

Regular

Name RD Farms, Inc.
C/O Steve Davidson
Address 4608 Davidson Rd. NE
St. Paul, OR 97137

Change in POU, APDA
Date Filed 12-20-2016
Initial notice date _____
DPD issued date _____
PD issued date 11-21-2018
PD notice date 11-27-2018
Date of FO 09-10-2019 Vol 113 Page 108-1112
Correcting FO 11/26/2019

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments:

Irrigation District _____

Agent Doann Hamilton- Pacific Hydro- Geology, Inc.
18487 S. Valley Vista Rd. Mulino, OR 97042

CWRE

CC's list

- Oversized map - Location

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A Well

Trib. of Willamette R.

Use Irrigation, Supp. Irrigation County Marion um 16

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# <u>6-4330</u>	Per # <u>6-4085</u>	Cert # <u>40215</u>	PR Date <u>1968</u>
App# _____	Per # _____	Cert # _____	PR Date _____
App# _____	Per # _____	Cert # _____	PR Date _____
App# _____	Per # _____	Cert # _____	PR Date _____
App# _____	Per # _____	Cert # _____	PR Date _____

FEES PAID
Date 12-20-14 Amount 2150.00 Receipt # 122103

FEES REFUNDED
Date _____ Amount _____ Receipt # _____



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

October 9, 2023

Name

Address

City State

On October 6, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-12540

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-12540

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-12540	
Date Received:10/6/23	
CWRE Name:Doann Hamilton	
Priority Date (s):4/16/1968	

Fees Required:

YES NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.

YES NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM: _____	
APPLICATION: _____	
PERMIT: _____	
TRANSFER: _____	
CASH	OTHER (IDENTIFY): _____
CHECK	_____
TOTAL RECEIVED: \$ _____	
1983 TREASURY 4178 MISC CASH ACCT.	
6207 COPIES	_____
6207 OTHER	(IDENTIFY) _____
6243 PERMIT LEASE	8244 MUN. WATER RIGHTS PLAN
6245 COAS WATER	_____
1983 TREASURY 4278 MARD OPERATIONS ACCT.	
46111	
MISCELLANEOUS	
6207 COPY & TIME CHARGES	_____
6210 RECORDING FEES	_____
6248 MISC REVENUE (IDENTIFY)	_____
TC162 DEPOSIT LIAB (IDENTIFY)	_____
0240 EXTENSION OF TIME	_____
WATER RIGHTS	
6201 SURFACE WATER	EXAM FEE
6203 GROUND WATER	_____
6204 TRANSFER	8202 RECORD FEE
WELL CONSTRUCTION	
6218 WELL DRILL CONSTRUCTION	EXAM FEE
0260 LANDOWNER'S PERMIT	8219 8220
0260 OTHER (IDENTIFY)	COBU
HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:	
<input type="checkbox"/> RETURN TO APPLICANT – LETTER ATTACHED	

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes - Groundwater**



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

**SECTION 1
GENERAL INFORMATION**
Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

1. Change in POA(s) or Additional POA(s) 2. Change in Place of Use
3. Change in Character of Use

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION #
T-12540

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME RD Farms Inc.	PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 4608 Davidson Rd NE		
CITY St. Paul	STATE OR	ZIP 97137
		E-MAIL

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. Each transfer holder of record must sign this form.

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD RD Farms Inc. c/o Steve Davidson		
ADDRESS 4608 Davidson Rd NE		
CITY St. Paul	STATE OR	ZIP 97137

4. Date of Site Inspection:

July 19, 2023

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5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Steve Davidson	July 19, 2023	President of RD Farms Inc. / Operator

6. County

Marion County

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

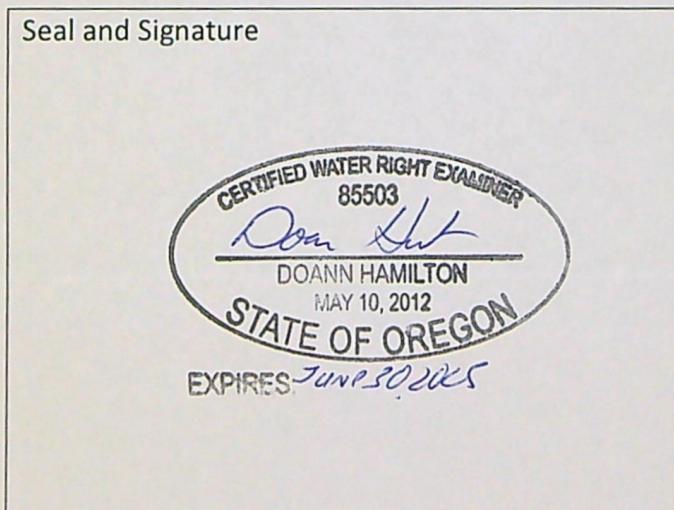
OWNER OF RECORD		
NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



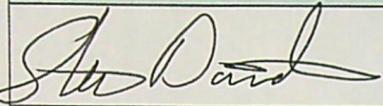
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CWRE NAME Doann Hamilton	PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946	
ADDRESS 18487 S. Valley Vista Road			
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Steve Davidson	President	9-18-23

SECTION 3

Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation?

YES

If "NO", this Section can be deleted.

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 3	NA	NA	A well a tributary of Willamette River
Well 4	NA	NA	A well a tributary of Willamette River

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

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If well logs are available, items A and B below can be deleted

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

YES

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

Neither Well 3 nor Well 4 were installed due to restrictive cost and are therefore removed from this claim of beneficial use.

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

If "NO", this Section can be deleted.

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

USE	THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
IR	47.9	47.9
IS	100.4	100.4

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
	NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

None

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Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use?

NO

If "NO", this Section can be deleted.

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SECTION 4

CONDITIONS

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All conditions contained in the transfer final order, or any extension final order shall be addressed.
Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED <i>*THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"</i>
ISSUANCE DATE	FO issued September 10, 2019 Revised FO issued November 26, 2019	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2022	May 2020

** MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO
COMPLETE THE CHANGE*

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation
of a meter or other approved measuring device? NO

If "NO", items b through f relating to this section may be deleted.

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

If "NO", item b relating to this section may be deleted.

5. Other conditions required by the transfer final order or extension final order:

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

None

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SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Claim of Beneficial Use Map	Claim of Beneficial Use Map
BLM Cadastral Map	BLM Cadastral Map T. 4S. R. 2W. showing DLC and Government Lot locations

SECTION 6
CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The COBU map was prepared using tax assessor's map 04 2W 29 overlain by a 2014 aerial photo titled USDA-FSA-APFO NAIP County Mosaic and obtained on line from the Natural Resources Conservation Service, Image Metadata:
<http://datagateway.nrcs.usda.gov/Catalog/ProductDescription/NAIPM.html>.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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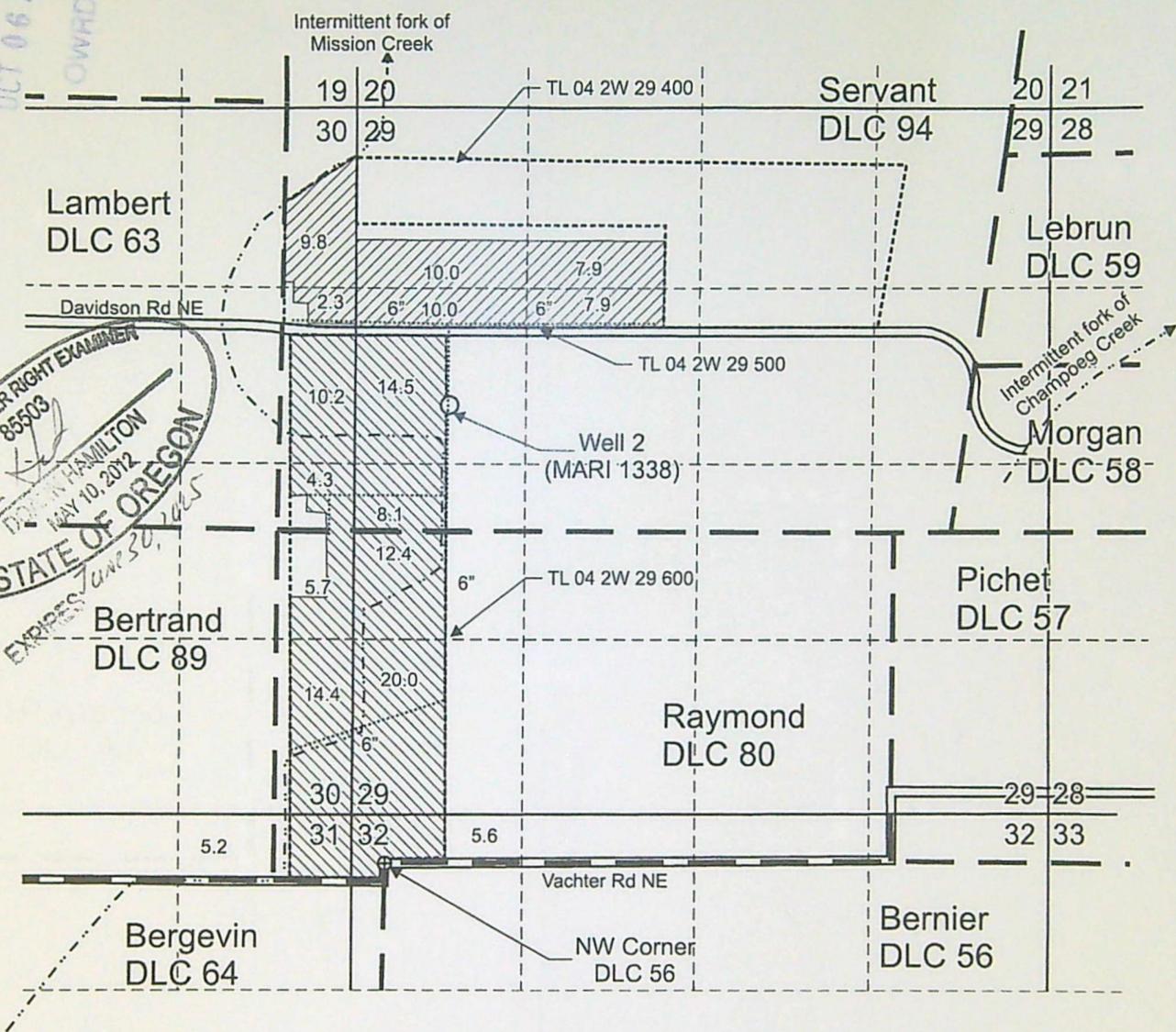
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T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.

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Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Area (47.9 Acres) of primary irrigation under T-12541, formerly Certificate 40215, priority date 4-16-68.

 Area (100.4 Acres) pf supplemental irrigation under T-12541, formerly Certificate 40215, priority date 4-16-68. Primary irrigation under GR-2172.

----- Tax lot boundary —— Donation Land Claim boundary Water main line

Scale: 1" = 1,320'



0 1,320
Feet

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

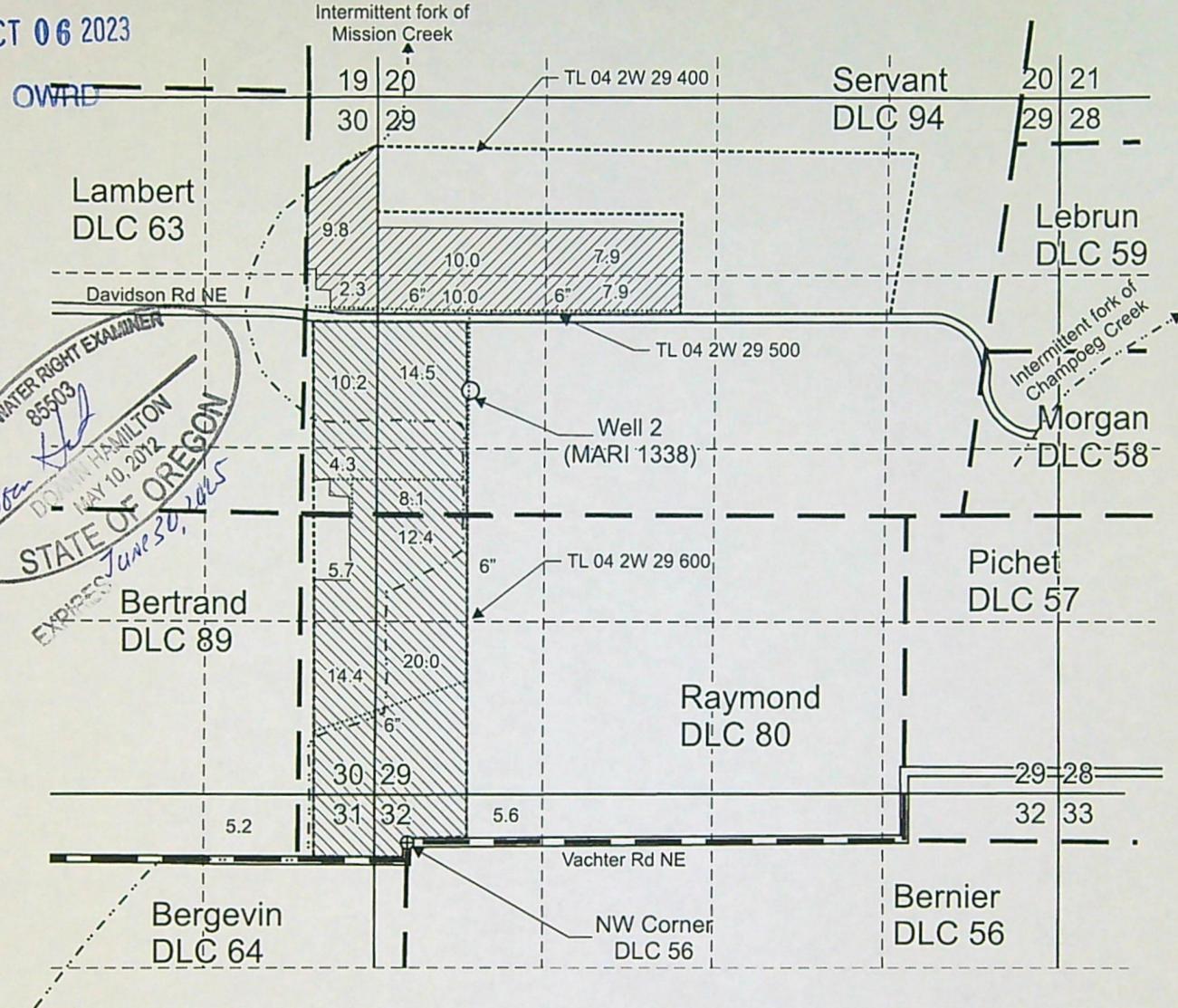
Claim of Beneficial Use Map
T-12540, formerly Certificate 40215

RD Farms Inc. c/o Steve Davidson
T.4S. R.2W. Sec. 29 & 30, W.M.

T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.

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Area (100.4 Acres) of supplemental irrigation under T-12541, formerly Certificate 40215, priority date 4-16-68. Primary irrigation under GR-2172.

----- Tax lot boundary —— Donation Land Claim boundary Water main line

Scale: 1" = 1,320'



0 1,320
Feet

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

Claim of Beneficial Use Map
T-12540, formerly Certificate 40215

73.52 N.89°W. - 74.82	86 Acres 718.21 Not. 779	55.72 - 55.40 -
Laurent Sauve Not. 755 Cl. 62 Acres 127.07	72.00 72.00 84.75 35.58 Not. 763. Cl. 55. Acres 263.53.	79.78 122.88 Hermes Leard, a/c/c Not. 763. Cl. 55. Acres 263.53.
N.89°15'W. - 74.44		85.44 - 121.02 - 85.00 - 122.83 -
Cubert Lambert. Not. 759 Cl. 63 Acres 360.00	Sec. 30 N.89°15'W. - 74.33 74.33	Sec. 29 S.89°30'E. - 71.32 S.89°35'E. - 127.38 80.00 - 30.12 -
Cecil Bertrand. Not. 758 Cl. 63 Acres 297.93	Augustus Raymond Not. 743 Cl. 80 Acres 272.00	Louis Picket. Not. 745 Cl. 57 Acres 406.86
N.89°45'W. - 73.37 N.89°45'W. - 86.12	N.89°25'E. - 53.40 59.40 - - N.89°30'E. - 76.10 -	N.89°35'E. - 94.43 34.43 - 58.72 - S.89°15'E. - 70.82 - 67.91 - 70.82 -
Lewis Bergeron. Not. 749 Cl. 64 Acres 337.84	Sec. 31 S.89°45'W. - 80.15	Sec. 32 Pierre Cl. 69 N.89°40'E. 83.86 - 159.60 - La Course Not. 739 Sec. 33 Acres 425.63
Theodore Gervais Not. 739 Cl. 65 Acres 258.28		Catherine Challabois Not. 741 Cl. 55 Acres 433.78
Cl. 67 Acres 68.00 N.89°W. - 86.36 N.89°45'W. - 70.15	Cl. 66 Acres 206.17	Sylain Not. 769 Acres

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Oregon

Kate Brown, Governor

file

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 25, 2019

RD FARMS INC. C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

Reference: T-12540 Correcting Final Order

Enclosed is a correcting final order recorded on 11/26/2019 Special Order Vol 114 Page 379, issued to correct a scrivener's error in the order recorded in Special Order Vol. 113, Page 1108. The enclosed final order has been amended to reflect the scrivener's error. Please keep this document with the final order.

If you have any questions please contact your caseworker, Kelly Starnes, by telephone at (503) 986-0886 or by e-mail at Patrick.K.Starnes@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. #16 (*via email*)
Pacific Hydro-Geology Inc.
Marion County Planning Department

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Special Order Volume 113,) CORRECTING FINAL ORDER
Pages 1108-1112)

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On September 10, 2019, the Department issued an order approving Transfer Application T-12540. The order was recorded at Special Order Volume 113, Pages 1108-1112.
2. The order contained a scrivener's error in the number of acres and rate affected by the transfer in Certificate 40215. The errors are shown in bold below:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of **48.85** ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: **1.325** CUBIC FEET PER SECOND (CFS)

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 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed here and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Source: A WELL a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
Total						100.4

3. The correct number of acres and rate (in bold) being transferred are as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of **47.9** ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: **1.305** CUBIC FEET PER SECOND (CFS)

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 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed here and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Source: A WELL a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	7.9
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.9
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
					Total	47.9

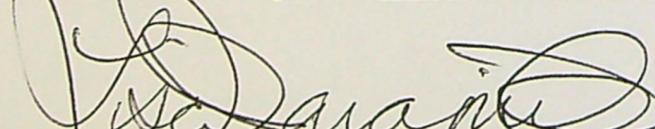
SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
					Total	100.4

4. The order identified a change in place of use which was a part of the original Transfer Application T-12540 submitted to the Department on December 20, 2016, however on December 8, 2018, the Department received a request from the agent for the applicant to remove the change in place of use. The agent for the applicant sent amended pages and maps reflecting this change.

Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-12540, recorded at Special Order Volume 113, pages 1108-1112 is corrected to remove the change in place of use.
2. A new certificate will be issued describing that portion of the right not affected by this transfer.
3. All other provisions of Special Order Volume 113, Pages 1108-1112 remain in effect.

Dated at Salem, Oregon this NOV 26 2019


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: NOV 26 2019

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAYMOND T. DAVIDSON
STAR ROUTE, BOX 21
ST. PAUL, OR 97137

confirms the right to use the waters of A WELL, a tributary of WILLAMETTE RIVER for
IRRIGATION OF 2.7 ACRES.

This right was perfected under Permit G-4085. The date of priority is APRIL 16, 1968. The amount of
water to which this right is entitled is limited to an amount actually used beneficially, and shall not
exceed 0.02 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

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 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; provided further that
the right allowed herein shall be limited to any deficiency in the available supply of any prior right
existing for the same land and shall not exceed the limitation allowed here and shall conform to such
reasonable rotation system as may be ordered by the proper state officer.

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

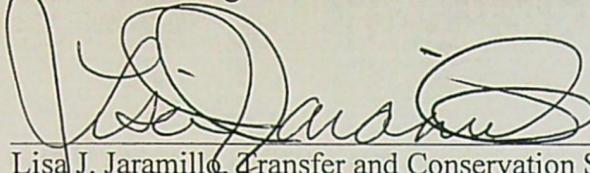
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	30	NE NW	94	1.5
4 S	2 W	WM	30	SE NW	94	1.2
						Total 2.7

This certificate describes that portion of water right Certificate 40215, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources Director entered
September 10, 2019, recorded at Special Order Volume 113, Pages 1108-1112, approving Transfer
Application T-12540 and corrected and entered NOV 26 2019.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed NOV 26 2019.



