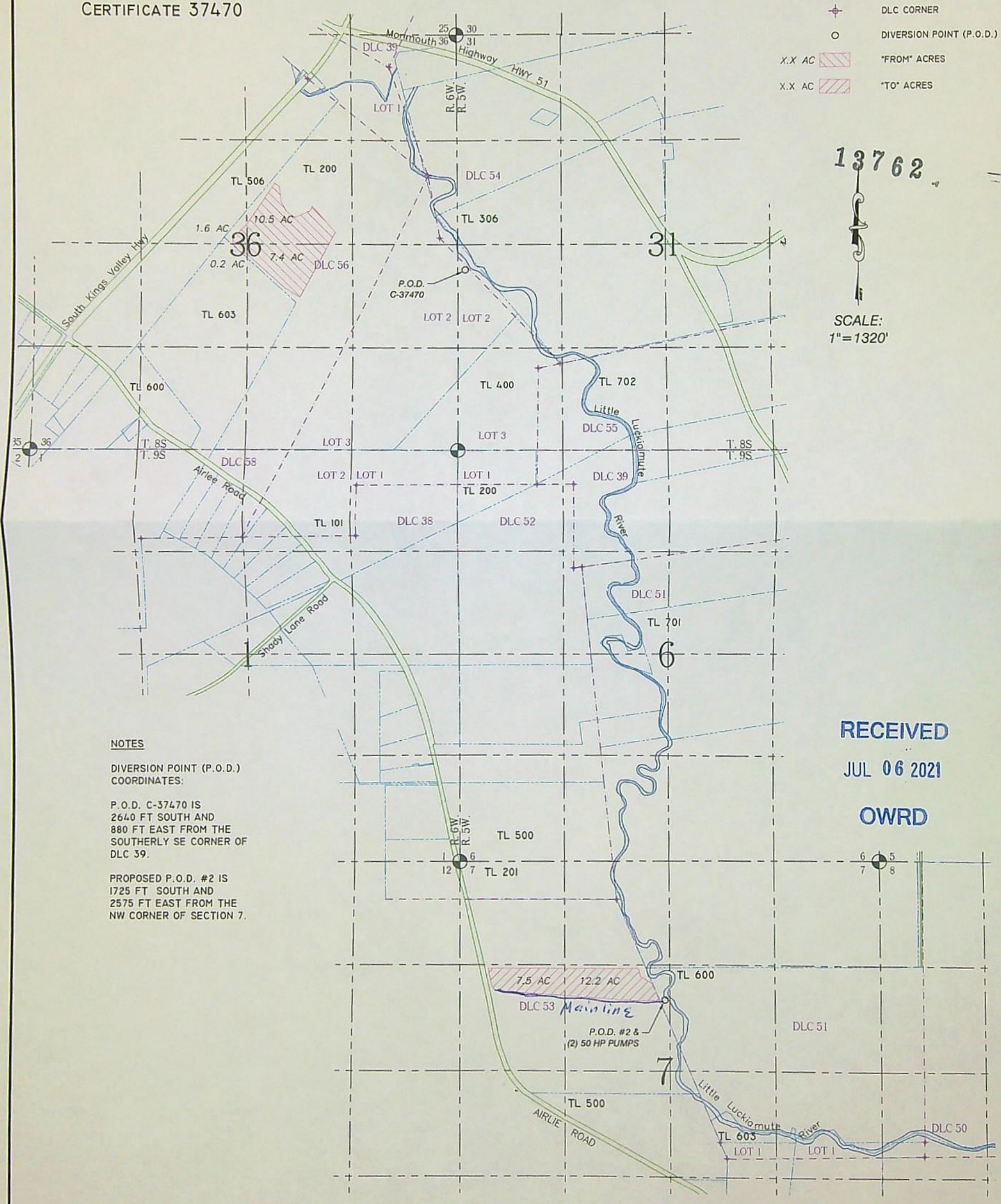
Temporary Transfer
CERTIFICATE 37470

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES

13762

SCALE:
1"=1320'



NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-37470 IS 2640 FT SOUTH AND 880 FT EAST FROM THE SOUTHERLY SE CORNER OF DLC 39.