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

Water Right Transfer Cover Sheet

Transfer T-12540

Transfer Specialist: *Aila*

Transfer Type: Regular

Applicant Name/Address: RD FARMS INC. C/O DAVIDSON, STEVE 4608 DAVIDSON RD NE SAINT PAUL, OR 97137	Agent Name/Address: DOANN M. HAMILTON 18487 S VALLEY VISTA RD MULINO, OR 97042	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Marion County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	G-4330	G-4085	40215	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: December 20, 2016	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 2150.00	WM District: 16	ODFW District:
Initial Notice: December 27, 2016	WM Review sent: 12/27/2016	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: 12/27/2016

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: *9/24*

ODFW contact sheet sent with DPD, or N/A
 WM measurement contact sheet sent, or N/A

PD Signed: *11-21-18*

PD Weekly Notice: *11-27-18*

Newspaper quote requested: *Woodburn Independent*
 not required

Request for news \$ sent: _____

News \$ received: _____

Request to publish sent to newspaper: *11-21-18*

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <i>John</i> Date: <i>8/24/18</i> Coordinator: <i>PKS</i> Date: <i>9-6-18</i>	Reviewer: <i>Corey</i> Date: <i>10/17/18</i> Coordinator: <i>PKS</i> Date: <i>10-24-18</i>	Reviewer: <i>B</i> Date: <i>8/15/19</i> Coordinator: <i>PKS</i> Date: <i>9-4-19</i>

Comments/Special Issues:

△ Pou, APDA

Special Order Volume: Vol 13 Pages 1108-1112 Final Order Signature Date: 9-10-2019

Notice of FO email'd to processors _____

Correction

Special Order Volume: Vol 114 Pages 379-381

Final Order Signature Date: 11/26/19

Correcting order 11/26/19

Transfer Processor Checklist last revised 8/16/2012

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

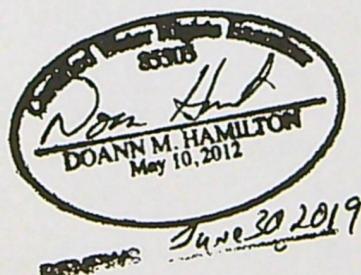
Pacific Hydro-Geology Inc.

Memo

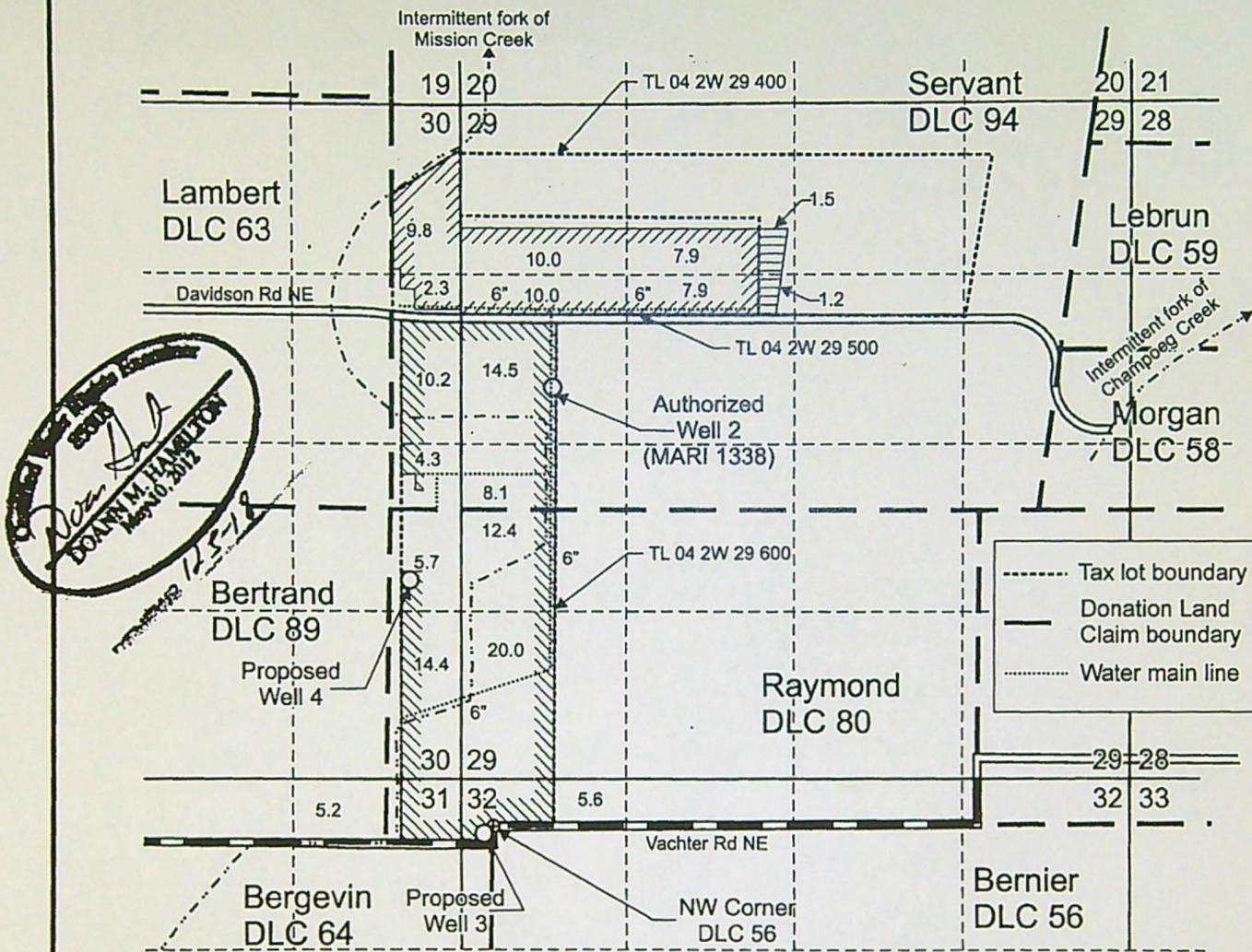
To: Oregon Water Resources Department / Arla Davis
From: Doann Hamilton, CWRE
CC:
Date: December 5, 2018
Re: Permit Amendment T-12540

On November 28, 2018 I received an email from Arla Davis from OWRD with issues concerning the change in place of use for Certificate 40215, T-12540. At this time, on behalf of our client RD Farms Inc. c/o Steve Davison the change in place of use was removed and the acres adjusted in the NENW and SENW of Section 29 to reflect more accurately the acres distributed between the two different tax lots. Corrections have been made to the map and the application to reflect these changes.

Attached are the corrected map and pages of the application.



T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.

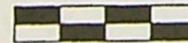


Area (47.9 Acres) primary irrigated under Certificate 40215, priority date 4-16-68.

Area (2.7 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68.

Scale: 1" = 1,320'



0 1,320
Feet

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

Transfer Application Map Certificate 40215

11/2016
Revised 04/2018
2nd Revised 08/2018
3rd Revised 12/2018

RD Farms Inc. c/o Steve Davidson
T.4S. R.2W. Sec. 29 & 30, W.M.

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER | **Part 3 of 5 – Fee Worksheet**

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation <i>Revised 12-5-18</i>		
	Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> If only one change, this will be 0		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » » »	2	\$0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> If only one water right this will be 0		
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 »		
4	<input checked="" type="checkbox"/> Yes: enter \$350 » » » » » » » » » » » » » » » » » » »	4	\$350
	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » »		
	<input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » »		
5	If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$300, then enter on line 5 » » » » » » »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » Subtotal:	6	\$1,350
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8	\$1,350

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution <u>(2a)</u> Subtract 1 from the number in 3a above: <u>(2b)</u> If only one well this will be 0		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » Fee for Substitution:	3	NA

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 additional rows to tables within the form.

CERTIFICATE # 40215

Description of Water Delivery System

System capacity: 1.34 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. Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)	
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4	S	2	W	29	SW NW	DLC 94 3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4	S	2	W	32	NW NW	DLC 80 425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4	S	2	W	30	NE SE	DLC 80 1,565 feet north and 400 feet west from the SE corner, Section 30.
,	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

*Revised
12/5/18
DJS*

- Place of Use (POU)
- Supplemental Use to Primary Use (S to P)
- Character of Use (USE)
- Point of Appropriation/Well (POA)
- Point of Diversion (POD)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)
- Substitution (SUB)
- Surface Water POD to Ground Water
POA (SW/GW)
- Government Action POD (GOV)

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

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

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	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	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

RPLSP
D.L.D
DHT

DAVIS Arla L * WRD

From: Hollie Cannon <hcannon@waterrightsolutions.com>
Sent: Tuesday, November 12, 2019 11:15 AM
To: DAVIS Arla L * WRD; the4jsranch@yahoo.com
Cc: STARNES Patrick K * WRD; JARAMILLO Lisa J * WRD
Subject: RE: T-13229

Arla

By this email, please withdraw the application for T-13229 and refund the portion of the application fee that can be returned to the applicant.

Thank you

Hollie Cannon
Water Right Solutions, LLC
Office: 409 Pine St, #311
Klamath Falls, OR
Mail: 3246 Hammer St
Klamath Falls, OR 97603
Phone: 541-821-5848

From: DAVIS Arla L * WRD <Arla.L.Davis@oregon.gov>
Sent: Tuesday, November 12, 2019 10:59 AM
To: Hollie Cannon <hcannon@waterrightsolutions.com>; the4jsranch@yahoo.com
Cc: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: T-13229

Hi Hollie,

We are past the November 8th deadline for withdrawal, however if you are able to send a withdrawal request today (November 12, 2019) in writing (email is fine) requesting to withdraw the file, I can process a request for a partial refund of fees to the Schock's. I don't know the exact figure of the refund, but I would estimate around \$500.00. If I don't receive the withdrawal request today, I will move forward with the denial and there will be no refund of fees. Please let me know if there are any other questions.

Thank you

Arla L. Davis
Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Direct: 503-986-0806



From: Hollie Cannon <hcannon@waterrightsolutions.com>

Sent: Monday, November 11, 2019 7:41 AM

To: DAVIS Arla L * WRD <Arla.L.Davis@oregon.gov>

Subject: T-13229

Arla

Is there any chance of getting some of the application fee returned if the applicant voluntarily withdraws the transfer application?

Hollie Cannon

Water Right Solutions, LLC

Office: 409 Pine St, #311

Klamath Falls, OR

Mail: 3246 Hammer St

Klamath Falls, OR 97603

Phone: 541-821-5848

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 (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	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	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						47.9 IR 100.4 IS							TOTAL ACRES:						47.9 IR 100.4 IS							

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

Revised 12-5-18
PN



Fidelity National Title Company

500 Liberty St. Ste #200, Salem, OR 97301
Phone: 503-585-7219 Fax: 503-585-0326
E-mail Customer Service at: customerservicesalem@fnf.com

MARION COUNTY PROPERTY PROFILE INFORMATION

Parcel #: M129858
Ref Parcel #: 042W29 00500
Owner: R D Farms Inc
CoOwner:
Owner Phone:
Site: 4399 Davidson Rd NE
St. Paul OR 97137
Mail: 4608 Davidson Rd NE
St Paul OR 97137
Plat:
Twn/Rng/Sec: T: 04S R: 02W S: 29 Q: QQ:
Legal: MFD STRUCT SERIAL # 03910205P, X # X00179528 ON REAL ACCT 042W29 00500,
REAL MS
School Dist: 45 ST PAUL
Zoning: EFU Exclusive Farm Use
Land Use: 049 - Manufactured Structure on rural land
Std Land Use: RMOB - MOBILE HOME

ASSESSMENT & TAX INFORMATION

Market Total: \$16,360
Market Land: \$0
Market Impr: \$16,360
Exemption: \$0
2018 Taxes: \$207.34
Levy Code: 04500160
Millage Rate: 13.3718
Assd Total: \$16,360

PROPERTY CHARACTERISTICS

Year Built: 1981
Bedrooms: 3
Bathrooms: 2.00
Fin Area: 1,344 SF
Unfin Area: 0 SF
Main Floor: 1,344 SF
Second Floor: 0 SF
Attic: 0 SF
Bsmt Unfin: 0 SF
Bsmt Fin: 0 SF
Lot Size: 55.71 acres (2,426,715 SF)
Garage: Attached
Census: 1047 010100
Lot/Block: /
Neighborhood:
Watershed: Chehalem Creek-Willamette River

SALE & LOAN INFORMATION

Sale Date:
Sale Amount:
Document #:
Deed Type:
Loan Amount:
Lender:
Loan Type:
Interest Type:
Title Co:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

December 5, 2018

Property Identificaton

Account No.: M129858
Situs Address: 4399 DAVIDSON RD NE
ST PAUL, OR 97137
Map Tax Lot: 042W29 00500
Owner: R D FARMS INC
4608 DAVIDSON RD NE
ST PAUL, OR 97137

Manufactured Home ID: 240012
Legal Description: MFD STRUCT SERIAL # 03910205P, X # X00179528
ON REAL ACCT 042W29 00500, REAL MS
Subdivision:
Related Accounts: R12311
Linked Accounts:

Owner History

Buyer

Seller

Sales Info

Deed Info

No Owner History

Property Details

Legal Acreage:
Property Code: 04500160
T56
Property Class: (Contact Local Jurisdiction)
049
Mortgage Agent-Lender:
Mortgage Account No.:

Levy Code Area:
Zoning:
Miscellaneous Code:
Plat:
Exemption:
Expiration Date:

Land Information:

ID	Type	Acres	Sq Ft
----	------	-------	-------

No Land Details

Improvements/Structures:

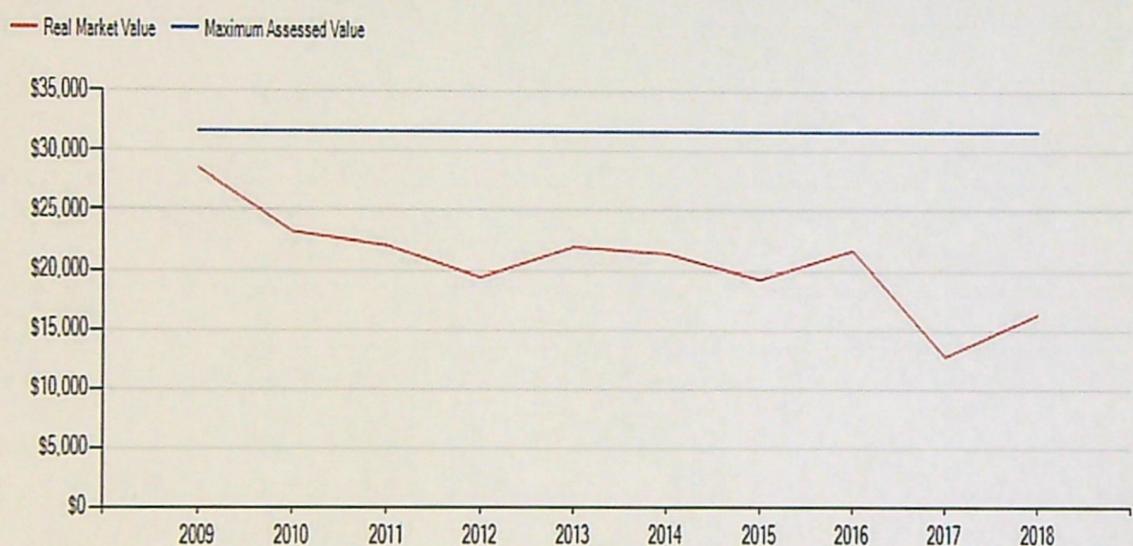
ID	Type	Make/Model	Class	Area/Count	Year Built
1	MFD STRUCT				
1.1	MAIN AREA	SKYLINE HOMETTE	5D	1344	1981
1.2	MANUF STRUCT SKIRTING			160	1981

Value Information (per most recent certified tax roll)

RMV Land Market: \$0
 RMV Land Spec. \$0
 Assess.:
 RMV Structures: \$16,360
 RMV Total: \$16,360
 SAV: \$0
 Exception RMV: \$0
 Exemption RMV: \$0
 Exemption Description: None
 M5 Taxable: \$16,360
 MAV: \$31,730
 MSAV: \$0
 AV: \$16,360

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.

For a detailed explanation, please see definition of Assessed Value above (hover over the "i").



Assessment History

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2018	\$16,360	\$0	\$0/\$0	None	\$16,360
2017	\$12,750	\$0	\$0/\$0	None	\$12,750
2016	\$21,730	\$0	\$0/\$0	None	\$21,730
2015	\$19,270	\$0	\$0/\$0	None	\$19,270
2014	\$21,440	\$0	\$0/\$0	None	\$21,440
2013	\$22,020	\$0	\$0/\$0	None	\$22,020
2012	\$19,430	\$0	\$0/\$0	None	\$19,430
2011	\$22,120	\$0	\$0/\$0	None	\$22,120
2010	\$23,230	\$0	\$0/\$0	None	\$23,230
2009	\$28,600	\$0	\$0/\$0	None	\$28,600

Taxes: Levy, Owed

Taxes Levied 2018-19: \$207.34
Tax Rate: 13.3718
Current Tax Payoff Amount: \$0.00

Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest Due	Date Paid	Total Owed
2018	\$207.34	\$207.34	None	\$0.00	\$0.00	11/06/18	\$0.00
2017	\$164.23	\$164.23	None	\$0.00	\$0.00	10/30/17	\$0.00
2016	\$281.07	\$281.07	None	\$0.00	\$0.00	11/04/16	\$0.00
2015	\$247.98	\$247.98	None	\$0.00	\$0.00	11/04/15	\$0.00
2014	\$248.58	\$248.58	None	\$0.00	\$0.00	10/28/14	\$0.00
2013	\$266.39	\$266.39	None	\$0.00	\$0.00	10/29/13	\$0.00
2012	\$236.09	\$236.09	None	\$0.00	\$0.00	11/08/12	\$0.00
2011	\$269.65	\$269.65	None	\$0.00	\$0.00	11/15/11	\$0.00
2010	\$280.73	\$280.73	None	\$0.00	\$0.00	11/10/10	\$0.00
2009	\$349.10	\$349.10	None	\$0.00	\$0.00	11/06/09	\$0.00

Tax Payment History

Year	Transaction ID	Tax Paid	Discount	Interest	Amount Paid	Date Paid
2018	12371937.1	\$201.12	\$6.22	\$0	\$201.12	11/06/18
2017	12221304.1	\$159.30	\$4.93	\$0	\$159.30	10/30/17
2016	12103535.1	\$272.64	\$8.43	\$0	\$272.64	11/04/16
2015	11965924.1	\$240.54	\$7.44	\$0	\$240.54	11/04/15
2014	11818752.1	\$241.12	\$7.46	\$0	\$241.12	10/28/14
2013	11675219.1	\$258.40	\$7.99	\$0	\$258.40	10/29/13
2012	11570294.1	\$229.01	\$7.08	\$0	\$229.01	11/08/12



Fidelity National Title Company

500 Liberty St. Ste #200, Salem, OR 97301
Phone: 503-585-7219 Fax: 503-585-0326
E-mail Customer Service at: customerservicesalem@fnf.com

MARION COUNTY PROPERTY PROFILE INFORMATION

Parcel #: R12311
Ref Parcel #: 042W29 00500
Owner: **R D Farms Inc**
CoOwner:
Owner Phone:
Site: **4399 Davidson Rd NE
St. Paul OR 97137**
Mail: 4608 Davidson Rd NE
St Paul OR 97137
Plat:
Twn/Rng/Sec: T: 04S R: 02W S: 29 Q: QQ:
Legal: ACRES 55.39, MS X# X00179528, Home ID 240012
School Dist: 45 ST PAUL
Zoning: EFU Exclusive Farm Use
Land Use: 559 -
Std Land Use: VAGR - VACANT AGRICULTURE/RURAL

ASSESSMENT & TAX INFORMATION

Market Total: **\$143,130**
Market Land: **\$87,710**
Market Impr: **\$55,420**
Exemption: **\$0**
2018 Taxes: **\$1,913.93**
Levy Code: 04500160
Millage Rate: 13.3718
Assd Total: **\$143,130**

PROPERTY CHARACTERISTICS

Year Built: 1982
Bedrooms: 0
Bathrooms: 0.00
Fin Area: 0 SF
Unfin Area: 0 SF
Main Floor: 0 SF
Second Floor: 0 SF
Attic: 0 SF
Bsmt Unfin: 0 SF
Bsmt Fin: 0 SF
Lot Size: 55.39 acres (2,412,788 SF)
Garage: Attached - 616 SF
Census: 1047 010100
Lot/Block: /
Neighborhood:
Watershed: Chehalem Creek-Willamette River

SALE & LOAN INFORMATION

Sale Date: 12/3/2007
Sale Amount: \$0
Document #: E28980199
Deed Type: E
Loan Amount:
Lender:
Loan Type:
Interest Type:
Title Co:

December 5, 2018

Property Identification

Account No.:	Manufactured Home ID:
R12311	
Situs Address:	Legal Description:
4399 DAVIDSON RD NE	ACRES 55.39, MS X# X00179528, Home ID 240012
ST PAUL, OR 97137	Subdivision:
Map Tax Lot:	
042W29 00500	
Owner:	Related Accounts:
R D FARMS INC	M129858
4608 DAVIDSON RD NE	Linked Accounts:
ST PAUL, OR 97137	