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

RECEIVED
JUL 06 2021
OWRD

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING
PO Box 13434 Salem, Oregon 97309

Kauer - Riverbend Farms Temporary Transfer 2021

APPLICATION#: PERMIT#: AMENDMENT#: SHEET 1 OF 1

T 8S & 9S, R5W & R6W, W.M.

Riverbend Farm

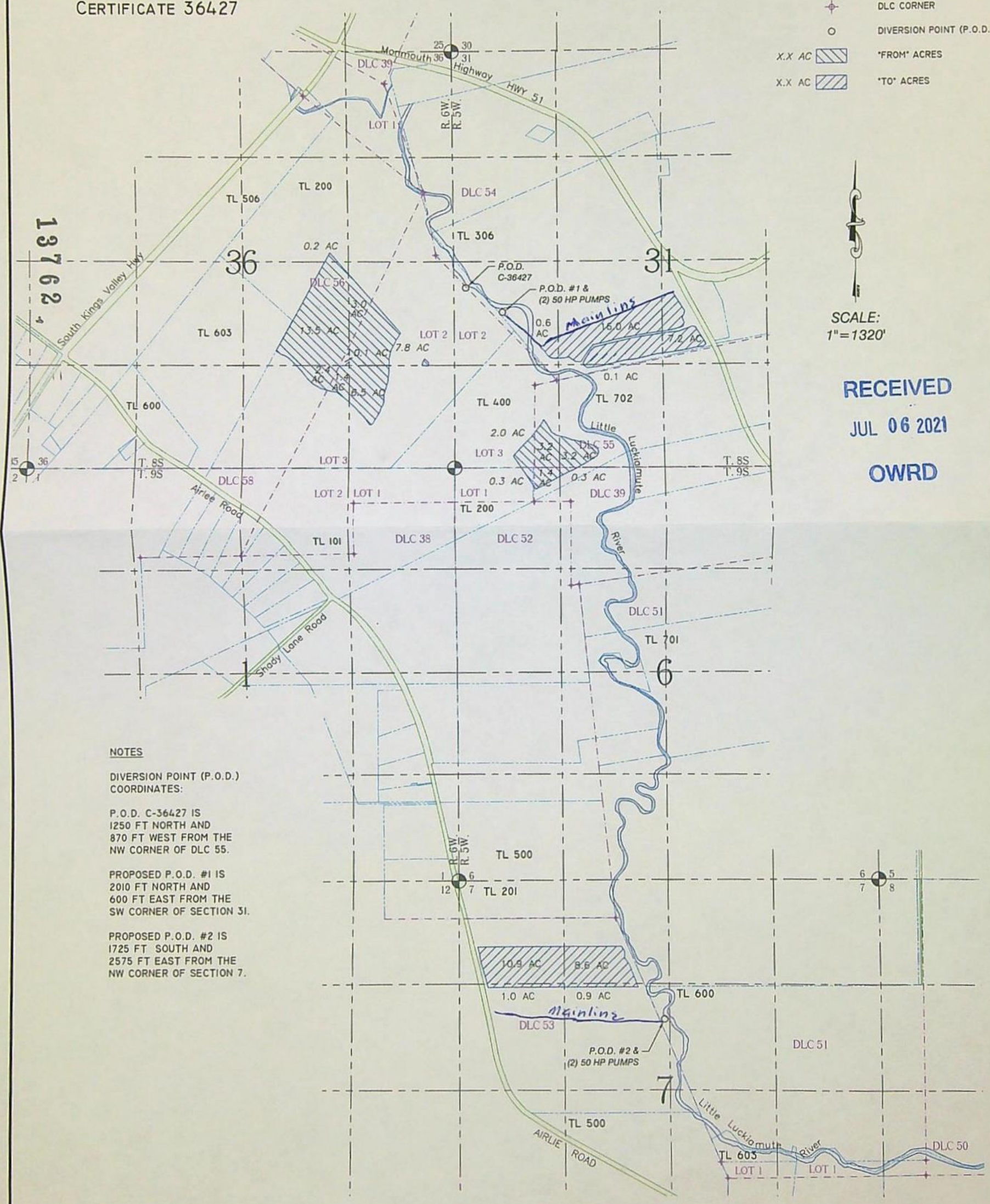
SECTION 36 WITHIN T8S R6W
SECTION 31 WITHIN T8S R5W
SECTION 1 WITHIN T9S R6W
SECTION 6, 7 & 8 WITHIN T9S5W
POLK COUNTY