Owner History

Buyer	Seller	Sales Info	Deed Info
C & E BRENTANO FAM LP	R D FARMS INC	12/03/2007 E28980198	E - EXCEPTION DEED WHERE PORTION SOLD OFF
C & E BRENTANO FAM LP	R D FARMS INC	12/03/2007 E28980199	E - EXCEPTION DEED WHERE PORTION SOLD OFF
R D FARMS INC	R D FARMS INC	12/03/2007 28980201	BS - BARGAIN & SALE DEED
R D FARMS INC	C & E BRENTANO FAM LP	11/30/2007 28980200	BS - BARGAIN & SALE DEED
DAVIDSON,HAZEL	DAVIDSON,HAZEL	12/09/1975 00311814	WD - WARRANTY DEED
R D FARMS INC	DAVIDSON,HAZEL	12/09/1975 00340349	WD - WARRANTY DEED
DAVIDSON,HAZEL	DAVIDSON,HAZEL	02/28/1964 06110127DE	AC - ASSIGNMENT OF CONTRACT
DAVIDSON,HAZEL	DAVIDSON,HAZEL	09/23/1957 05040426DE	WD - WARRANTY DEED
DAVIDSON,HAZEL	DAVIDSON,HAZEL	12/08/1953 04580034DE	RC - RECORDED CONTRACTS

Buyer	Seller	Sales Info	Deed Info
		02170310 DE - MISCELLANEOUS DEEDS 1974 AND BEFORE	
		02310036 DE - MISCELLANEOUS DEEDS 1974 AND BEFORE	

Property Details

Legal Acreage: 55.39 acres
Property Code: A99
Property Class: 559
Mortgage Agent-Lender:
Mortgage Account No.:

Levy Code Area: 04500160
Zoning: EFU (Contact Local Jurisdiction)
Miscellaneous Code: SPEC;ZONE SPECIALLY ASSESSED ACCOUNT;FARM ZONED
Plat:
Exemption:
Expiration Date:

Land Information:

ID	Type	Acres	Sq Ft
L1	1001 - FARM OSD	0.00	
L2	1021 - FARM HOMESITE	1.00	
L3	3220 - TWO BENCH IRR	48.39	
L4	3260 - FOUR BENCH IRR	6.00	

Improvements/Structures:

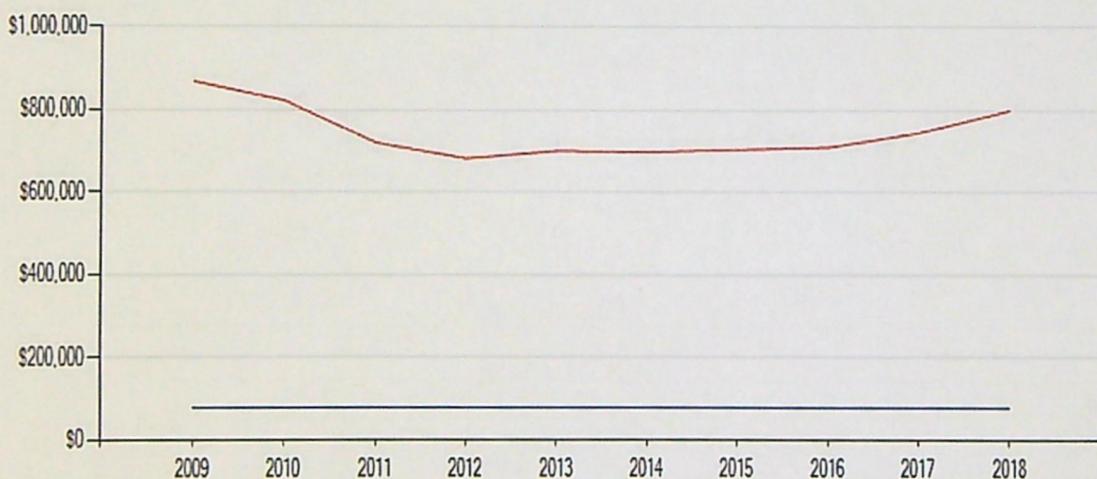
ID	Type	Make/Model	Class	Area/Count	Year Built
1	MFG ACCESSORIES				
1.1	DETACHED GARAGE, UNFINISHED		3	616	1982
1.2	ALUMINUM PATIO COVER			288	
1.3	DECK, WOOD			288	
2	GENERAL PURPOSE BUILDING				
2.1	MULTI/MISC PURPOSE BUILDING		5	168	
3	MACHINE SHED				
3.1	MACHINE SHED		5	2880	

Value Information (per most recent certified tax roll)

RMV Land Market: \$0
 RMV Land Spec. \$744,710
 Assess.:
 RMV Structures: \$55,420
 RMV Total: \$800,130
 SAV: \$199,950
 Exception RMV: \$0
 Exemption RMV: \$0
 Exemption Description: None
 M5 Taxable: \$255,370
 MAV: \$77,870
 MSAV: \$87,710
 AV: \$143,130

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.
 For a detailed explanation, please see definition of Assessed Value above (hover over the "i").

— Real Market Value — Maximum Assessed Value



Assessment History

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2018	\$55,420	\$0	\$744,710/\$87,710	None	\$143,130
2017	\$52,990	\$0	\$692,500/\$87,440	None	\$140,430
2016	\$48,780	\$0	\$661,450/\$85,020	None	\$133,800
2015	\$42,890	\$0	\$661,450/\$82,660	None	\$125,550
2014	\$42,830	\$0	\$655,450/\$80,370	None	\$123,200
2013	\$43,040	\$0	\$658,010/\$77,250	None	\$120,290
2012	\$37,420	\$0	\$644,480/\$75,130	None	\$112,550
2011	\$42,870	\$0	\$677,890/\$72,960	None	\$115,830

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2010	\$44,820	\$0	\$777,760/\$70,950	None	\$115,770
2009	\$46,300	\$0	\$822,390/\$69,010	None	\$115,310

Taxes: Levy, Owed

Taxes Levied 2018-19: \$1,943.72
 Tax Rate: 13.3718
 Current Tax Payoff Amount: \$0.00

Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest Due	Date Paid	Total Owed
2018	\$1,913.93	\$1,913.93	None	\$0.00	\$0.00	11/02/18	\$0.00
2017	\$1,906.99	\$1,906.99	None	\$0.00	\$0.00	10/30/17	\$0.00
2016	\$1,824.10	\$1,824.10	None	\$0.00	\$0.00	11/04/16	\$0.00
2015	\$1,703.37	\$1,703.37	None	\$0.00	\$0.00	11/05/15	\$0.00
2014	\$1,514.57	\$1,514.57	None	\$0.00	\$0.00	10/28/14	\$0.00
2013	\$1,539.33	\$1,539.33	None	\$0.00	\$0.00	10/29/13	\$0.00
2012	\$1,446.26	\$1,446.26	None	\$0.00	\$0.00	11/08/12	\$0.00
2011	\$1,492.86	\$1,492.86	None	\$0.00	\$0.00	11/15/11	\$0.00
2010	\$1,480.03	\$1,480.03	None	\$0.00	\$0.00	11/10/10	\$0.00
2009	\$1,488.09	\$1,488.09	None	\$0.00	\$0.00	11/06/09	\$0.00

Tax Payment History

Year	Transaction ID	Tax Paid	Discount	Interest	Amount Paid	Date Paid
2018	12359190.1	\$1,856.51	\$57.42	\$0	\$1,856.51	11/02/18
2017	12221305.1	\$1,849.78	\$57.21	\$0	\$1,849.78	10/30/17
2016	12103539.1	\$1,769.38	\$54.72	\$0	\$1,769.38	11/04/16
2015	11967518.1	\$1,652.27	\$51.10	\$0	\$1,652.27	11/05/15
2014	11818753.1	\$1,469.13	\$45.44	\$0	\$1,469.13	10/28/14
2013	11675162.1	\$1,493.15	\$46.18	\$0	\$1,493.15	10/29/13
2012	11570293.1	\$1,402.87	\$43.39	\$0	\$1,402.87	11/08/12



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
R D Farms Inc.
4058 Davidson Rd NE
St. Paul, OR 97137

Until a change is requested all tax statements
shall be sent to the following address:
Same as above

File No.: 1031-1130165 (JLW)
Date: November 08, 2007

STATUTORY BARGAIN AND SALE DEED

R D Farms Inc., Grantor, conveys to **R D Farms, Inc.**, an Oregon Corporation, Grantee, the following described real property:

See Exhibit "A" Attached

The true consideration for this conveyance is **\$This deed is being recorded to described property after completion of a lot line adjustment.** (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 3 day of December, 2007.

APN: R12319

Bargain and Sale Deed
- continued

File No.: 1031-1130165 (JLW)
Date: 11/08/2007

R D Farms Inc.

By: Steven C. Davis

Steven E. Davidson, President

Nancy J. Davidson
Nancy J. Davidson, Secretary

Nancy J. Davidson, Secretary

STATE OF Oregon)
County of Marion)ss.

This instrument was acknowledged before me on this 3rd day of December, 2007
by Steven E. Davidson as President and Nancy J. Davidson, Secretary of R D Farms Inc., on behalf of the
Oregon Corporation.



Carol J. Smith

Notary Public for Oregon
My commission expires:

My commission expires: 03-28-08

EXHIBIT "A"

TAX LOT 4229-500

In the Jacques Servant Donation Land Claim No. 94, in Sections 29 and 30, Township 4 South, Range 2 West of the Willamette Meridian, Marion County, Oregon and more particularly described as follows:

BEGINNING AT A POINT on the west line of the Jacques Servant DLC No. 94, said point being South $0^{\circ}33'00''$ West 1194.04' from the northwest corner thereof; thence along said DLC line, South $0^{\circ}33'00''$ West 953.54, more or less, to the center of County Road No. 408; thence along the centerline of said County Road No 408 the following courses: South $83^{\circ}09'00''$ East 198.82 feet to an angle point and South $89^{\circ}36'30''$ East 2247.40' to an angle point and South $89^{\circ}43'00''$ East 460.54 feet; thence leaving the centerline of County Road No. 408, North $0^{\circ}17'00''$ East 30.00' to an iron rod on the north right-of-way of the county road; thence North $0^{\circ}17'00''$ East 768.77 feet to an iron rod; thence North $89^{\circ}39'38''$ West 2,366.10 feet to an iron rod; thence North $0^{\circ}33'00''$ East 499.51 feet to an iron rod; thence North $89^{\circ}15'23''$ West 18.55 feet to an iron rod; thence South $58^{\circ}36'15''$ West 609.71 feet to the POINT OF BEGINNING

SAVE AND EXCEPT that portion of the above-described property lying within the County Road.

Containing 57.43 acres total, 2.05 acres of which is in the county road, net acreage is 55.39 acres.

REEL:2898

PAGE: 201

December 12, 2007, 11:24 am.

CONTROL #: 212256

State of Oregon
County of Marion

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

FEE: \$ 36.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

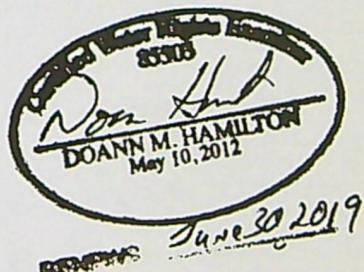
Pacific Hydro-Geology Inc.

Memo

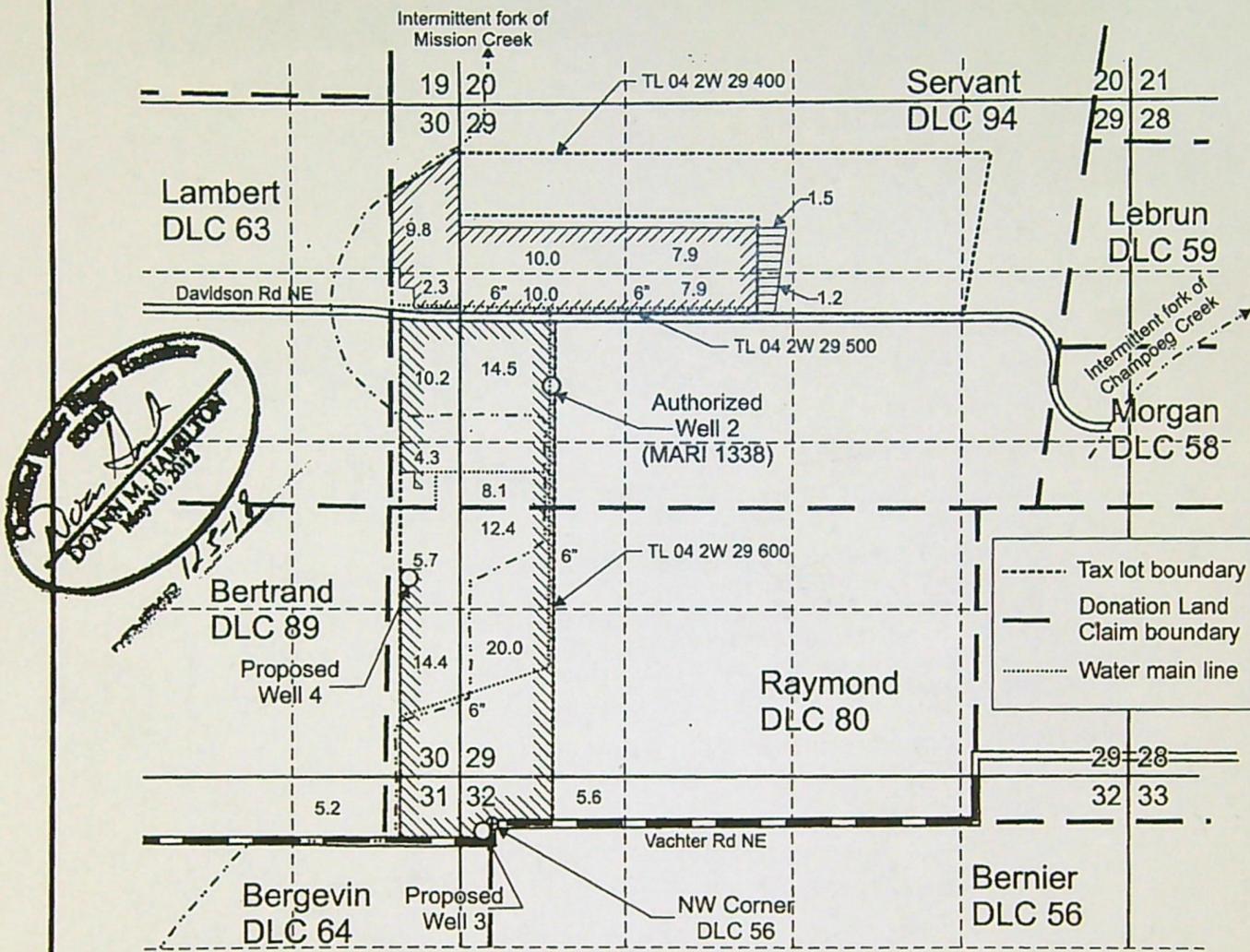
To: Oregon Water Resources Department / Arla Davis
From: Doann Hamilton, CWRE
CC:
Date: December 5, 2018
Re: Permit Amendment T-12540

On November 28, 2018 I received an email from Arla Davis from OWRD with issues concerning the change in place of use for Certificate 40215, T-12540. At this time, on behalf of our client RD Farms Inc. c/o Steve Davison the change in place of use was removed and the acres adjusted in the NENW and SENW of Section 29 to reflect more accurately the acres distributed between the two different tax lots. Corrections have been made to the map and the application to reflect these changes.

Attached are the corrected map and pages of the application.



T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

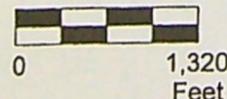
Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

Area (47.9 Acres) primary irrigated under Certificate 40215, priority date 4-16-68.

Area (2.7 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68.

Scale: 1" = 1,320'



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

Transfer Application Map Certificate 40215

11/2016
Revised 04/2018
2nd Revised 08/2018
3rd Revised 12/2018

RD Farms Inc. c/o Steve Davidson
T.4S. R.2W. Sec. 29 & 30, W.M.

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER

Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) If only one change, this will be 0		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » » » »	2	\$0
3	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) If only one water right this will be 0	3	\$0
4	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » » » »	4	\$350
5	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$350 »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » Subtotal:	6	\$1,350
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » Transfer Fee:	8	\$1,350

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

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

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution <u>(2a)</u> Subtract 1 from the number in 3a above: <u>(2b)</u> If only one well this will be 0		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » Fee for Substitution:	3	NA

Part 2 of 5 – Transfer Application Map Checklist

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- Permit
12/5/18
P/H*
 N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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 additional rows to tables within the form.

CERTIFICATE # 40215

Description of Water Delivery System

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. Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances from a recognized survey corner)
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4 S	2 W	29	SW NW	DLC 94	3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	32	NW NW	DLC 80	425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	30	NE SE	DLC 80	1,565 feet north and 400 feet west from the SE corner, Section 30.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

R. P. L. S.
D. J. P.
D. P.

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 (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						47.9 IR 100.4 IS							TOTAL ACRES:						47.9 IR 100.4 IS							

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

Rev 12/10
12/5/18
PA



Oregon

Kate Brown, Governor

September 10, 2019

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

REFERENCE: Transfer Application T-12540

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 986-0806 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

Ashley N. Mosley
Water Right Services Support
Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. #16 (via email)
 Doann Hamilton, Agent
 Marion County Planning Department

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-12540, Marion County) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. On September 24, 2018, the Department emailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12540 to the applicant and agent for the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 24, 2018 for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer and requested the completion date for the transfer be extended to October 1, 2022.
7. On November 21, 2018, the Department issued a Preliminary Determination proposing to approve Transfer T-12540 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on November 27, 2018, and in the Woodburn Independent newspaper on November 28, 2018 and December 5, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

8. The right to be transferred is as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 48.85 ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
						Total 100.4

9. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

10. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
						Total 48.85	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
4 S	2 W	WM	30	SE SE	80	14.4	APOA
4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
						Total 100.4	

Transfer Review Criteria (OAR 690-380-4010)

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.
13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.
15. All other application requirements are met.

Partial Cancellation of a Water Right

16. On April 25, 2018 the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

Conclusion of Law

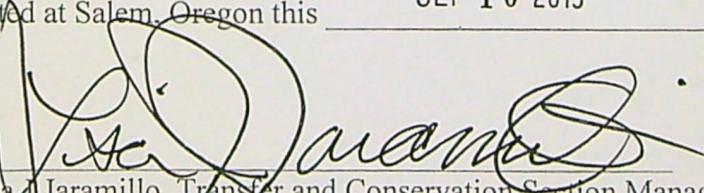
The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled.

Now, therefore, it is ORDERED:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.
3. Water right Certificate 40215 is cancelled.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this

SEP 10 2019


Lisa Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date:

SEP 11 2019

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12540, Marion County

) FINAL ORDER APPROVING
) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant
Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

6. On September 24, 2018, the Department emailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12540 to the applicant and agent for the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 24, 2018 for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer and requested the completion date for the transfer be extended to October 1, 2022.
7. On November 21, 2018, the Department issued a Preliminary Determination proposing to approve Transfer T-12540 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on November 27, 2018, and in the Woodburn Independent newspaper on November 28, 2018 and December 5, 2018, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
8. The right to be transferred is as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 48.85 ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
						Total 100.4

9. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

10. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
						Total 48.85	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
4 S	2 W	WM	30	SE SE	80	14.4	APOA
4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
						Total 100.4	

Transfer Review Criteria (OAR 690-380-4010)

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.
13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.
15. All other application requirements are met.

Partial Cancellation of a Water Right

16. On April 25, 2018 the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

Conclusions of Law
Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right ~~is~~ should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

Now, therefore, it is ORDERED:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.
3. Water right Certificate 40215 is cancelled.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this _____

Lisa J Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: _____

Review Checklist

T-PSYDCaseworker: AdaPR Initials JAN

File Prep

PR	CW	PR	CW
<input checked="" type="checkbox"/>	File Assigned (computer entry)	<input checked="" type="checkbox"/>	Print Tax Lot Map(s)/Ownership info if available on the web
<input checked="" type="checkbox"/>	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	<input checked="" type="checkbox"/>	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
<input checked="" type="checkbox"/>	Bundle Originals with cover sheet	<input checked="" type="checkbox"/>	Check Area of Interest – print if needed
<input checked="" type="checkbox"/>	Check for any public comments submitted electronically. Print any comments received.	<input checked="" type="checkbox"/>	Any irrigation districts that need notice based on Area of Interest Check. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note:

APPLICATION/MAP REVIEW

PR	CW	PR	CW
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Appropriate Fees Paid
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW	PR	CW
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Check and note on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

<input checked="" type="checkbox"/>	ODFW	<input type="checkbox"/> Fish Screens	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/>	Ground water		
<input checked="" type="checkbox"/>	Watermaster	<input type="checkbox"/> Headgate	<input type="checkbox"/> Prior to diverting
<input checked="" type="checkbox"/>		<input type="checkbox"/> Measuring Devices	<input checked="" type="checkbox"/> Prior to diverting
<input checked="" type="checkbox"/>	Injury	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Enlargement
Conditions to Avoid Enlargement/Injury			

DPD/PD/ FINAL ORDER/COVER LETTER

PR	CW	PR	CW	PR	CW	PR	CW	DPD/PD/ FINAL ORDER/COVER LETTER	
<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Correct address? Add Agent, Receiving Landowner if applicable etc...						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Compare "from lands" with marked up Certificate						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Compare Authorized POD(s)/POA(s) with marked up Certificate						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Add Watermaster conditions (send copy of review to applicant if applicable)						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Add Ground water conditions						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ODFW recommendations (send copy of review to applicant if applicable)						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hidden findings unveiled?						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Add any cancellation language or special situations <i>- partial</i>						
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attach supporting documents to cover letter if applicable						

OWNERSHIP VERIFICATION

PR	CW		PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	The deed/ROI matches the <i>"from"</i> lands.	<input type="checkbox"/>	<input type="checkbox"/>	Notarized, signed statement of consent (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	All owners on the deed/ROI have signed the application.	<input type="checkbox"/>	<input type="checkbox"/>	Compare with current tax lot map.

PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER

<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content matches PD info?
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	Cost Estimate for Newspaper if applicable send email to support staff <input type="checkbox"/> 2 weeks <input type="checkbox"/> three weeks
<input type="checkbox"/>	<input type="checkbox"/>	Send Letter to Applicant/Agent regarding newspaper notice cost
<input type="checkbox"/>	<input type="checkbox"/>	Have funds been received from Applicant/Agent for newspaper costs?

REMAINING RIGHT CERTIFICATE

<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Table Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content format matches original certificate
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Name and address matches originating certificate?

CASEWORKER WRAP UP

<input type="checkbox"/>	Organize Working Docs For Peer Review (Remove Duplicates)
<input type="checkbox"/>	Update Computer entry (add postal confirmation receipt number and date file was mailed)
<input type="checkbox"/>	Put file contents on Salem Exchange Folder
<input type="checkbox"/>	Print e-mail and correspondence put it in order of the findings of PD (if applicable)
<input type="checkbox"/>	Has Affidavit of Publication been received? <input type="checkbox"/> N/A <input type="checkbox"/> Yes--Date for FO: _____ <input type="checkbox"/> No—have Codi call newspaper

Record Keeping: DPD Mailed (Date) _____ PD Mailed (Date) _____

COMMENTS:

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

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Permit
2/26/18
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FEE WORKSHEET for PERMANENT TRANSFER | **Part 3 of 5 – Fee Worksheet**

THE WORKSHEET FOR PERMANENT TRANSFER			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation	<i>Revised 12-5-18</i>	
	Number of above boxes checked = <u>1 (2a)</u>		
	Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » »	2	\$0
	Number of water rights included in transfer <u>1 (3a)</u>		
	Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$350 » » » » » » » » » » » » » » » » » » »		
4		4	\$350
	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$300, then enter on line 5 » » » » » » » »	RECEIVED DEC 19 2018	
5		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » Subtotal:	6	\$1,350
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » Transfer Fee:	8	\$1,350

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

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

FEE WORKSHEET for SUBSTITUTION

FEE WORKSHEET FOR SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a)		
	Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » » » » 2	2	
3	Add entries on lines 1 through 2 above » » » » » Fee for Substitution:	3	NA

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 additional rows to tables within the form.

CERTIFICATE # 40215

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) **OR**
 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4 S	2 W	29	SW NW	DLC 94	3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	32	NW NW	DLC 80	425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	30	NE SE	DLC 80	1,565 feet north and 400 feet west from the SE corner, Section 30.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

Revised 12/5/18 QK

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

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

Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That, RAYMOND T. DAVIDSON

of Star Route, Box 21, St. Paul, State of Oregon 97137, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Willamette River for the purpose of irrigation of 50.6 acres and supplemental irrigation of 100.4 acres under Permit No. G-4085 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 16, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.34 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Servant DLC 96, Section 29, T. 4 S., R. 2 W., W. M., 3450 feet North and 470 feet East from NW Corner, Bernier DLC 56.

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-eighthieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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

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

<u>Pou</u>	<u>Cancel</u>	<u>Supplemental</u>	<u>after cancellation</u>
.5	9.4 acres	- 0.6	NE $\frac{1}{4}$ NW $\frac{1}{4}$ = 8.8
	10.0 acres		NW $\frac{1}{4}$ NW $\frac{1}{4}$
.6	10.0 acres	14.5 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
	9.1 acres	- 1.15	SE $\frac{1}{4}$ NW $\frac{1}{4}$ = 7.95
		8.1 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
		All as projected within Servant DLC 94	
		12.4 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
		20.0 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
		Both as projected within Raymond DLC 80	
		Section 29	
		T. 4 S., R. 2 W., W. M.	

Pou
1.1

POA
All

Cancellation
1.75

0.0089
151a / 1.34 cfs

<u>Cancelled</u> 0.0089 X 1.75 0.015	<u>Remaining</u> 0.0089 X 149.25 1.325
---	---

<u>Primary</u>	<u>Supplemental</u>	
9.8 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.3 acres	10.2 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
	4.3 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
All as projected within Servant DLC 94		
	5.7 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	14.4 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$
Both as projected within Raymond DLC 80		
Section 30		
	5.2 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Raymond DLC 80		
Section 31		
	5.6 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Raymond DLC 80		
Section 32		
T. 4 S., R. 2 W., W. M.		

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

WITNESS the signature of the State Engineer, affixed

this 15 day of May , 19 74

Chris L. Wheeler

State Engineer

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **128418**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: **RD Farms Inc**
BY: _____

APPLICATION	_____
PERMIT	_____
TRANSFER	T-12540

CASH: CHECK: # **13030** OTHER: (IDENTIFY)

TOTAL REC'D \$ **66.30**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 0207	OTHER: (IDENTIFY) <i>Newspaper Notice</i>	\$ 66.30
----------------------------	--	-----------------

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ _____	0202 RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ _____	
WELL CONSTRUCTION	EXAM FEE \$ _____	LICENSE FEE \$ _____
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: **128418**

DATED: **11/9/18** BY: *Geoffrey*

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

Attached is a check for \$66.30 (PCA #46117) for Newspaper Notice for Transfer T-12540 made out to Oregon Water Resources Department (or WRD)

- "for T-12540NOTICE" written on front of check

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

RECEIVED

NOV 09 2018

OWRD

Pamplin MediaGroup

6605 SE Lake Road, Portland, OR 97222
PO Box 22109 Portland, OR 97269-2169
Phone: 503-684-0360 Fax: 503-620-3433
E-mail: legals@commnewspapers.com

AFFIDAVIT OF PUBLICATION

State of Oregon, County of Marion, SS I,
Charlotte Allsop, being the first duly sworn,
depose and say that I am the Accounting
Manager of the Woodburn Independent, a
newspaper of general circulation, published
at Woodburn, in the aforesaid county and
state, as defined by ORS 193.010 and
193.020, that

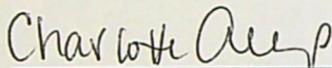
Ad#: 76369

Owner: Oregon Department of Water Resources

Description: Notice of Preliminary Determination for Water Right Transfer T-12540

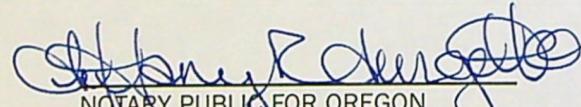
A copy of which is hereto annexed, was
published in the entire issue of said
newspaper for 2 week(s) in the
following issue:

11/28/2018, 12/05/2018



Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this
12/05/2018


NOTARY PUBLIC FOR OREGON

Acct #: 134229

Attn: STACY H PHILLIPS

OREGON DEPARTMENT OF WATER RESOURCES

725 SUMMER ST. NE, SUITE A
SALEM, OR 97301

RECEIVED

DEC 13 2018

OWRD

RECEIVED

DEC 13 2018

OWRD

Notice of Preliminary Determination for Water Right Transfer T-12540

T-12540 filed by RD Farms Inc., c/o Steve Davidson, 4608 Davidson Rd NE, Saint Paul, OR 97137, proposes additional points of appropriation and a change in place of use under Certificate 40215. The right allows the use of 1.325 cubic feet per second from a well in Sec. 29, T4S, R2W, WM for irrigation and supplemental irrigation in Sects. 29, 30, 31, and 32, T4S, R2W, WM. The applicant proposes additional points of appropriation in Sects. 30 and 32, T4S, R2W, WM and to change the place of use within Sec. 29, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, December 5, 2018. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Published Nov. 28 & Dec. 5, 2018.

WI76369



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 21, 2018

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

SUBJECT: Water Right Transfer Application T-12540

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12540. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Woodburn Independent newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0806 or arla.l.davis@oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: T-12540
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12540, Marion County

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

6. On September 24, 2018, the Department emailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12540 to the applicant and agent for the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 24, 2018 for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer and requested the completion date for the transfer be extended to October 1, 2022.

7. The right to be transferred is as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 48.85 ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
						Total 100.4

8. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

9. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	POU/APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	POU/APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
						Total 48.85	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
4 S	2 W	WM	30	SE SE	80	14.4	APOA
4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
						Total 100.4	

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Partial Cancellation of a Water Right

15. On April 25, 2018 the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

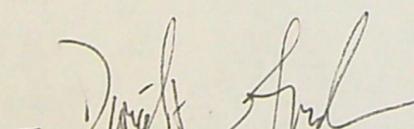
Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

If Transfer Application T-12540 is approved, the final order will include the following:

1. *The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.*
3. *Water right Certificate 40215 is cancelled.*
4. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this NOV 21 2018



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>



Fidelity National Title Company

500 Liberty St. Ste #200, Salem, OR 97301

Phone: 503-585-7219 Fax: 503-585-0326

E-mail Customer Service at: customerservicesalem@fnf.com

MARION COUNTY PROPERTY PROFILE INFORMATION

Parcel #: M338310
Ref Parcel #: 042W29 00400
Owner: **Brentano Farms Inc**
CoOwner:
Owner Phone:
Site: **5009 Davidson Rd NE
St. Paul OR 97137**
Mail: 5009 Davidson Rd NE
St Paul OR 97137
Plat:
Twn/Rng/Sec: T: 04S R: 02W S: 29 Q: QQ:
Legal: MFD STRUCT SERIAL # 11823330, Home ID 309081 ON REAL ACCT 042W29 00400,
PERSONAL MS
School Dist: 45 ST PAUL
Zoning: EFU Exclusive Farm Use
Land Use: 049 - Manufactured Structure on rural land
Std Land Use: RMOB - MOBILE HOME

ASSESSMENT & TAX INFORMATION

Market Total: **\$19,400**
Market Land: **\$0**
Market Impr: **\$19,400**
Exemption: **\$0**
2017 Taxes: **\$214.90**
Levy Code: 04500160
Millage Rate: 13.5796
Assd Total: **\$15,090**

PROPERTY CHARACTERISTICS

Year Built: 1996
Bedrooms: 3
Bathrooms: 1.00
Fin Area: 714 SF
Unfin Area: 0 SF
Main Floor: 714 SF
Second Floor: 0 SF
Attic: 0 SF
Bsmt Unfin: 0 SF
Bsmt Fin: 0 SF
Lot Size: 76.45 acres (3,330,062 SF)
Garage: Attached
Census: 1047 010100
Lot/Block: /
Neighborhood:
Watershed: Chehalem Creek-Willamette River

SALE & LOAN INFORMATION

Sale Date: 11/21/2005
Sale Amount: \$11,877
Document #: BCD
Deed Type:
Loan Amount: \$0
Lender:
Loan Type:
Interest Type:
Title Co:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

September 26, 2018

Property Identification

Account No.: M338310
Situs Address: 5009 DAVIDSON RD NE
ST PAUL, OR 97137
Map Tax Lot: 042W29 00400
Owner: BRENTANO FARMS INC
5009 DAVIDSON RD NE
ST PAUL, OR 97137

Manufactured Home ID: 309081
Legal Description: MFD STRUCT SERIAL # 11823330, Home ID 309081
ON REAL ACCT 042W29 00400, PERSONAL MS
Subdivision:

Related Accounts: P350647, P354779, R12301
Linked Accounts:

Owner History

Buyer	Seller	Sales Info	Deed Info
BRENTANO FARMS INC 5009 DAVIDSON RD NE ST PAUL, OR 97137	UNKNOWN SELLER	11/21/2005 \$11,877 20 - Miscellaneous - examples: distress sale, extraordinary financing, insignificant sale, either in price or value.	BCD BCD - OWNERSHIP TRANSFER

Property Details

Legal Acreage:
Property Code:
T54
Property Class:
49
Mortgage Agent-Lender:
Mortgage Account No.:

Levy Code Area:
4500160
Zoning:
(Contact Local Jurisdiction)
Miscellaneous Code:
Plat:
Exemption:
Expiration Date:

Land Information:

ID	Type	Acres	Sq Ft
----	------	-------	-------

No Land Details

Improvements/Structures:

ID	Type	Make/Model	Class	Area/Count	Year Built
1	MFD STRUCT				
1.1	MAIN AREA	REDMAN	5S	714	1996

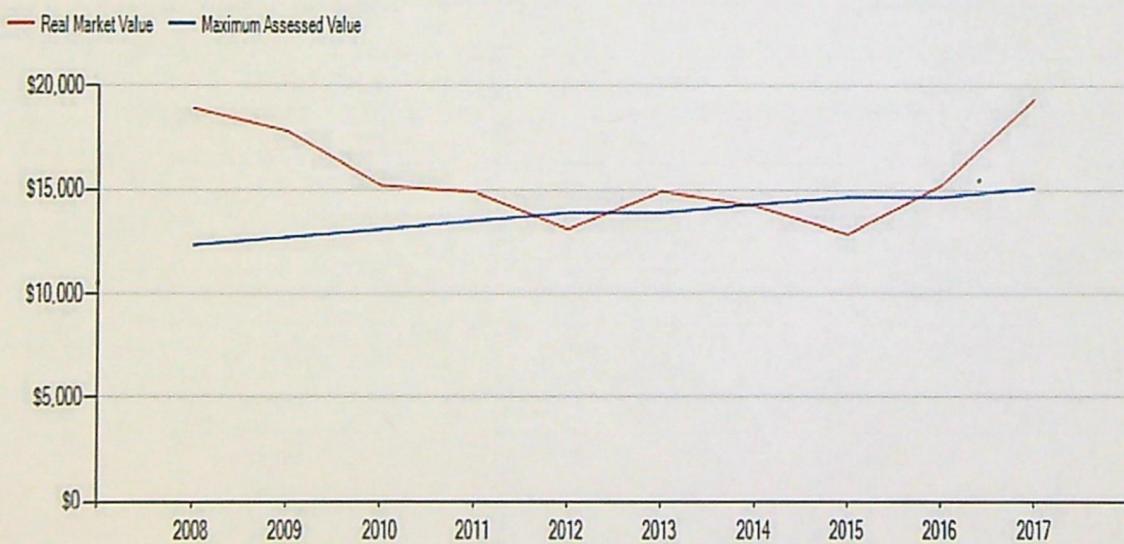
ID	Type	Make/Model	Class	Area/Count	Year Built
1.2	MANUF STRUCT SKIRTING			130	2005
1.3	ENCLOSED PORCH		3	80	2009

Value Information (per most recent certified tax roll)

RMV Land Market: \$0
 RMV Land Spec. \$0
 Assess.:
 RMV Structures: \$19,400
 RMV Total: \$19,400
 SAV: \$0
 Exception RMV: \$0
 Exemption RMV: \$0
 Exemption Description: None
 M5 Taxable: \$19,400
 MAV: \$15,090
 MSAV: \$0
 AV: \$15,090

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.

For a detailed explanation, please see definition of Assessed Value above (hover over the "i").



Assessment History

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2016	\$15,220	\$0	\$0/\$0	None	\$14,660
2015	\$12,880	\$0	\$0/\$0	None	\$12,880
2014	\$14,240	\$0	\$0/\$0	None	\$14,240
2013	\$14,920	\$0	\$0/\$0	None	\$13,900

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2012	\$13,120	\$0	\$0/\$0	None	\$13,120
2011	\$14,890	\$0	\$0/\$0	None	\$13,500
2010	\$15,210	\$0	\$0/\$0	None	\$13,110
2009	\$17,830	\$0	\$0/\$0	None	\$12,730
2008	\$18,950	\$0	\$0/\$0	None	\$12,360
2007	\$19,130	\$0	\$0/\$0	None	\$12,000

Taxes: Levy, Owed

Taxes Levied 2017-18: \$214.90
 Tax Rate: 13.5796
 Current Tax Payoff Amount: \$0

Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest Due	Date Paid	Total Owed
2017	\$214.90	\$204.90	SA226: \$10.00	\$0.00	\$0.00	11/13/17	\$0.00
2016	\$202.40	\$192.40	SA226: \$10.00	\$0.00	\$0.00	11/14/16	\$0.00
2015	\$171.74	\$165.74	SA226: \$6.00	\$0.00	\$0.00	11/09/15	\$0.00
2014	\$171.11	\$165.11	SA226: \$6.00	\$0.00	\$0.00	11/06/14	\$0.00
2013	\$179.25	\$173.25	SA226: \$6.00	\$0.00	\$0.00	11/14/13	\$0.00
2012	\$165.42	\$159.42	SA226: \$6.00	\$0.00	\$0.00	11/15/12	\$0.00
2011	\$177.51	\$171.51	SA226: \$6.00	\$0.00	\$0.00	11/03/11	\$0.00
2010	\$173.61	\$167.61	SA226: \$6.00	\$0.00	\$0.00	11/15/10	\$0.00
2009	\$170.28	\$164.28	SA226: \$6.00	\$0.00	\$0.00	11/04/09	\$0.00
2008	\$164.92	\$158.92	SA226: \$6.00	\$0.00	\$0.00	11/12/08	\$0.00

Tax Payment History

Year	Transaction ID	Tax Paid	Discount	Interest	Amount Paid	Date Paid
2017	12288187.1	\$208.45	\$6.45	\$0	\$208.45	11/13/17
2016	12152396.1	\$196.33	\$6.07	\$0	\$196.33	11/14/16
2015	11974042.1	\$166.59	\$5.15	\$0	\$166.59	11/09/15
2014	11833329.1	\$165.98	\$5.13	\$0	\$165.98	11/06/14
2013	11743055.1	\$173.87	\$5.38	\$0	\$173.87	11/14/13

Year	Transaction ID	Tax Paid	Discount	Interest	Amount Paid	Date Paid
2012	11611749.1	\$160.46	\$4.96	\$0	\$160.46	11/15/12
2011	11403337.1	\$172.18	\$5.33	\$0	\$172.18	11/03/11



Fidelity National Title Company

500 Liberty St. Ste #200, Salem, OR 97301
Phone: 503-585-7219 Fax: 503-585-0326
E-mail Customer Service at: customerservicesalem@fnf.com

MARION COUNTY PROPERTY PROFILE INFORMATION

Parcel #: R12301

Ref Parcel #: 042W29 00400

Owner: C & E Brentano Fam Lp

CoOwner:

Owner Phone:

Site: 5009 Davidson Rd NE
St. Paul OR 97137

Mail: 5009 Davidson Rd NE
St Paul OR 97137

Plat:

Twn/Rng/Sec: T: 04S R: 02W S: 29 Q: QQ:

Legal: ACRES 77.52, Home ID 309081

School Dist: 45 ST PAUL

Zoning: EFU Exclusive Farm Use

Land Use: 551 - Specially assessed farm land, improved, zoned EFU, SA, FT or UTF

Std Land Use: VAGR - VACANT AGRICULTURE/RURAL

ASSESSMENT & TAX INFORMATION

Market Total: \$1,394,130

Market Land: \$119,520

Market Impr: \$1,274,610

Exemption: \$0

2017 Taxes: \$12,928.32

Levy Code: 04500160

Millage Rate: 13.5796

Assd Total: \$952,040

PROPERTY CHARACTERISTICS

Year Built: 1939

Bedrooms: 5

Bathrooms: 4.50

Fin Area: 2,648 SF

Unfin Area: 1,694 SF

Main Floor: 1,694 SF

Second Floor: 0 SF

Attic: 954 SF

Bsmt Unfin: 1,694 SF

Bsmt Fin: 0 SF

Lot Size: 77.52 acres (3,376,771 SF)

Garage: Attached

Census: 1047 010100

Lot/Block: /

Neighborhood:

Watershed: Chehalem Creek-Willamette River

SALE & LOAN INFORMATION

Sale Date: 10/2/1975

Sale Amount: \$40,000

Document #: 29600627

Deed Type:

Loan Amount: \$0

Lender:

Loan Type:

Interest Type:

Title Co:

September 26, 2018

Property Identificaton

Account No.: R12301
Situs Address: 5009 DAVIDSON RD NE
ST PAUL, OR 97137
Map Tax Lot: 042W29 00400
Owner: C & E BRENTANO FAM LP
5009 DAVIDSON RD NE
ST PAUL, OR 97137

Manufactured Home ID:
Legal Description: ACRES 77.52, Home ID 309081
Subdivision:

Related Accounts: M338310, P350647, P354779
Linked Accounts:

Owner History

Buyer	Seller	Sales Info	Deed Info
C & E BRENTANO FAM LP	R D FARMS INC		12/03/2007 28980199 BS - BARGAIN & SALE DEED
R D FARMS INC	C & E BRENTANO FAM LP		11/30/2007 E28980200 E - EXCEPTION DEED WHERE PORTION SOLD OFF
C & E BRENTANO FAM LP	C & E BRENTANO FAM LP		11/30/2007 28980202 BS - BARGAIN & SALE DEED
C & E BRENTANO FAM LP	BRENTANO,EDWARD T 50% &		12/13/2005 25880008 WD - WARRANTY DEED
C & E BRENTANO FAM LP	C & E BRENTANO FAM LP		12/13/2005 26310062 WD - WARRANTY DEED
BRENTANO,EDWARD T & CAR 5009 DIVIDSON RD NE ST PAUL , OR 97137	VAN DYKE,THEODORE & PAT	10/2/1975 \$40,000 12 - Deed resulting from pay-off on contract of prior year; exercise of an option entered into in a prior year - Satisfaction of contract.	02960627 RD - REEL DEEDS RECORDED 1974 AND AFTER

Buyer	Seller	Sales Info	Deed Info
BRENTANO,EDWARD T 50% &	BRENTANO,EDWARD T 50% &		16630465
BRENTANO,CAROL M 50%	BRENTANO,CAROL M 50%		BS - BARGAIN & SALE DEED
5009 DAVIDSON RD NE ST PAUL, OR 97137	5009 DAVIDSON RD NE ST PAUL, OR 97137		

Property Details

Legal Acreage: 77.52 acres **Levy Code Area:** 4500160
Property Code: A94E **Zoning:** EFU (Contact Local Jurisdiction)
Property Class: 551 **Miscellaneous Code:** SPEC;ZONE SPECIALLY ASSESSED ACCOUNT;FARM
Mortgage Agent-Lender: **Plat:**
Mortgage Account No.: **Exemption:** PNFC FROST CONTROL DEVICE
Expiration Date:

Land Information:

ID	Type	Acres	Sq Ft
L1	1001 - FARM OSD	0.00	
L2	1021 - FARM HOMESITE	1.00	
L3	1001 - FARM OSD	0.00	
L4	3220 - TWO BENCH IRR	48.52	
L5	3260 - FOUR BENCH IRR	28.00	

Improvements/Structures:

ID	Type	Make/Model	Class	Area/Count	Year Built
1	RESIDENTIAL				
1.1	MAIN AREA		4	1694	1939
1.2	BASEMENT, UNFINISHED		4	1694	1939
1.3	ATTIC FINISHED		4	954	1939
1.4	CONCRETE PATIO			900	
2	GB				
2.1	GENERAL PURPOSE BUILDING		5	2736	
3	METAL COMPONENT BUILDING				

ID	Type	Make/Model	Class	Area/Count	Year Built
3.1	METAL COMPONENT BUILDING		5	7200	
4	MULTI/MISC PURPOSE BUILDING				
4.1	MULTI/MISC PURPOSE BUILDING		6	216	
5	3 GRAIN BINS				
5.1	GRAIN BIN			2500	
5.2	GRAIN BIN			2500	
5.3	GRAIN BIN			2500	
6	METAL COMPONENT BUILDING				
6.1	METAL COMPONENT BUILDING		6	20000	
7	3 CG				
7.1	COMMERCIAL GREENHOUSE		4	2800	
7.2	COMMERCIAL GREENHOUSE		4	2800	
7.3	COMMERCIAL GREENHOUSE		4	2880	
8	MACHINE SHED				
8.1	MACHINE SHED		6	7000	
9	ASPHALT DRIVEWAY				
9.1	ASPHALT DRIVEWAY			3940	
10	3 FLTKAG				
10.1	FUEL TANK ABOVE GROUND				
10.2	FUEL TANK ABOVE GROUND				
10.3	FUEL TANK ABOVE GROUND				
11	4 FC, CD				
11.1	FROST CONTROL STRUCTURES		4	1920	
11.2	FROST CONTROL STRUCTURES		4	1920	
11.3	FROST CONTROL STRUCTURES		4	1920	
11.4	FROST CONTROL STRUCTURES		4	1920	
11.5	CONCRETE DRIVE			3000	
12	FUEL TANKS				
12.1	FUEL TANK ABOVE GROUND			198	
13	MC6 W/OFF				
13.1	METAL COMPONENT BUILDING		6	8450	2008
13.2	FINISHED OFFICE IN FARM BUILDING			1496	2008
13.3	CONCRETE PATIO			780	2008
13.4	CONCRETE DRIVE			5400	2008

ID	Type	Make/Model	Class	Area/Count	Year Built
13.5	LEAN TO HEAVY DUTY			576	2008
13.6	FINISHED OFFICE IN FARM BUILDING			224	2008
14	DGOF W/ DGAU AND DGAF				
14.1	DETACHED GARAGE, OVERSIZED, FINISHED		4	2400	2009
14.2	ATTIC, UNFINISHED OVER DETACHED GARAGE		4	600	2009
14.3	FINISHED ATTIC OVER DETACHED GARAGE		4	1800	2009
15	DGOU				
15.1	DETACHED GARAGE, OVERSIZED, UNFINISHED		4	1700	1981
16	MP5				
16.1	MULTI/MISC PURPOSE BUILDING		5	320	2014
17	MP5				
17.1	MULTI/MISC PURPOSE BUILDING		5	140	2014
18	CD NE OF MC 20,000				
18.1	CONCRETE DRIVE			1700	2014

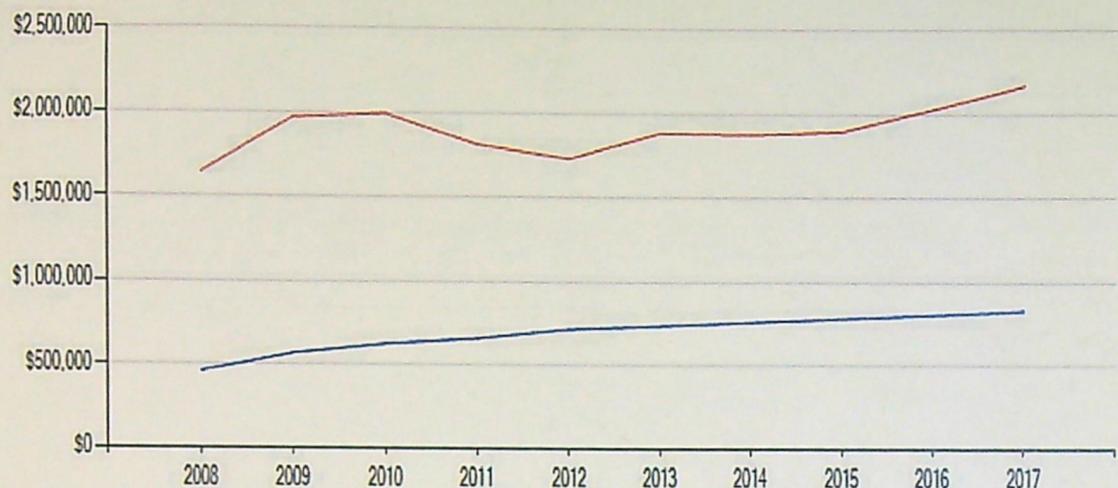
Value Information (per most recent certified tax roll)

RMV Land Market:	\$0
RMV Land Spec.	\$895,310
Assess.:	
RMV Structures:	\$1,274,610
RMV Total:	\$2,169,920
SAV:	\$268,580
Exception RMV:	\$0
Exemption RMV:	\$18,270
Exemption Description:	FROST CONTROL DEVICE
M5 Taxable:	\$1,524,920
MAV:	\$832,520
MSAV:	\$119,520
AV:	\$952,040

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.

For a detailed explanation, please see definition of Assessed Value above (hover over the "i").

— Real Market Value — Maximum Assessed Value



Assessment History

Year	Improvements RMV	Land RMV	Special Mkt/Use	Exemptions	Taxable Assessed Value
2016	\$1,174,440	\$0	\$856,240/\$116,270	PNFC	\$924,550
2015	\$1,041,060	\$0	\$856,240/\$113,130	PNFC	\$897,870
2014	\$1,026,860	\$0	\$850,240/\$110,070	PNFC	\$871,960
2013	\$1,034,310	\$0	\$851,490/\$105,890	PNFC	\$845,590
2012	\$881,090	\$0	\$851,490/\$103,060	PNFC	\$821,220
2011	\$959,370	\$0	\$854,070/\$99,540	PNFC	\$760,790
2010	\$1,056,840	\$0	\$936,790/\$96,880	PNFC	\$725,280
2009	\$837,750	\$0	\$1,131,510/\$94,300	PNFC	\$666,250
2008	\$650,960	\$11,450	\$980,640/\$85,030	PNFC	\$546,680
2007	\$685,580	\$11,060	\$935,080/\$83,580	PNFC	\$531,790

Taxes: Levy, Owed

Taxes Levied 2017-18: \$12,928.32
 Tax Rate: 13.5796
 Current Tax Payoff Amount: \$0

Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest Due	Date Paid	Total Owed
2017	\$12,928.32	\$12,928.32	None	\$0.00	\$0.00	11/13/17	\$0.00
2016	\$12,604.40	\$12,604.40	None	\$0.00	\$0.00	11/14/16	\$0.00

Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest Due	Date Paid	Total Owed
2015	\$12,181.69	\$12,181.69	None	\$0.00	\$0.00	11/09/15	\$0.00
2014	\$10,719.62	\$10,719.62	None	\$0.00	\$0.00	11/06/14	\$0.00
2013	\$10,820.93	\$10,820.93	None	\$0.00	\$0.00	11/14/13	\$0.00
2012	\$10,552.51	\$10,552.51	None	\$0.00	\$0.00	11/15/12	\$0.00
2011	\$9,805.44	\$9,805.44	None	\$0.00	\$0.00	11/03/11	\$0.00
2010	\$9,272.12	\$9,272.12	None	\$0.00	\$0.00	11/15/10	\$0.00
2009	\$8,597.96	\$8,597.96	None	\$0.00	\$0.00	11/04/09	\$0.00
2008	\$7,028.34	\$7,028.34	None	\$0.00	\$0.00	05/08/09	\$0.00

Tax Payment History

Year	Transaction ID	Tax Paid	Discount	Interest	Amount Paid	Date Paid
2017	12288185.1	\$12,540.47	\$387.85	\$0	\$12,540.47	11/13/17
2016	12152400.1	\$12,226.27	\$378.13	\$0	\$12,226.27	11/14/16
2015	11974029.1	\$11,816.24	\$365.45	\$0	\$11,816.24	11/09/15
2014	11833323.1	\$10,398.03	\$321.59	\$0	\$10,398.03	11/06/14
2013	11743057.1	\$10,496.30	\$324.63	\$0	\$10,496.30	11/14/13
2012	11611742.1	\$10,235.93	\$316.58	\$0	\$10,235.93	11/15/12
2011	11403325.1	\$9,511.28	\$294.16	\$0	\$9,511.28	11/03/11



RECO 1130165

After recording return to:
C & E Brentano Family Limited Ptn
5009 Davidson Rd., NE
St. Paul, OR 97137

Until a change is requested all tax statements
shall be sent to the following address:
C & E Brentano Family Limited Ptn
5009 Davidson Rd., NE
St. Paul, OR 97137

File No.: 1031-1130165 (JLW)
Date: November 08, 2007

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY BARGAIN AND SALE DEED

R D Farms, Inc., an Oregon Corporation, Grantor, conveys to **C & E Brentano Family Limited Partnership**, Grantee, the following described real property:

See Exhibit "A" Attached

The true consideration for this conveyance is **\$This conveyance is made solely as an adjustment of common boundary between adjoining properties, and does not create a separate parcel that can be conveyed independently of adjacent land..** (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 3 day of December, 2007.

APN: R12319

Bargain and Sale Deed

- continued

File No.: 1031-1130165 (JLW)

Date: 11/08/2007

R D Farms, Inc.

By:

Steven E. Davidson President

Nancy S. Gilligan

Nancy J. Davidson, Secretary

STATE OF Oregon)
County of Marion)ss.

This instrument was acknowledged before me on this 3rd day of December, 2009,
by Steven E. Davidson, President and Nancy J. Davidson, Secretary of R D Farms, Inc., a Corporation.

Carol Smith



Notary Public for Oregon

My commission expires: 08-28-08

Exhibit "A"

A part of that property conveyed to R.D. Farms, Inc. by Hazel Davidson by deed dated December 9, 1975 and recorded in Reel 31, Page 814, Marion County Deed Records, situated in the Jaques Servant Donation Land Claim No. 94 in Section 29, Township 4 South, Range 2 West of the Willamette Meridian, Marion County, Oregon and more particularly described as follows:

Beginning at the easternmost northeast corner of said R.D. Farms, Inc. property; thence South 7°22'55" West along the east line thereof 715.44 feet to the center of County Road 408; thence along the centerline of County Road 408, South 89°43'00" West 136.23 feet; thence North 0°17'00" East 30.00' to an iron rod on the north right-of-way of the county road; thence North 0°17'00" East 680.28 feet; thence South 89°33'00" East 224.65 feet to the point of beginning.

Containing 2.85 acres more or less (excluding the area within the county road right-of-way.

RD to Lee

REEL:2898

PAGE: 199

December 12, 2007, 11:24 am.

CONTROL #: 212256

**State of Oregon
County of Marion**

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

FEE: \$ 36.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

SEND TAX STATEMENTS TO:

Raymond T. Davidson, Trustee
4058 Davidson Road
St. Paul, OR 97137

AFTER RECORDING, RETURN TO:

Evans Batlan Getchell LLC, Attorneys at Law
969 - 13th Street SE
Salem, OR 97302

REEL 3898 PAGE 30
MARION COUNTY
BILL BURGESS, COUNTY CLERK
01-05-2017 10:16 am.
Control Number 440878 \$ 51.00
Instrument 2017 00000597

The true and actual consideration for this transfer is nonmonetary.

RECEIVED

APR 25 2018

OWRD

WARRANTY DEED

RAYMOND T. DAVIDSON and ALICE JOANN DAVIDSON, Trustees, under the
DAVIDSON LIVING TRUST, dated November 22, 2010, and any amendments thereto, Grantor

Convey and warrant to

STEVEN DAVIDSON, as to an undivided 1.54%; and NANCY JEAN DAVIDSON, as to an undivided 1.54%;
as tenants by the entirety, Grantees

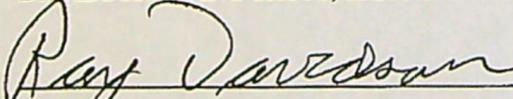
retaining an undivided 80.87% as tenants in common, in the following described real property situated in Marion County, State of Oregon, and more specifically described on Exhibit "A" attached hereto and made a part hereof, free from encumbrances except those of record. The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

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

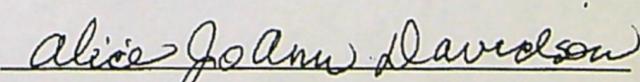
Dated as of January 1, 2017

Grantor

DAVIDSON LIVING TRUST, dated November 22, 2010



By: RAYMOND T. DAVIDSON, Trustee

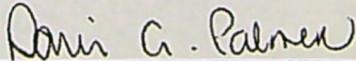


By: ALICE JOANN DAVIDSON, Trustee

STATE OF OREGON, County of Marion) ss.

Personally appeared before me on December 22, 2016, RAYMOND T. DAVIDSON and ALICE JOANN DAVIDSON and acknowledged the foregoing instrument to be their voluntary act as Trustees.

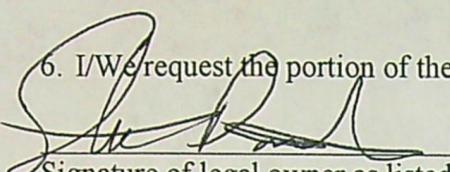




Notary Public for Oregon

My Commission Expires on: July 10, 2018

6. I/We request the portion of the water right described above be canceled.



Signature of legal owner as listed on deed, or authorized agent

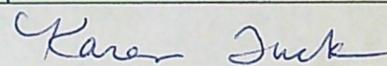
4-12-18

Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 12 day of April, 20018.



Notary Public for Oregon

My Commission Expires Jan 20, 2020



PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

RECEIVED

APR 25 2018

OWRD

12700

EXHIBIT "A"
(Legal Description)

4608 Davidson Rd. NE., Saint Paul, OR 97137
Tax Acct. No. R12342

Being a portion of the D.L.C. of Augustus Raymond and wife, Claim No. 80 in Section 29, T 4 S, R 2 W of the Willamette Meridian, situate in Marion County, State of Oregon, being Lot No. six (6) as described in a certain deed of partition of the estate of the late Augustus Raymond, deceased, the said deed of partition appearing now on record in said Marion County Records of Deeds in Book No. 33, from page 27 to page 37 and is more particularly described as follows, to-wit: Commencing at the Southeast corner of Lot No. 5 (as set forth in said deed of partition) and running thence South 89° 54' East on the South boundary of the lands belonging to the said Raymond estate 18.30 chains; thence North 60.07 chains to the North boundary of said estate lands; thence North 89° 50' West on said North boundary 18.30 chains to the Northeast corner of said Lot number 5; thence South 60.09 chains to the place of beginning, containing one hundred nine and 95/100 (109.95) acres, more or less.

RECEIVED
APR 25 2018
OWRD

Transfer / Data Center ROUTE SLIP

(...in between PD Peer Review and PD issuance)

1. Transfer Caseworker:

- Attach PD and RR (if any) to the front of the Transfer file and give to Transfer Support

Transfer Number:	T- 12540
Caseworker:	Arla
Is a Living Certificate Involved? → If YES... list Living Certificate number(s) HERE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Date delivered to T-Support:	11/8/2018

2. Transfer Support:

Date Received from Caseworker:	11/8/2018
<input checked="" type="checkbox"/> Update Transfer/Data Center Tracking Log (...file sent to Data Center)	
Date Delivered to Data Center:	11/8/2018

3. Data Center:

Date Received from T-Support:	
<input checked="" type="checkbox"/> WRIS entry and mapping in ARCGIS. Any discrepancies noted? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO → If YES... Data Center routes back to Caseworker for re-review.	
<ul style="list-style-type: none">• Date file sent back to CW for re-review: _____ <input type="checkbox"/> Modified OR <input type="checkbox"/> Determined should not be modified• Date CW returns file to Data Center: _____• Date WRIS entry & ARCGIS Mapping completed: _____	
Date Delivered to T-Support:	11/8/2018

4. Transfer Support:

Date Received from Data Center:	11-8-2018
<input checked="" type="checkbox"/> Update Transfer/Data Center Tracking Log (...file received back from Data Center)	
Date Delivered back to Caseworker:	11-9-2018

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) PRELIMINARY DETERMINATION
T-12540, Marion County) PROPOSING APPROVAL OF
) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

6. On September 24, 2018, the Department emailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12540 to the applicant and agent for the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 24, 2018 for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer and requested the completion date for the transfer be extended to October 1, 2022.

7. The right to be transferred is as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 48.85 ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
Total						48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
				Total		100.4

8. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1565 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

9. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	POU/APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	POU/APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
				Total		48.85	

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
4 S	2 W	WM	30	SE SE	80	14.4	APOA
4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
				Total		100.4	

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Partial Cancellation of a Water Right

15. On April 25, 2018 the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
				Total		1.75

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

If Transfer Application T-12540 is approved, the final order will include the following:

1. *The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.*
3. *Water right Certificate 40215 is cancelled.*
4. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12540, Marion County

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

6. On September 24, 2018, the Department emailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12540 to the applicant and agent for the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 24, 2018 for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer and requested the completion date for the transfer be extended to 2022.

7. The right to be transferred is as follows:

October 1,

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3. *Water right Certificate 40215 is cancelled.*
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5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 6, 2018

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

SUBJECT: Water Right Transfer Application T-12540

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$66.30 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-12540 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than December 6, 2018**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Woodburn Independent newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by December 6, 2018, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.davis@oregon.gov, if I may be of assistance.

Sincerely,

Arla L. Davis
Transfer Specialist
Transfer and Conservation Section

cc: T-12540

Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Doann Hamilton, Agent for the applicant (*via e-mail*)

Attached is a check for \$66.30 (PCA #46117) for Newspaper Notice for Transfer T-12540 made out to Oregon Water Resources Department (or WRD)

- "for T-12540NOTICE" written on front of check

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

X
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shorten
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**Notice of Preliminary Determination for
Water Right Transfer T-12540**

St. Paul

T-12540 filed by RD Farms Inc., c/o Steve Davidson, 4608 Davidson Rd NE, ~~Saint Paul~~, OR 97137, proposes additional points of appropriation and change in place of use under Certificate 40215. The right allows the use of 1.34 cubic feet per second from a well in Sec. 29, T4S, R2W, WM for irrigation and supplemental irrigation in Sects. 29, 30, 31, and 32. The applicant proposes additional points of appropriation in Sects. 30 and 32, T4S, R2W, WM and to change the place of use to Sec. 29, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

✓

**Notice of Preliminary Determination for
Water Right Transfer T-12540**

T-12540 filed by RD Farms Inc., c/o Steve Davidson, 4608 Davidson Rd NE, Saint Paul, OR 97137, proposes additional points of appropriation and change in place of use under Certificate 40215. The right allows the use of 1.34^{1.325} cubic feet per second from a well in Sec. 29, T4S, R2W, WM for irrigation and supplemental irrigation in Sects. 29, 30, 31, and 32. The applicant proposes additional points of appropriation in Sects. 30 and 32, T4S, R2W, WM and to change the place of use to Sec. 29, T4S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 24, 2018

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

Reference: Water Right Transfer Application T-12540

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12540. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the **FROM lands**) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Woodburn Independent as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Please note the proposed date by which all conditions must be met: October 1, 2020. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than $\frac{1}{4}$ mile between the new and the authorized point of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

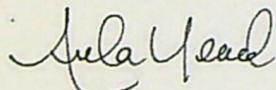
Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
3. confirmation that the Woodburn Independent is the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by October 24, 2018, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.heard@oregon.gov if I may be of assistance.