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Temporary Transfer
CERTIFICATE 36427

LEGEND

- USGS GRID
- PROPERTY LINE
- DLC BOUNDARY
- ROADWAY
- RAILWAY
- WATER
- SECTION CORNER
- DLC CORNER
- DIVERSION POINT (P.O.D.)
- X.X AC "FROM" ACRES
- X.X AC "TO" ACRES



SCALE:
1"=1320'

RECEIVED
JUL 06 2021
OWRD

137 62 4

NOTES

DIVERSION POINT (P.O.D.) COORDINATES:

P.O.D. C-36427 IS 1250 FT NORTH AND 870 FT WEST FROM THE NW CORNER OF DLC 55.

PROPOSED P.O.D. #1 IS 2010 FT NORTH AND 600 FT EAST FROM THE SW CORNER OF SECTION 31.

PROPOSED P.O.D. #2 IS 1725 FT SOUTH AND 2575 FT EAST FROM THE NW CORNER OF SECTION 7.

FILE PATH & NAME: G:\My Drive\PERSONAL\RIVERBEND KAUER FARMS TEMP XFER 2021\R2\KAUER RIVERBEND TT 2021 052621.dwg

BK WATER RIGHT CONSULTING PO Box 13434 Salem, Oregon 97309	Kauer - Riverbend Farms Temporary Transfer 2021			
	APPLICATION#:	PERMIT#:	AMENDMENT#:	SHEET 1 OF 1

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

RECEIVED
JUL 06 2021
OWRD

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

13762

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

RECEIVED
JUL 06 2021
OWRD

Applicant(s): Kauer Farms/ Triple K Farms

Mailing Address: 7325 SE Amity Dayton Hwy

City: Amity State: Oregon Zip Code: 97101 Daytime Phone: 503.835.1006

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:
8 S	5 W	31	____	306,400	EFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
8 S	6 W	36	____	200, 500, 603	EFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
9 S	5 W	6	____	200, 500	EFU	☐ Diverted	☒ Conveyed	☒ Used	Irrigation
9 S	5 W	7	____	201, 600	EFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation
9 S	6 W	6	____	101	EFU	☒ Diverted	☒ Conveyed	☒ Used	Irrigation

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

Polk County

B. Description of Proposed Use

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

☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ 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) Little Luckiamute River

Estimated quantity of water needed: _____ ☐ 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:

Temporarily transfer senior water rights to ground planted in garlic, a high value crop. Points of diversion are already established and no new construction is planned.

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.

13762

RECEIVED
JUL 06 2021
OWRD

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 136.030(A) "Farm use"