Sincerely,



Arla L Heard
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12540
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12540, Marion County

) D R A F T
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) ADDITIONAL POINTS OF
) APPROPRIATION, A CHANGE IN
) PLACE OF USE AND PARTIAL
) CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
ST. PAUL, OR 97137

Findings of Fact

1. On December 20, 2016, RD FARMS INC., C/O STEVE DAVIDSON filed an application for additional points of appropriation and to change the place of use under Certificate 40215. The Department assigned the application number T-12540.
2. Notice of the application for transfer was published on December 27, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the agent for the applicant by e-mail regarding deficiencies in the application.
4. On April 25, 2018, the Department received amended application pages, an amended map and an affidavit for a partial cancellation of Certificate 40215 addressing any remaining deficiencies.
5. On August 22, 2018, the agent for the applicant sent correcting information for the amended application pages and map satisfying the deficiencies.

6. The right to be transferred is as follows:

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 48.85 ACRES and SUPPLEMENTAL IRRIGATION of 100.4 ACRES

Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	8.8
4 S	2 W	WM	29	NW NW	94	10.0
4 S	2 W	WM	29	SW NW	94	10.0
4 S	2 W	WM	29	SE NW	94	7.95
4 S	2 W	WM	30	NE NE	94	9.8
4 S	2 W	WM	30	SE NE	94	2.3
						Total 48.85

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	SW NW	94	14.5
4 S	2 W	WM	29	NW SW	94	8.1
4 S	2 W	WM	29	NW SW	80	12.4
4 S	2 W	WM	29	SW SW	80	20.0
4 S	2 W	WM	30	SE NE	94	10.2
4 S	2 W	WM	30	NE SE	94	4.3
4 S	2 W	WM	30	NE SE	80	5.7
4 S	2 W	WM	30	SE SE	80	14.4
4 S	2 W	WM	31	NE NE	80	5.2
4 S	2 W	WM	32	NW NW	80	5.6
						Total 100.4

7. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1545 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

8. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	POU/APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	POU/APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
						Total	48.85

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
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4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
						Total	100.4

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.

11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Partial Cancellation of a Water Right

14. On April 25, 2018 the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL in the WILLAMETTE RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	29	SW NW	94	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

If Transfer Application T-12540 is approved, the final order will include the following:

1. *The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.*
3. *Water right Certificate 40215 is cancelled.*
4. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2020. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov



Oregon

Kate Brown, Governor

Water Resources Department

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

September 24, 2018 *October*

RD FARMS INC.
C/O STEVE DAVIDSON
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

Reference: Water Right Transfer Application T-12540

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12540. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Woodburn Independent as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Please note the proposed date by which all conditions must be met: October 1, 2020. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

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Issuance of the Preliminary Determination will occur shortly after we receive:

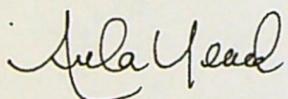
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November

If we do not receive the items listed above by **October 24, 2018**, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.heard@oregon.gov if I may be of assistance.

Sincerely,



Arla L Heard
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12540
Joel M. Plahn, District 16 Watermaster (*via e-mail*)
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encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-12540, Marion County

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PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF
ADDITIONAL POINTS OF
APPROPRIATION, A CHANGE IN
PLACE OF USE AND PARTIAL
CANCELLATION OF A WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

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ST.

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Priority Date: APRIL 16, 1968

Rate: 1.325 CUBIC FEET PER SECOND (CFS)

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Source: A WELL a tributary of WILLAMETTE RIVER *Basin*

Authorized Point of Appropriation: *in the need column for DLC V yes*

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	
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In the Matter of Transfer Application
T-12540, Marion County

) **D R A F T**
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) PRELIMINARY DETERMINATION
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) ADDITIONAL POINTS OF
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4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

If Transfer Application T-12540 is approved, the final order will include the following:

1. *The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.*
3. *Water right Certificate 40215 is cancelled.*
4. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2020. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov

(APOA)

7. Transfer Application T-12540 proposes additional points of appropriation in the table below with the approximate distances from the existing point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Distance from original well location in feet
4 S	2 W	WM	32	NW NW	80	WELL 3 - 425 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 32	0.74 mile
4 S	2 W	WM	30	NE SE	80	WELL 4 - 1545 FEET NORTH AND 400 FEET WEST FROM THE SE CORNER OF SECTION 30	0.40 mile

8. Transfer Application T-12540 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	NE NW	94	0.5	POU/APOA
4 S	2 W	WM	29	NE NW	94	7.7	APOA
4 S	2 W	WM	29	NW NW	94	0.6	POU/APOA
4 S	2 W	WM	29	NW NW	94	10.0	APOA
4 S	2 W	WM	29	SW NW	94	10.0	APOA
4 S	2 W	WM	29	SE NW	94	7.95	APOA
4 S	2 W	WM	30	NE NE	94	9.8	APOA
4 S	2 W	WM	30	SE NE	94	2.3	APOA
						Total	48.85

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Proposed Changes
4 S	2 W	WM	29	SW NW	94	14.5	APOA
4 S	2 W	WM	29	NW SW	94	8.1	APOA
4 S	2 W	WM	29	NW SW	80	12.4	APOA
4 S	2 W	WM	29	SW SW	80	20.0	APOA
4 S	2 W	WM	30	SE NE	94	10.2	APOA
4 S	2 W	WM	30	NE SE	94	4.3	APOA
4 S	2 W	WM	30	NE SE	80	5.7	APOA
4 S	2 W	WM	30	SE SE	80	14.4	APOA
4 S	2 W	WM	31	NE NE	80	5.2	APOA
4 S	2 W	WM	32	NW NW	80	5.6	APOA
						Total	100.4

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12540.

11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Partial Cancellation of a Water Right

14. On April 25, 2018, the Department received an affidavit from the landowner certifying that a portion of a water right has been abandoned and requesting cancellation of a portion of the right.

Certificate: 40215 in the name of RAYMOND T. DAVIDSON (perfected under Permit G-4085)

Use: IRRIGATION of 1.75 ACRES

Priority Date: APRIL 16, 1968

Rate: 0.015 CUBIC FEET PER SECOND (CFS)

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein

Source: A WELL ~~a tributary of WILLAMETTE RIVER~~ ^{in the} ~~Basin~~

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	2 W	WM	29	SW NW	WELL 2 - 3450 FEET NORTH AND 470 FEET EAST FROM THE NW CORNER OF DLC 56

Authorized Place of Use to be Cancelled:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	29	NE NW	94	0.6
4 S	2 W	WM	29	SE NW	94	1.15
						Total 1.75

Determination and Proposed Action

The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned right will be cancelled.

If Transfer Application T-12540 is approved, the final order will include the following:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-12540 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 40215 and any related decree.
3. Water right Certificate 40215 is cancelled.
4. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2019. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this _____

D R A F T

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Arla Heard. If you have questions about the information in this document, you may reach me at 503-986-0806 or Arla.L.Heard@oregon.gov

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Wednesday, November 28, 2018 11:35 AM
To: 'Doann Hamilton'
Cc: Steve (rddavidson@stpaultel.com); PLAHN Joel M * WRD; Greg Kupillas (phggek@bctonline.com); STARNES Patrick K * WRD
Subject: RE: List pack request RD Farms T-12540

Hi Doann,

I have been reviewing Transfer Application T-12540 and have noticed a discrepancy with the ownership documentation that was provided for the 1.1 acres being proposed to be transferred located in T4S, R2W, Sec 29, NENW and the 1.75 acres proposed to be voluntarily cancelled located in T4S, R2W, Sec 29, SENW. According to my research, all of these lands are a part of Tax Lot 400 and are not owned by R&D Farms. If this is correct, these lands are therefore not subject to transfer or cancellation without consent of the current land owner. The current land owner for these lands according to the Marion County Tax Assessor's office and the Title Report you provided is currently Brentano Farms. In addition the title report provided for the voluntary cancellation identifies information for Tax Lot 700 which is not where the area being proposed for cancellation is located. I do apologize for not catching this error sooner.

Moving forward, I will require consent from the Brentano's to complete the transfer and cancellation as proposed by Transfer Application T-12540, or I will need amended pages and maps, removing all of the acres that do not belong to R&D farms as they are not subject to transfer or cancellation as this change is not authorized by the current land owner and in addition I will need complete ownership information from a title company provided for all lands included in the transfer and cancellation.

Please respond by **December 7, 2018** with how you would like to proceed. If I have not heard from you by this time, I will issue a revised preliminary determination denying the transfer for failure to submit consent from the current land owner and for insufficient ownership documentation. Please let me know if you have any questions.

Thank you

Arla L. Davis
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Direct: 503-986-0806

arla.l.davis@oregon.gov

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Wednesday, September 26, 2018 10:43 AM
To: HEARD Arla L * WRD; Steve; Greg Kupillas
Subject: Fwd: List pack request RD Farms T-12540

Hi Arla

I am forwarding the list pack for my client RD Farms Inc. c/o Steve Davidson T-12540, from the title company.

We trust this full-fills the requirement of landownership as required in the Draft Preliminary Determination dated September 24, 2018.

In addition to the report of ownership, we would like to respond on behalf of the applicant, RD Farms Inc. c/o Steve Davidson that we agree to the proposed action and conditions set out in this Draft Preliminary Determination, extending the completion date to October 1, 2022, and approve the distribution of the publication to be in the Woodburn Independent.

Thank you
Doann Hamilton
Pacific Hydro-Geology, Inc.
503-349-6946

----- Forwarded message -----

From: **OR-FNT-Salem-Customer Service Inbox** <customerservicesalem@fnf.com>

Date: Wed, Sep 26, 2018 at 10:36 AM

Subject: RE: List pack request RD Farms T-12540

To: Doann Hamilton <phgdmh@gmail.com>

Good Morning,

Attached is your requested information. Please let us know if you have any questions.

Thank you!

Tiffany

Tiffany White
Customer Service & Data Research Manager

Fidelity National Title

500 Liberty Street SE, Suite 200 | Salem, OR 97301

O: 503-585-7219 • F: 503-585-2238

CustomerServiceSalem@fnf.com

www.fidelitytitleoregon.com

****Be aware! Online banking fraud is on the rise. If you receive an email containing WIRE TRANSFER INSTRUCTIONS call your escrow officer immediately to verify the information prior to sending funds.****

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From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, September 26, 2018 10:29 AM
To: OR-FNT-Salem-Customer Service Inbox <customerservicesalem@fnf.com>
Subject: List pack request RD Farms T-12540

IMPORTANT NOTICE - This message sourced from an external mail server outside of the Company.

To whom it may concern:

I have a request for a list pack. The property involved in this water right transfer includes the following lot in Marion County:

Tax Map 4 2W 29, Lot 400

Please provide the list pack(s) *in your return e-mail*. This is important because it provides the complete chain of request to the OWRD and unquestionably ties the request to the requested information.

Please make sure this is not a secured response since I need to forward you email to OWRD.

Please also provide your name, affiliation, and contact information on your return e-mail message:

Contact me if you have any questions.

Thank you,

Doann Hamilton, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18487 S. Valley Vista Road

Mulino, Oregon 97042-8741

(503) 349-6946 (cell)

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Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 349-6946

Fax: (503) 632-5983

email: phgdmh@gmail.com

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Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Rd.
Mulino, OR 97042
(503) 349-6946
Fax: (503) 632-5983
email: phgdmh@gmail.com

DAVIS Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, September 26, 2018 10:43 AM
To: HEARD Arla L * WRD; Steve; Greg Kupillas
Subject: Fwd: List pack request RD Farms T-12540
Attachments: 5009 Davidson.pdf

Hi Arla

I am forwarding the list pack for my client RD Farms Inc. c/o Steve Davidson T-12540, from the title company.

We trust this full-fills the requirement of landownership as required in the Draft Preliminary Determination dated September 24, 2018.

In addition to the report of ownership, we would like to respond on behalf of the applicant, RD Farms Inc. c/o Steve Davidson that we agree to the proposed action and conditions set out in this Draft Preliminary Determination, extending the completion date to October 1, 2022, and approve the distribution of the publication to be in the Woodburn Independent.

Thank you
Doann Hamilton
Pacific Hydro-Geology, Inc.
503-349-6946

----- Forwarded message -----

From: **OR-FNT-Salem-Customer Service Inbox** <customerservicesalem@fnf.com>
Date: Wed, Sep 26, 2018 at 10:36 AM
Subject: RE: List pack request RD Farms T-12540
To: Doann Hamilton <phgdmh@gmail.com>

Good Morning,

Attached is your requested information. Please let us know if you have any questions.

Thank you!

Tiffany

Tiffany White

Customer Service & Data Research Manager

Fidelity National Title

500 Liberty Street SE, Suite 200 | Salem, OR 97301

O: 503-585-7219 • F: 503-585-2238

CustomerServiceSalem@fnf.com

www.fidelitytitleoregon.com

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From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, September 26, 2018 10:29 AM
To: OR-FNT-Salem-Customer Service Inbox <customerservicesalem@fnf.com>
Subject: List pack request RD Farms T-12540

IMPORTANT NOTICE - This message sourced from an external mail server outside of the Company.

To whom it may concern:

I have a request for a list pack. The property involved in this water right transfer includes the following lot in Marion County:

Tax Map 4 2W 29, Lot 400

Please provide the list pack(s) *in your return e-mail*. This is important because it provides the complete chain of request to the OWRD and unquestionably ties the request to the requested information.

Please make sure this is not a secured response since I need to forward you email to OWRD.

Please also provide your name, affiliation, and contact information on your return e-mail message:

Contact me if you have any questions.

Thank you,

Doann Hamilton, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18487 S. Valley Vista Road

Mulino, Oregon 97042-8741

(503) 349-6946 (cell)

--
Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 349-6946

DAVIS Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, September 26, 2018 10:35 AM
To: HEARD Arla L * WRD; Steve; Greg Kupillas
Subject: Fwd: DPD for T-12540 has been issued

Hi Arla

I am forwarding you my client RD Farms Inc. c/o Steve Davidson T-12540 email
We agree to the proposed actions and conditions set out in this Draft Preliminary Determination
But we would like to extend the completion date to October 1, 2022

As for the list pack
I have the request submitted and will send to you one I receive

Thank you
Doann Hamilton
Pacific Hydro-Geology, Inc.
503-349-6946

----- Forwarded message -----

From: Steve <rddavidson@stpaultel.com>
Date: Wed, Sep 26, 2018 at 6:24 AM
Subject: Re: DPD for T-12540 has been issued
To: Doann Hamilton <phgdmh@gmail.com>

This seems to look fine

----- Original Message -----
From: Doann Hamilton
To: Steve ; Greg Kupillas
Sent: Monday, September 24, 2018 11:14 AM
Subject: DPD for T-12540 has been issued

Hi Steve

Your Draft Preliminary Determination (DPD) for your water right transfer T-12540 to replace re-locate 1.1 acres and to add Well 3 with Well 4 from Certificate 40215 has been issued.

If you have not received a copy by now I will attach the document to this email.

I have already reviewed the form and I only see one error (and I cc you on my email to OWRD about that issue). I need you to please review the application and make sure everything is how you wish to proceed.

The only conditions I see stated in this DPD:

1. Certificate 40215 will be canceled but the conditions and limitations of that certificated still remain. With the permanent cancellation of 1.75 acres.
2. Primary irrigation of 78.85 acres from March 1 through October 31.
3. Supplemental irrigation of 100.4 acres from March 1 through October 31.
4. Well 3 and 4 to be drilled are approved.
5. If the number, location, source, or construction of any well deviates from the proposed in the permit application, this permit may be not valid unless the Department authorizes the change in writing.
6. Well 2, 3 and 4 are allowed 1.325 cfs (600 gpm)
7. The new Wells 3 and 4 must acquire water from the same aquifer as the original Well 2 (MARI 1338) – which is alluvium).
8. All these conditions must be completed by October 1, 2020.
9. A claim of beneficial use (COBU) must be filed by a Certified Water Right Examiner (CWRE) (which we are) by October 1, 2021 of which we can provide this service for you.

Please note they place a completion date of October 1, 2020 to get all the conditions of this transfer finalized, but the case worker is allowing us to extend that time if you need.

If all is acceptable please let me know in writing (by responding to this email) that all is acceptable and we can proceed with the transfer as it appears in the DPD.

OWRD is also asking for a confirmation of your approval of this draft PD and a “report of landownership”.

As your agent, we can notify OWRD on your behalf if you agree to this modification and we can arrange to have a free “report of ownership” prepared for you by a title company.

Please let me know if you would like me to get the “report of ownership” and respond to the Department on your behalf concerning the Draft Preliminary Determination if you agree to the terms or not.

We must respond by October 24, 2018.

So in summary what I need from you by October 24, 2018:

1. Written confirmation (by responding to this email) confirming you agree with the proposed action and conditions of this DPD and we can notify the Department on your behalf that you agree to the proposed actions.
2. Please confirm you approve the publishing of this transfer in the Woodburn Independent and understand you will pay that cost once the estimate is issued.
3. Please confirm you can complete all the conditions of this permit (drilling the new wells, installing irrigation lines, and putting Well 2,3 and 4 to full 1.325 cfs use) by October 1, 2020 or if you wish to extend that date. Please let me know what time frame you would like to have to complete these tasks.
4. Confirm you allow us on your behalf to obtain the "report of Ownership" for you

Thank you

Doann Hamilton

--
Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Rd.
Mulino, OR 97042
(503) 349-6946
Fax: (503) 632-5983
email: phgdmh@gmail.com

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Pacific Hydro-Geology, Inc.
18487 S. Valley Vista Rd.
Mulino, OR 97042
(503) 349-6946
Fax: (503) 632-5983
email: phgdmh@gmail.com

DAVIS Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Monday, September 24, 2018 11:39 AM
To: HEARD Arla L * WRD
Subject: Re: T-12540 Transfer for RD Farms Inc. c/o Steve Davidson - Issuance of Draft Preliminary Determination - Action Required!
Attachments: image002.jpg

Yes me bad

Doann

On Mon, Sep 24, 2018 at 11:37 AM HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Do you mean 1565 instead of 1545? Just making sure you aren't seeing 1543 somewhere I am not

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Monday, September 24, 2018 11:12 AM
To: HEARD Arla L * WRD; Greg Kupillas; Steve
Subject: Fwd: T-12540 Transfer for RD Farms Inc. c/o Steve Davidson - Issuance of Draft Preliminary Determination - Action Required!

Hi Arla

I have reviewed this DPD for T-12540 RS Farms

I see one error on the description of the location of Well 4 page 3 Item 7

The well location is 1,565 feet north not 1,543 feet north

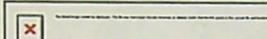
Thank you

Doann Hamilton

----- Forwarded message -----

From: HEARD Arla L * WRD <Arla.L.Heard@oregon.gov>
Date: Mon, Sep 24, 2018 at 10:06 AM

Subject: T-12540 Transfer for RD Farms Inc. c/o Steve Davidson - Issuance of Draft Preliminary Determination - Action Required!
To: Doann Hamilton <phgdmh@gmail.com>, PLAHN Joel M * WRD <Joel.M.Plahn@oregon.gov>



September 24, 2018

RD FARMS INC.

C/O STEVE DAVIDSON

4608 DAVIDSON RD NE

SAINT PAUL, OR 97137

Reference: Water Right Transfer Application T-12540

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12540. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Woodburn Independent as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Please note the proposed date by which all conditions must be met: October 1, 2020. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

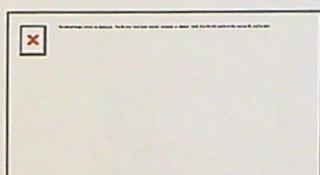
Once the Preliminary Determination is issued a publication period is required. Because there is more than $\frac{1}{4}$ mile between the new and the authorized point of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application; and
3. confirmation that the Woodburn Independent is the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by October 24, 2018, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0806 or arla.l.heard@oregon.gov if I may be of assistance.