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

*See attached

Name: Miranda Mulder Title: Associate Planner

Signature: [signature] Phone: 503-623-9237 Date: 6/16/2021

Government Entity: Polk County Community Development

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: _____

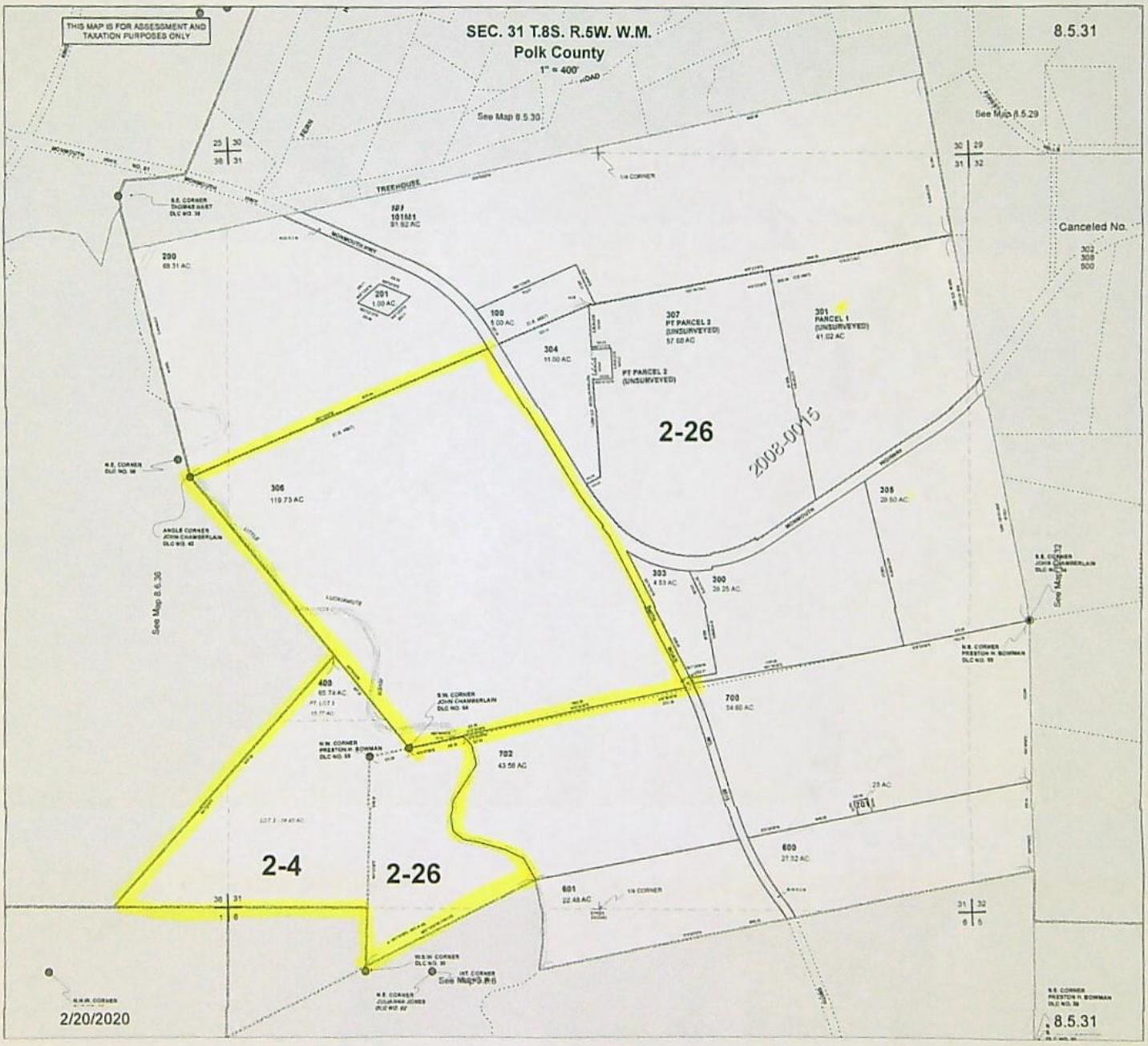
*The applicant indicated that the points of diversion are existing and that no new construction is planned, however, this serves as notification that the subject properties are located within the Special Flood Hazard Area (SFHA). Any non-structural floodplain development, such as excavating, drilling, removal or fill material, etc., within the SFHA would require a land use application and approval prior to conducting the non-structural floodplain development activities. The applicable review and decision criteria for non-structural floodplain development can be found in the Polk county Zoning Ordinance Chapter 178

In addition, the subject properties contain significant wetlands according to the NWI map and contain fish bearing streams according to the Polk County SRA map. Any activities that are listed as a conflicting use pursuant to PCZO 182.070 (A) & (C) would first require a management plan that has been coordinated with DSL and ODFW to demonstrate compliance with PCZO 182.040(E).

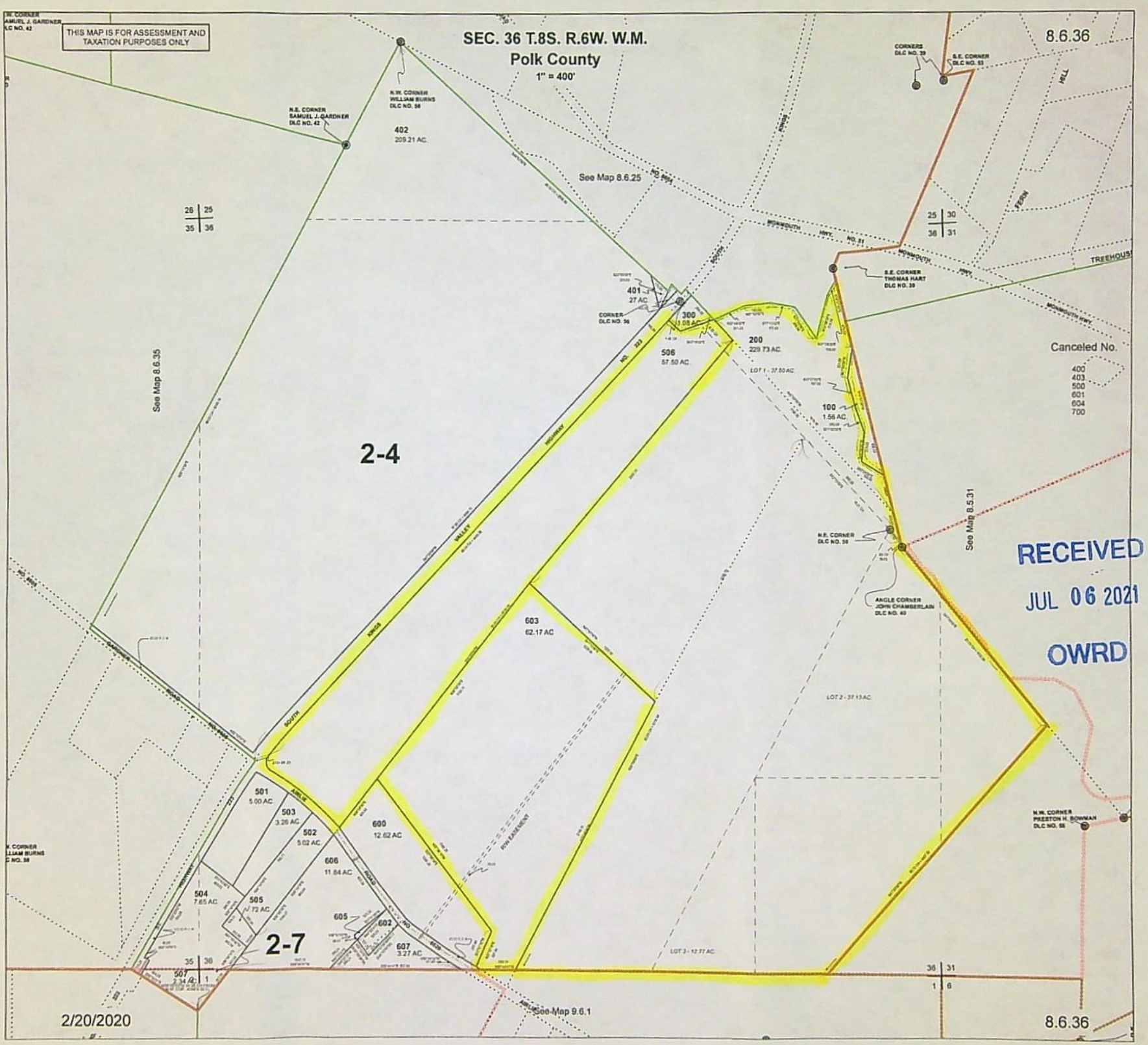
RECEIVED
JUL 06 2021
OWRD

13762

RECEIVED
JUL 06 2021
OWRD



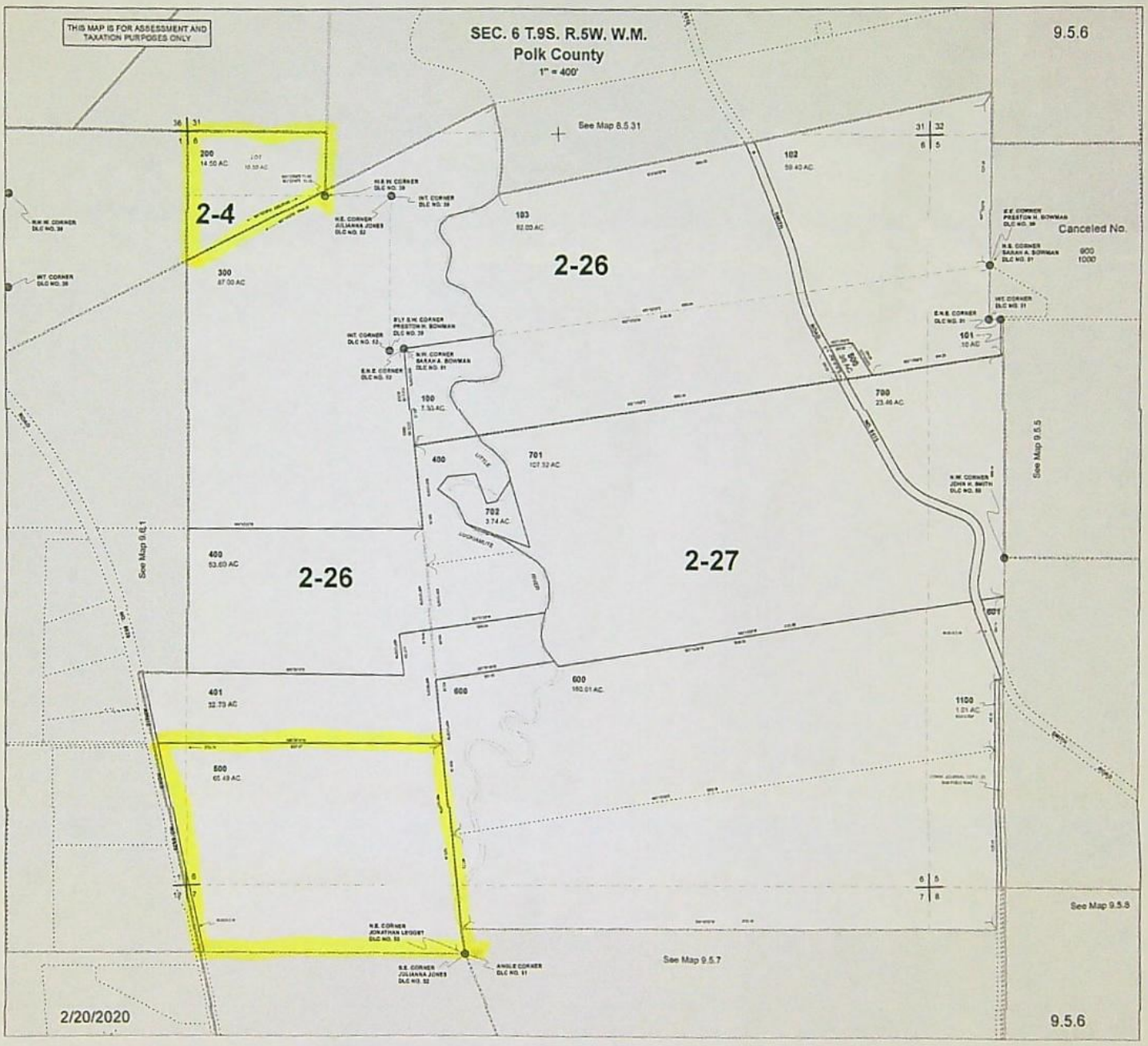
13762



RECEIVED
JUL 06 2021
OWRD

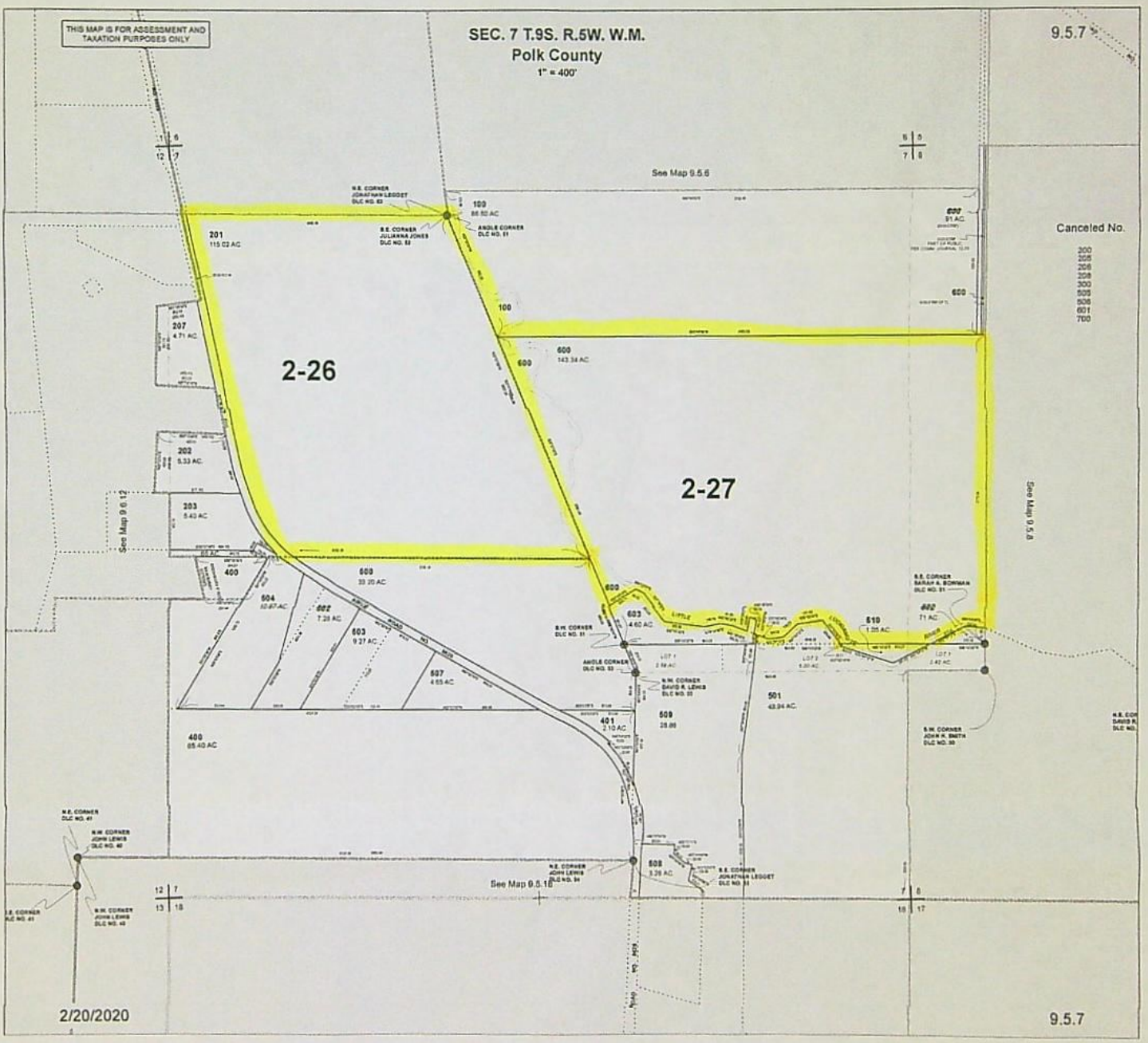
137 62

RECEIVED
JUL 06 2021
OWRD

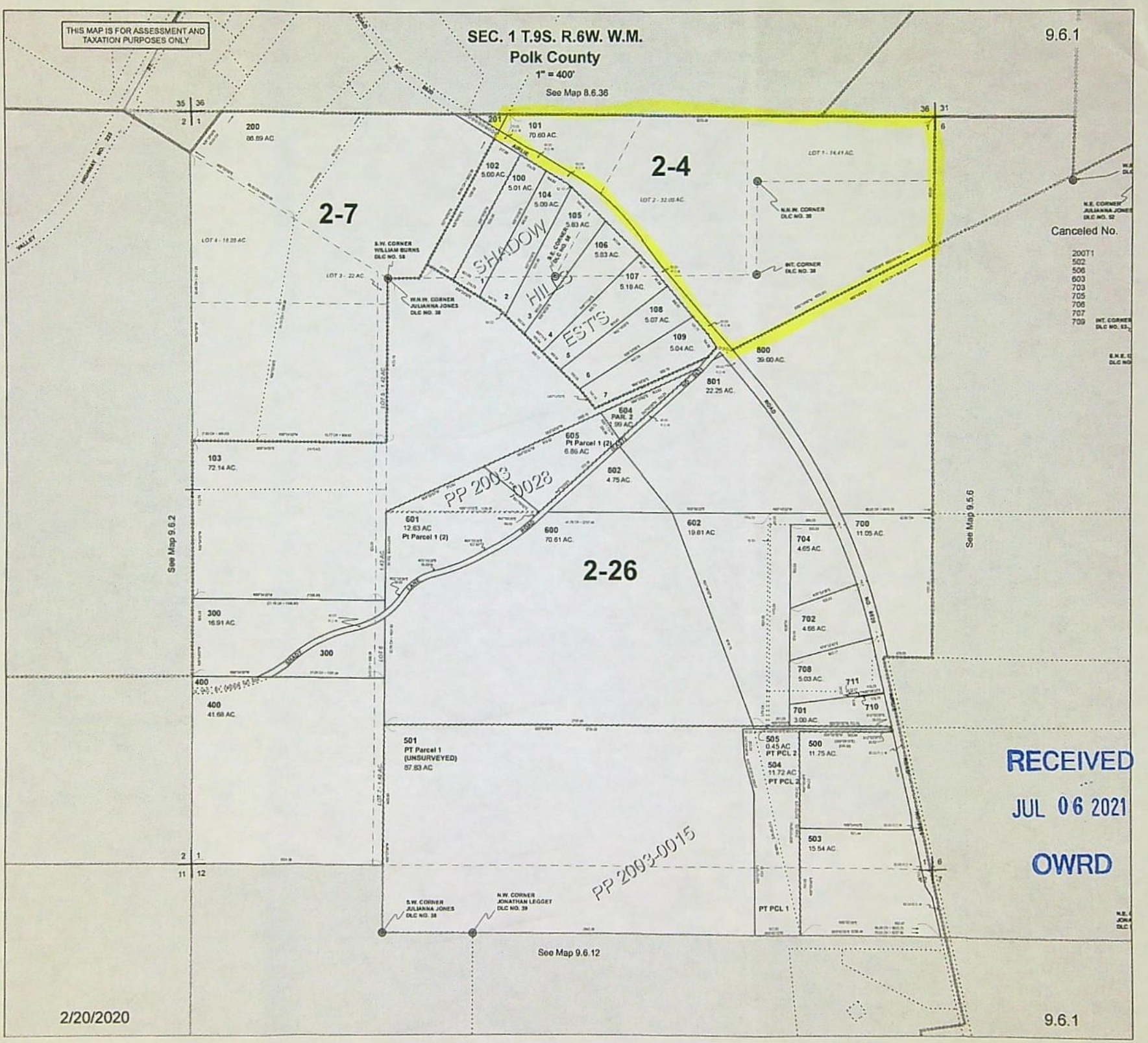


13762

RECEIVED
JUL 06 2021
OWRD



13762


THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY
SEC. 1 T.9S. R.6W. W.M.
Polk County
1" = 400'
9.6.1
See Map 8.6.36
2-7
2-4
2-26
SHADOW HILLS ESTS
PP 2003-0028
PP 2003-0015
See Map 9.6.2
See Map 9.5.6
See Map 9.6.12
Canceled No.
RECEIVED
JUL 06 2021
OWRD
2/20/2020
9.6.1

Regular Temporary Water Right Transfer Application Checklist

Checked by Jason Date 7/8/21

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

(If OK, check box to left; if not, fill in the blank)

☑ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☑ 2. Are fees included and correct?
If not, the correct fee would be: _____, so the amount missing is: _____

☑ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____.

☑ 4. Are all listed certificates shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☑ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☐ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

OK

T-13762

3/14/2019.pks