Sincerely,

Arla L Heard

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-12540

Joel M. Plahn, District 16 Watermaster (*via e-mail*)

Doann Hamilton, Agent for the applicant (*via e-mail*)

encs

Arla L. Heard

Water Rights Transfer Specialist

Transfer and Conservation Section

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

Direct: 503-986-0806

arla.l.heard@oregon.gov

--
Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 349-6946

Fax: (503) 632-5983

HEARD Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Tuesday, April 10, 2018 9:17 AM
To: HEARD Arla L * WRD; Greg Kupillas
Subject: Fwd: Davidson T-12540 progress
Attachments: cancel_part_aff_2009.pdf

Hi Arla

Thank you for the update and I will look at these issues you have brought up

Doann

----- Forwarded message -----

From: **HEARD Arla L * WRD** <Arla.L.Heard@oregon.gov>
Date: Tue, Apr 10, 2018 at 9:15 AM
Subject: RE: Davidson T-12540 progress
To: Doann Hamilton <phgdmh@gmail.com>

Hi Doann,

After reviewing the application and map I have found some deficiencies that will need to be amended before this transfer can be approved:

1. Based on the application and map, it appears that 0.1 acres located in T4S, R2W, Sec 30, NENE and 1.15 acres located in T4S, R2W, Sec 30, SENE, are being proposed to move to other lands. These lands are not covered under the water right certificate and based on aerial photos these lands have a house and a building on them that has been there for more than five years. Table 2 of the application will need to be amended to correct this and we will require an amended map.
2. A portion of the 1.7 acres proposed to be moved from T4S, R2W, Sec 29, NENW and the 1.15 acres located in T4S, R2W, Sec 29, SENW, based on aerial photos, these lands have a building and a parking lot/concrete covering the lands for more than 5 years are not subject to transfer and should be cancelled. I have included a voluntary cancellation form attached to this email. Table 2 of the application will need to be amended to correct this and we will require an amended map.

Please let me know if you have any questions.

Thank you

Arla L. Heard

Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Sunday, April 08, 2018 9:06 AM
To: HEARD Arla L * WRD
Subject: Davidson T-12540 progress

Hi Arla

I was checking in to see what progress there has been on my client

Steve Davidson T-12540

Thank you

Doann Hamilton

--
Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 349-6946

Fax: (503) 632-5983

email: phgdmh@gmail.com

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Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

Mulino, OR 97042

(503) 349-6946

Fax: (503) 632-5983

email: phgdmh@gmail.com

HEARD Arla L * WRD

From: Doann Hamilton <phgdmh@gmail.com>
Sent: Wednesday, August 22, 2018 11:13 AM
To: HEARD Arla L * WRD
Subject: Re: Davidson, Steve T-12540 corrections submitted
Attachments: DavidsonT-12540Rev3ofTable 2 2018_08_22 DMH.pdf

Hi Arla

third time is the charm I hope

Doann

On Wed, Aug 22, 2018 at 11:01 AM HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Hi Doann,

One small change and if that is acceptable I will move forward.

Arla

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Wednesday, August 22, 2018 10:49 AM
To: HEARD Arla L * WRD; Greg Kupilas; Steve
Subject: Re: Davidson, Steve T-12540 corrections submitted

Hi Arla

Thank you for the call

I will attach the second revised Table 2

Hope this will be more clear as to what we are proposing to be transferred

Thank you

Doann Hamilton

On Wed, Aug 22, 2018 at 7:23 AM Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Arla

Attached are the revised Table 2 and map

I hope I have corrected all the issues

We will be getting the originals to you soon

Thank you

Doann Hamilton

----- Forwarded message -----

From: HEARD Arla L * WRD <Arla.L.Heard@oregon.gov>

Date: Tue, Aug 21, 2018 at 4:29 PM

Subject: RE: Davidson, Steve T-12540 corrections submitted

To: Doann Hamilton <phgdmh@gmail.com>

Hi Doann,

I have the draft complete for the most part, however in reviewing the amended documents you sent to me, I believe that table 2 is still incorrect. You still have the following acres listed for the change in Place of Use:

4S 2W 29 NE NW 8.8 ACRES

4S 2W 29 NE NW 10.0 ACRES

4S 2W 29 NE NW 7.95 ACRES

With the amended map I received I believe the change in place of use was only for 1.1 acres. The table will need to be corrected to match the map.

It also appears on the map as thou the NE and SE corners of Section 29 are mislabeled? I am having a difficult time discerning the $\frac{1}{4}$ $\frac{1}{4}$ for the locations on the map. If you could clarify I would appreciate it.

As soon as I get some clarification on the $\frac{1}{4}$ $\frac{1}{4}$ acres for the place of use change I can submit the order for review.

Thank you!

Arla L. Heard

Water Rights Transfer Specialist

Transfer and Conservation Section

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Tuesday, August 21, 2018 3:34 PM
To: HEARD Arla L * WRD
Subject: Re: Davidson, Steve T-12540 corrections submitted

Hi Arla

Checking in on the progress of this transfer T-12540

For our client Steve Davidson

Thank you

Doann Hamilton

On Fri, Jul 13, 2018 at 8:15 AM Doann Hamilton <phgdmh@gmail.com> wrote:

Thank you for the update

Doann

On Fri, Jul 13, 2018 at 8:14 AM, HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Hi Doann,

I am reviewing this transfer and should have it into peer review next week. Please let me know if you have any other questions.

Thank you

Arla L. Heard

Water Rights Transfer Specialist

Transfer and Conservation Section

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Friday, July 13, 2018 6:58 AM

To: HEARD Arla L * WRD
Subject: Re: Davidson, Steve T-12540 corrections submitted

Hi Arla

Checking in on the progress of this transfer

Thank you

Doann Hamilton

On Mon, Jul 9, 2018 at 9:38 AM, Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Arla

Checking in on the progress of this transfer

Thank you

Doann Hamilton

On Mon, Jul 2, 2018 at 11:15 AM, Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Arla

Checking in on the progress of this transfer

Thank you

Doann Hamilton

On Mon, May 7, 2018 at 3:45 PM, HEARD Arla L * WRD <Arla.L.Heard@oregon.gov> wrote:

Hi Doann,

I did receive the paperwork from Greg and it appears everything is in order. If I run into anything I will let you know ASAP. Let me know if you have any other questions.

Thank you!

Arla L. Heard

Water Rights Transfer Specialist

Transfer and Conservation Section

Oregon Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

Direct: 503-986-0806

arla.l.heard@oregon.gov

From: Doann Hamilton [mailto:phgdmh@gmail.com]
Sent: Friday, May 04, 2018 5:06 PM
To: HEARD Arla L * WRD
Subject: Re: Davidson, Steve T-12540 corrections submitted

Hi Arla

According to your email April 10, 2018

my client Steve Davidson needed to address some issues with his transfer T-12540

Greg should have delivered the response to your request last week

I am checking to see if you got all the information and proceed

Thank you

Doann Hamilton

On Tue, May 1, 2018 at 8:33 AM, Doann Hamilton <phgdmh@gmail.com> wrote:

Hi Arla

According to your email April 10, 2018

my client Steve Davidson needed to address some issues with his transfer T-12540

Greg should have delivered the response to your request last week

I am checking to see if you got all the information and proceed

Thank you

Doann Hamilton

--
Pacific Hydro-Geology, Inc.

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Pacific Hydro-Geology, Inc.

18487 S. Valley Vista Rd.

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

To: Oregon Water Resources Department / Arla Heard

From: Doann Hamilton, CWRE

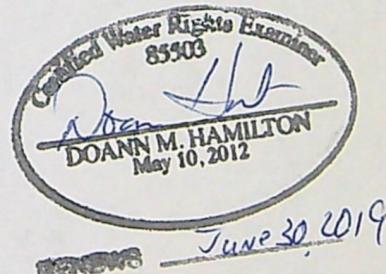
CC:

Date: April 12, 2018

Regular Transfer
Re: Permit Amendment T-12540

On April 10, 2018 I received an email from Arla Heard from OWRD with issues concerning the transfer of acres for Certificate 40215, T-12540. Corrections have been made to the map and Table 2 to correct these changes. In addition, a partial cancellation of Certificate 40215 will be coming later once the client has time to sign the forms.

Attached is the corrected map and Table 2 to reflect these changes.



RECEIVED

APR 25 2018

OWRD

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
County of Marion) ss

I/We (or authorized agent),
RD Farms Inc. c/o Steve Davidson _____, residing at
4608 Davidson Road NE, St. Paul, OR 97137 _____,
telephone (503) 633-4887 _____, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 400, within the $\frac{1}{4}$ $\frac{1}{4}$, Section 29, Township 4S N/S, Range 2W E/W, of the Willamette Meridian, in Marion County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 40215 issued to Raymond T. Davidson, with a date of priority of April 16, 1968 for use of 1.34 cubic foot per second of water from Well Irrigation (source) for the purpose of (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (*if the right is located within a district or reclamation project, name it here*)
Is Not)
4. If the water right is issued in the name of an irrigation district then the affiant must have the concurrence of the district to the cancellation of the portion of the water right. (*Signature of district manager on the line below documents consent of the district.*)

Signature of district manager _____ Printed Name _____ Date _____

5. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:

The right to the use of 0.014 cfs cubic foot per second from 1.34 cfs
for irrigation, and irrigation of 4.1 1.75 ac² acres located

(use) (if applicable)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.6 Acres
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.15 Acres
 GK $\frac{1}{4}$ $\frac{1}{4}$ Acres

RECEIVED

APR 25 2018

Section 29

OWRD



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12540

Review Due Date: _____

Applicant Name: RD Farms Inc

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Joel Plahn

Date of Review: Jan. 12, 2016

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: NA
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. 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: The transfer proposes to move 0.1 acres in NENE Sec 30 and 1.15 acres in the SENE Sec 30. I do not believe these lands are covered under the water right certificate and these lands have a house and building on them for more than five years. The applicant also proposes to transfer water off of tax lot 500. According to the Marion County Assesor office that property is owned by Brentano Farms. Further a portion of the from lands proposed to be transferred in the NENW and SENW Sec 29 are covered by a building and parking lot for more than five years. .

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

13. 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 below:

- 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 3)
 - 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.*
 - 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 3)
 - 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-_____

In order to avoid enlargement of the right or injury to other rights, a _____ 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: _____

District: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

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-_____*(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









Groundwater Transfer Review Summary Form

Transfer/PA # T- 12540

GW Reviewer DENNIS ORLOWSKI

Date Review Completed: 8/25/2017

Summary of Enlargement (Same Source) Review:

The proposed transfer fails to keep the original place of use from receiving water from the same source.

Summary of Injury Review:

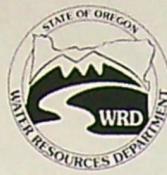
The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled.

Summary of Well Construction Assessment:

The proposed POA does not have a well log.

The proposed POA does not appear to meet current well construction standards. Route through Well Construction and Compliance Section.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-12540

Applicant Name: RD Farms Inc. c/o Steve Davidson

Proposed Changes: POA
 USE

APOA
 POU

SW→GW
 OTHER

RA

Reviewer(s): Dennis Orlowski

Date of Review: 8/25/2017

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

1. Basic description of the changes proposed in this transfer: This proposed transfer relates to certificate 40215. Certificate 40215 is for primary irrigation of 50.6 acres and supplemental irrigation of 100.4 acres, using one well (MARI 1338, "Authorized Well 2") at a maximum instantaneous pumping rate of 1.34 cfs (subject to duty limitations, March 1-October 31).

This transfer proposes to add two APOAs ("Proposed Well 3" and "Proposed Well 4") and modify the POU for certificate 40215.

(Note: another current transfer application, T-12541, relates to this application. T-12541 seeks to modify GR-2172, which is used to primarily irrigate the supplemental area of certificate 40215, using a different authorized POA (MARI 1350, "Authorized Well 1")).

Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: The area for this application is in the French Prairie region approximately 1-2 miles due south of St. Paul, Oregon.

The authorized POA, MARI 1338, obtains groundwater from relatively-thin (~5-10 ft) sand and gravel beds encased in the much thicker silt and clay deposits of the Willamette Silt (Conlon and others, 2005; Woodward and others, 1998).

The two proposed APOAs are planned to be located within about 3600 ft of the authorized POA, and completed somewhat deeper (targeting 300 ft versus 228 ft), but still within the same water-bearing alluvial deposits.

2. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No See above.
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

3. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?

Yes No Comments: Relative to the authorized POA (MARI 1338), both proposed APOA locations will be nearer to existing irrigation POAs: "Proposed Well 3" will be about 1500 ft closer to MARI 1342 (also owned by a "Davidson"), and "Proposed Well 4" will be about 700 ft closer to MARI 1352. These nearby wells are also completed in the alluvial aquifer system, and thus increased interference is likely with this proposed change.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

Yes No If yes, explain: The Theis drawdown equation was used to estimate the increase in interference at MARI 1342 by pumping "Proposed Well 3" instead of the authorized POA, MARI 1338.

Using aquifer parameters derived from nearby pumping tests (MARI 1341 and MARI 1352) and conservatively assuming constant pumping for the full irrigation period (240 days) at a duty-limited and pro-rated pumping rate, the estimated increase in interference at MARI 1342 is on the order of 4-5 feet (see attached Theis drawdown plots). It is unlikely that this amount of increased interference will prevent MARI 1342 or other similarly-located wells from receiving the water to which it is legally entitled.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes No Comments: The nearest perennial stream reach is Mission Creek, located about 3500 ft west of the authorized POA, MARI 1338.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Mission Creek Minimal Significant

Stream: _____ Minimal Significant

Provide context for minimal/significant impact: Compared to the authorized POA, the "Proposed APOA – Well 4" location is about 200 ft closer to Mission Creek; this relatively-small increase in proximity to the stream is likely to result in only a minimal increase in stream interference.

5. What conditions or other changes in the application are necessary to address any potential issues identified above: None

6. Any additional comments: None

References

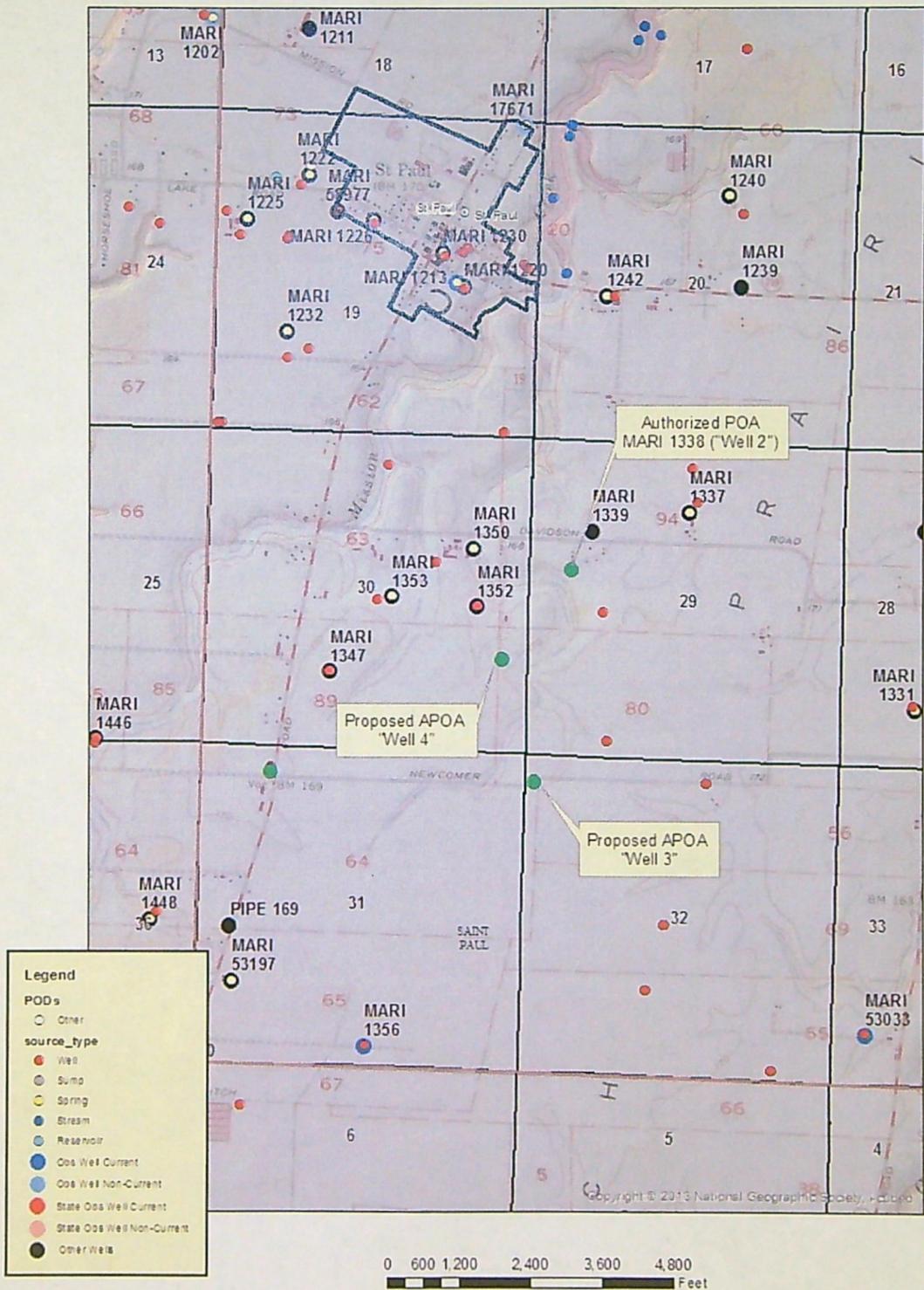
Application file: T-12540.

Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon: U.S. Geological Survey Scientific Investigations Report 2005-5168.

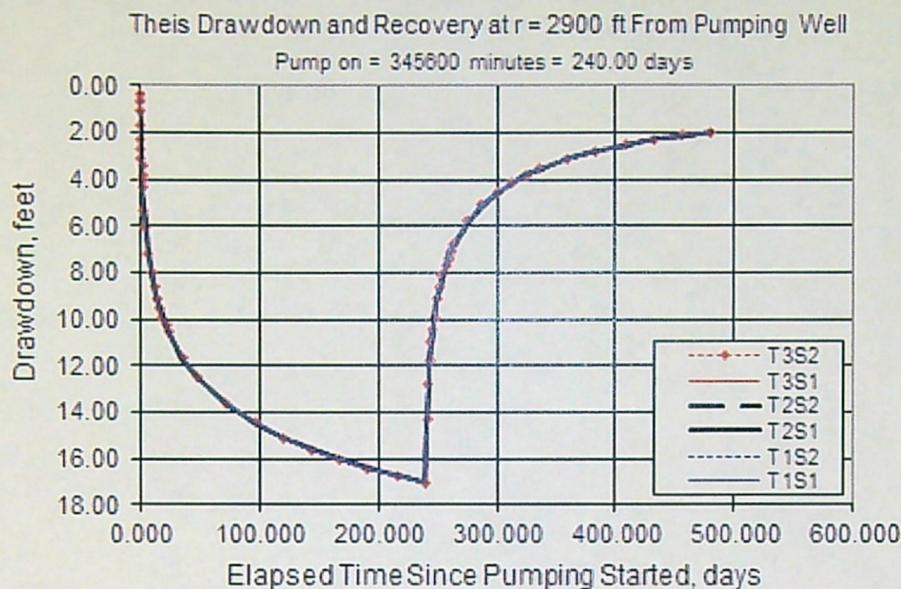
Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-A, 32 p.

Theis, C.V., 1941, The effect of a well on the flow of a nearby stream: American Geophysical Union Transactions, v. 22, pt. 3, p. 734-738.

Location Map

Application T-12540 RD Farms Inc.
T4S, R2W Sections 29, 30, 31, 32

Theis drawdown – Authorized POA (MARI 1338) to MARI 1342 (about 2900 ft apart)
 (shows approximately 17 ft drawdown at 240 days)



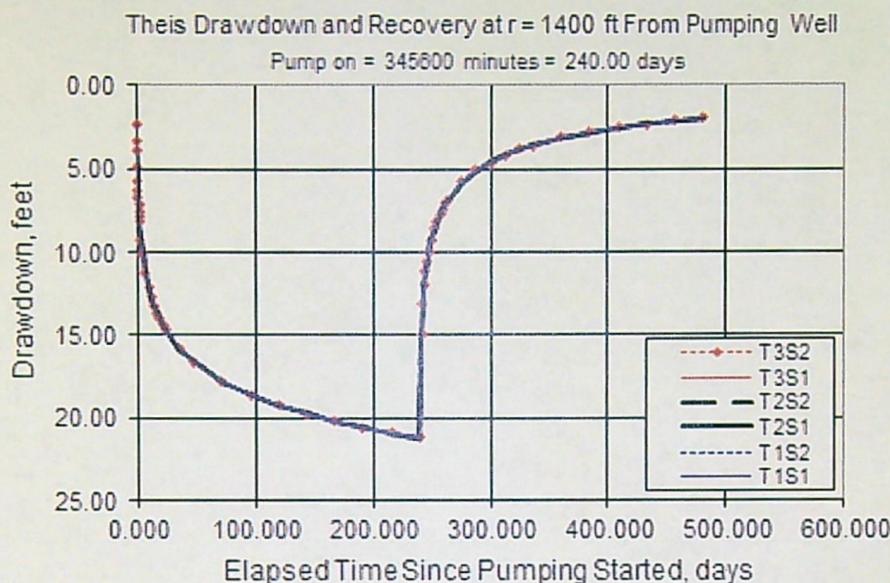
Theis Time-Drawdown Worksheet v.3.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values.

Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		240		d	
Radial distance from pumped well:	r		2900.00		ft	Q conversions
Pumping rate	Q		116.0		gpm	116.00 gpm
Hydraulic conductivity	K	25	25	25	ft/day	0.26 cfs
Aquifer thickness	b		25		ft	15.51 cfm
Storativity	S_1		0.00010			22,331.55 cfd
	S_2		0.00010			0.51 af/d
Transmissivity Conversions	T_f2pd	625	625	625	ft ² /day	
	T_ft2pm	0.4340	0.4340	0.4340	ft ² /min	
	T_gpdft	4,675	4,675	4,675	gpd/ft	

Theis drawdown – Proposed APOA-Well 3 to MARI 1342 (about 1400 ft apart)
 (shows approximately 21 ft drawdown at 240 days)



Theis Time-Drawdown Worksheet v.3.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values.
 Written by Karl C. Wozniak September 1992. Last modified December 30, 2014

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		240		d	
Radial distance from pumped well:	r		1400.00		ft	Q conversions
Pumping rate	Q		116.0		gpm	116.00 gpm
Hydraulic conductivity	K	25	25	25	ft/day	0.26 cfs
Aquifer thickness	b		25		ft	15.51 cfm
Storativity	S_1		0.00010			22,331.55 cfd
	S_2		0.00010			0.51 af/d
Transmissivity Conversions	T_f2pd	625	625	625	ft ² /day	
	T_ft2pm	0.4340	0.4340	0.4340	ft ² /min	
	T_gpdft	4,675	4,675	4,675	gpd/ft	

Well Log – Authorized POA (MARI 1338)

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

MARI 1338
RECEIVED
STATE OF OREGON
(Please type or print)
(Do not write above this line)

State Well No. 4/2W-29 E
State Permit No. _____

STATE ENGINEER

G-4330

(1) OWNER:
Name Wayne Davidson
Address 1000 1/2 W 21st St. Portland, Ore. 97137

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL: (4) PROPOSED USE (check):

Rotary <input type="checkbox"/>	Driven <input type="checkbox"/>
Cable <input checked="" type="checkbox"/>	Jetted <input type="checkbox"/>
Dug <input type="checkbox"/>	Bored <input type="checkbox"/>

Domestic <input type="checkbox"/>	Industrial <input type="checkbox"/>	Municipal <input type="checkbox"/>
Irrigation <input checked="" type="checkbox"/>	Test Well <input type="checkbox"/>	Other <input type="checkbox"/>

(5) CASING INSTALLED:

18" Diam. from 0 ft. to 117 1/2 ft. Gage 1250
12" Diam. from 0 ft. to 158 ft. Gage 1250

16" Diam. from 157 ft. to 159 1/2 ft. Gage 375

10" Diam. from 150' to 230' Gage 250

(6) PERFORATIONS: Perforated Yes No.

Type of perforator used Mills Knives & Tools

Size of perforations 5/8 x 1/4 in. by in.

140 perforations from 817 ft. to 229 ft.

120 perforations from 152 ft. to 158 ft.

100 perforations from ft. to ft.

100 perforations from 94 ft. to 149 ft.

perforations from 780 8" ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name NOTE 8 1/2" for gravel pack
Type Installed outside of 18" Model No.

Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 40 ft. below land surface Date 3-4-68

Artesian pressure lbs. per square inch Date

(9) WELL TESTS: Drawdown is amount water level is lowered below static level.

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

Yield: 800 gal./min. with 95 ft. drawdown after 8 hrs.

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow gpm. Date

Temperature of water 54° Was a chemical analysis made? Yes No

(10) CONSTRUCTION:

Well seal—Material used Bentonite

Depth of seal 20 ft.

Diameter of well bore to bottom of seal 4 1/2 in. with 1/2 in. filter

Were any loose strata cemented off? Yes No Depth 8 ft.

Was a drive shoe used? Yes No

Did any strata contain unusable water? Yes No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel: 3/4-3/8

Gravel placed from 0 ft. to 158 ft.

(11) LOCATION OF WELL:

County Marietta Driller's well number
14 1/2 Section 29 T. 4S R. 2W W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG: Diameter of well below casing 0
Depth drilled 228 ft. Depth of completed well 225 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
<u>Top</u>	0	2	
<u>Brown Clay</u>	2	21	
<u>Blue Clay</u>	21	90	
<u>Light Blue Clay</u>	90	93	
<u>Black Sand</u>	93	94	55'
<u>Brown Clay</u>	94	97	
<u>Blue</u>	97	121	
<u>Brown Clay</u>	121	128	
<u>Black Sand</u>	128	133	28'
<u>Layers of Blue Clay</u>	133	138	
<u>Brown Clay</u>	138	148	33'
<u>Black Sand</u>	148	154	
<u>Blue Clay</u>	154	168	
<u>Brown Clay</u>	168	175	
<u>Brown Clay & Sand</u>	170	172	33'
<u>Brown Clay</u>	172	186	
<u>Brown Clay & Brown Clay</u>	186	190	
"	191	218	
<u>Black Sand & gravel</u>	218	223	40'
<u>Blue Clay</u>	223	228	

Note: Boulders 15'-18' at gravel 12" casing
Work started 11-20-1967 Completed 3-4-68
Date well drilling machine moved off of well 3-4-68

Drilling Machine Operator's Certification:

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

[Signed] Edward Muller Date 3/27, 1968
(Drilling Machine Operator)

Drilling Machine Operator's License No. 581

Water Well Contractor's Certification:

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

NAME Milo Schneider (Type or print)
(Person, firm or corporation)

Address Star Route Box 97, St. Paul, Ore.

[Signed] Milo Schneider (Water Well Contractor)

Contractor's License No. 387 Date 3-27-68

(USE ADDITIONAL SHEETS IF NECESSARY)

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122163

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: RD Farms Inc.

BY: _____

CASH: CHECK #: OTHER: (IDENTIFY)

APPLICATION	_____
PERMIT	_____
TRANSFER	T-12540

TOTAL REC'D \$ 2150.00

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

MISCELLANEOUS

46110

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY) _____

\$

TC162 DEPOSIT LIAB. (IDENTIFY) _____

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

0201 SURFACE WATER

0202

\$

0203 GROUND WATER

0204

\$

0205 TRANSFER

\$ 2150.00

0218 WELL CONSTRUCTION

EXAM FEE

0219

WELL DRILL CONSTRUCTOR

\$

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

RECEIVED

FUND _____

TITLE

OVER THE COUNTER

OBJ. CODE _____

VENDOR #

DESCRIPTION _____

\$

RECEIPT: 122163

DATED: 12-20-10

BY: *Julie B.*



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: Certificate 40215**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

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

(For Staff Use Only)

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

- Application fee not enclosed/insufficient Map not included or incomplete
- Land Use Form not enclosed or incomplete Part _____ is incomplete
- Additional signature(s) required _____

Other/Explanation _____

Staff: _____ 503-986-0_____

Date: _____ / _____ / _____

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Part 2 of 5 – Transfer Application Map Checklist

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

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

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

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T 12540

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

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Permit
12/5/18
PKH

FEE WORKSHEET for PERMANENT TRANSFER (Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>	<i>Revised 12-5-18</i>	
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » » » » »	2	\$0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » » »	3	\$0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$350 »		
4	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$300, then enter on line 5 » » » » » » » » » » »	4	\$350
5		RECEIVED DEC 19 2018 OWRD	
6	Add entries on lines 1 through 5 above » » » » » » » » Subtotal:	6	\$1,350
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8	\$1,350

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

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

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution <u>(2a)</u> Subtract 1 from the number in 3a above: <u>(2b)</u> <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » Fee for Substitution:	3	NA

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 additional rows to tables within the form.

CERTIFICATE # 40215

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4 S	2 W	29	SW NW	DLC 94	3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	32	NW NW	DLC 80	425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	30	NE SE	DLC 80	1,565 feet north and 400 feet west from the SE corner, Section 30.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

Revised 12/5/18
PK

- Place of Use (POU)
- Supplemental Use to Primary Use (S to P)
- Character of Use (USE)
- Point of Appropriation/Well (POA)
- Point of Diversion (POD)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)
- Substitution (SUB)
- Surface Water POD to Ground Water POA (SW/GW)
- Government Action POD (GOV)

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

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

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

RPLSPP
D-L-1P
PH

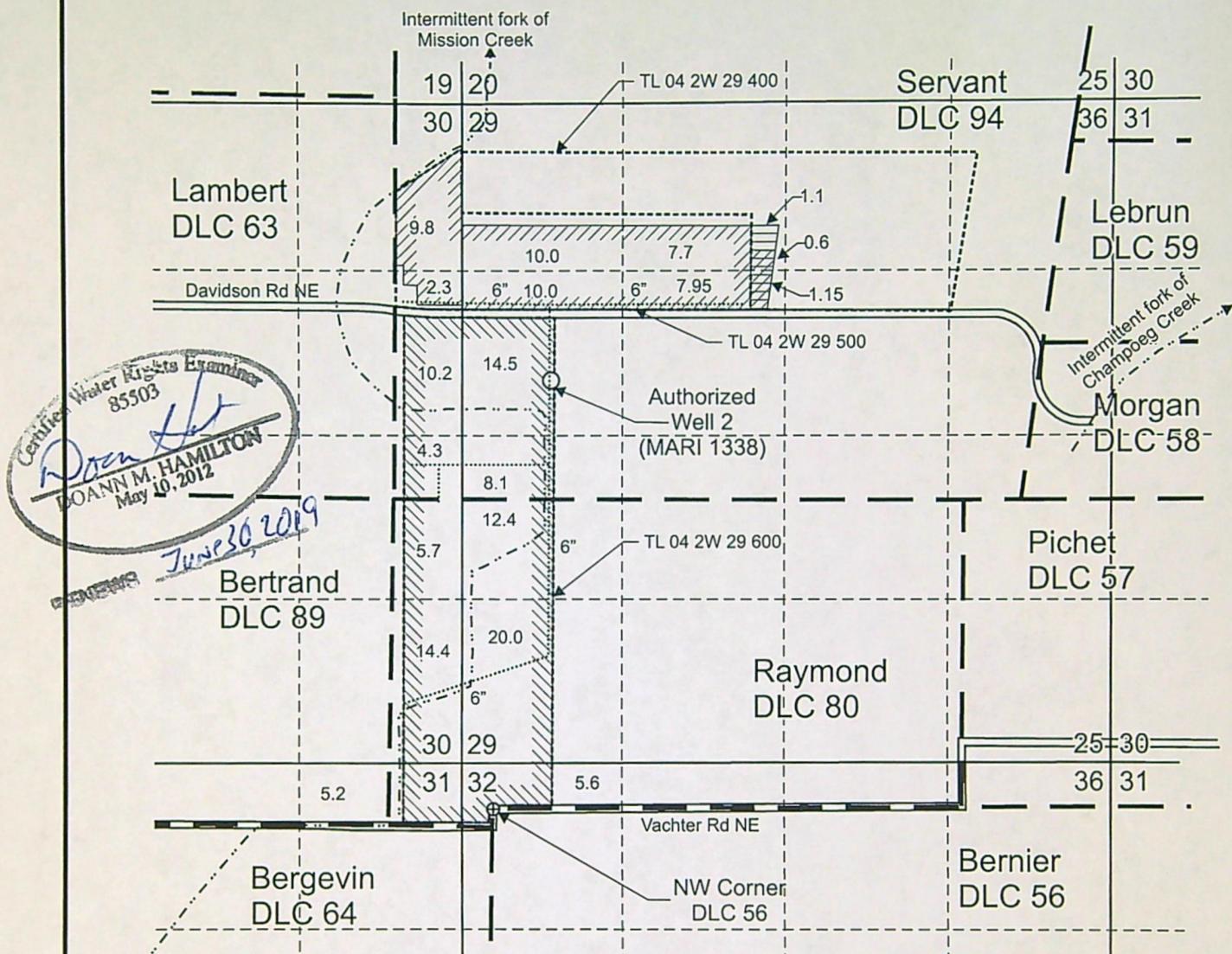
AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	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	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date							
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						47.9 IR 100.4 IS													TOTAL ACRES:			47.9 IR 100.4 IS				

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

Revised
12-5-18
PT

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T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

 Area (48.85 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this cancellation.

 Area (1.75 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this cancellation.

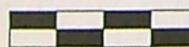
 Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, not affected by this cancellation.

----- Tax lot boundary

..... Water main line

— Donation Land Claim boundary

Scale: 1" = 1,320'



0 1,320
Feet

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

Partial Cancellation Map
Certificate 40215

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FEE WORKSHEET for PERMANENT TRANSFER

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET FOR PERMANENT TRANSFER		Part 3 of 3 - Fee Worksheet	
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u>	RECEIVED DEC 20 2016 OWRD	
2	Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » » » » »	2	\$800
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » » » »	3	\$0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input checked="" type="checkbox"/> Yes: enter \$350 »	4	\$350
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>0.036 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.096 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$300, then enter on line 5 » » » » » » » » »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$2,150
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » »	7	\$0
8	Subtract line 7 from line 6 » » » » » » » » » » Transfer Fee:	8	\$2,150

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

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

FEE WORKSHEET for SUBSTITUTION

FEE WORKSHEET FOR SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a)		
	Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME RD Farms Inc. c/o Steve Davidson		PHONE NO. (503) 633-4887	ADDITIONAL CONTACT NO.
ADDRESS 4608 Davidson Road NE		FAX NO.	
CITY St. Paul	STATE OR	ZIP 97137	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Doann Hamilton/Pacific Hydro-Geology, Inc.		PHONE NO. (503) 632-5016	ADDITIONAL CONTACT NO. (503) 349-6946 (cell)
ADDRESS 18487 S. Valley Vista Road		FAX NO. (503) 632-5983	
CITY Mulino	STATE OR	ZIP 97042	E-MAIL phgdmh@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
The authorized Well 2 (MARI 1338) has not been able to produce the rate to accomplish our full allowed rate. We are adding an additional well to obtain our full allowed rate.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

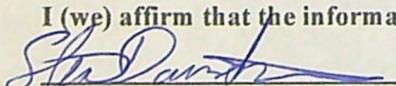
Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

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

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Woodburn Independent.

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

 
Applicant Signature

Steve Davidson Pres. 12-8-2016
Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

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Revised 7/1/2013

Permanent Transfer Application Form – Page 4 of 10

DEC 20 2016

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Check the following boxes that apply:

The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME NA		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL

Describe any special ownership circumstances here: **NA**

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

IRRIGATION DISTRICT NAME NA	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 NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Marion County Planning Division	ADDRESS 5155 Silverton Road NE	
CITY Salem	STATE Oregon	ZIP 97305

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 40215

Description of Water Delivery System

System capacity: 1.34 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. Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)	
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4	S	2	W	29	SW NW	DLC 94 3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4	S	2	W	32	NW NW	DLC 80 425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4	S	2	W	30	NE SE	DLC 80 1,565 feet north and 400 feet west from the SE corner, Section 30.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	29	NE	NW	500	94	1.1	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2, 3 & 4	4-16-68
													POU, APOA	4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

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8-28-19
RJ

not superseded

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	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						48.85 IR 100.4 IS							TOTAL ACRES:						48.85 IR 100.4 IS							

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

*Revised
4-12-18
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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: GR-2172 is the primary to the supplemental POU.

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

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

Ground water supplemental Permit or Certificate # NA;
Surface water primary Certificate # NA.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

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

Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? ((Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized Well 2	Yes	MARI 1338	228 feet	18, 12, 16, and 10 inch	0-117.2, 0-158, 158-159.25, 150-230	20 feet	94-149, 152-158, and 217-224	40 per well log	Alluvium	800 gpm per well log
Proposed Well 3	No	NA	300 feet	12 inch	0 to 300 feet	0 to 30 feet	200 to 300 feet	NA	Alluvium	300 gpm
Proposed Well 4	No	NA	300 feet	12 inch	0 to 300 feet	0 to 30 feet	200 to 300 feet	NA	Alluvium	300 gpm

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

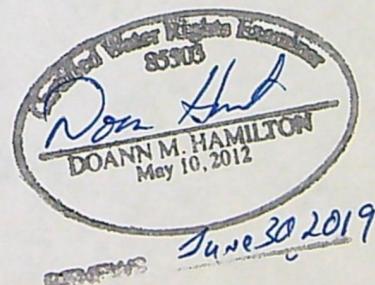
Pacific Hydro-Geology Inc.

Memo

To: Oregon Water Resources Department / Arla Davis
From: Doann Hamilton, CWRE
CC:
Date: December 5, 2018
Re: Permit Amendment T-12540

On November 28, 2018 I received an email from Arla Davis from OWRD with issues concerning the change in place of use for Certificate 40215, T-12540. At this time, on behalf of our client RD Farms Inc. c/o Steve Davison the change in place of use was removed and the acres adjusted in the NENW and SENW of Section 29 to reflect more accurately the acres distributed between the two different tax lots. Corrections have been made to the map and the application to reflect these changes.

Attached are the corrected map and pages of the application.



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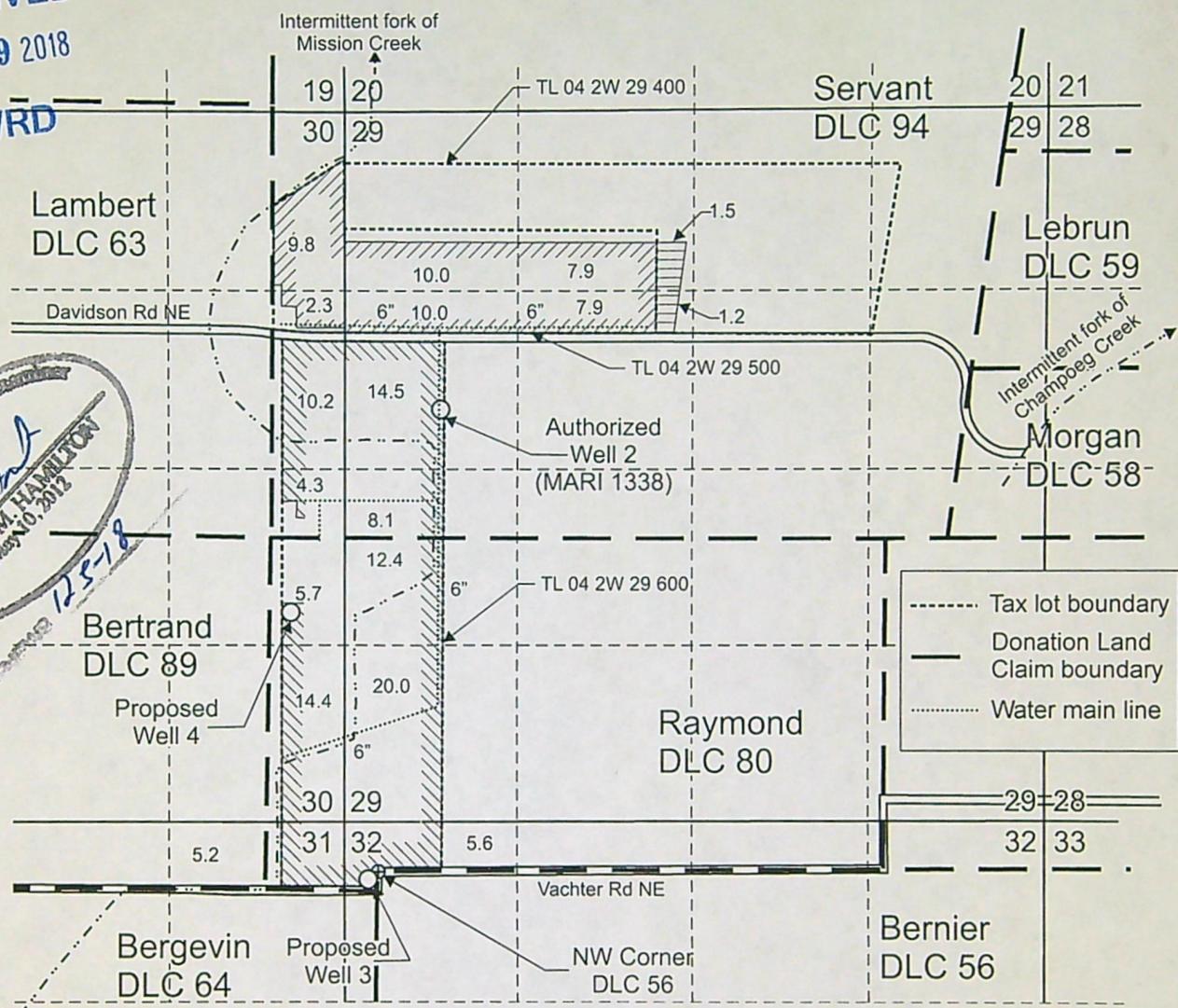
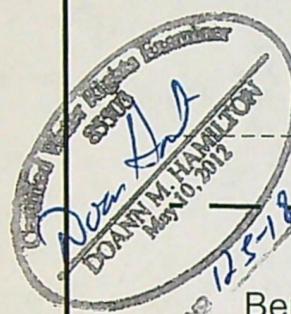
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T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.

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Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

Area (47.9 Acres) primary irrigated under Certificate 40215, priority date 4-16-68.

Area (2.7 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68.

Scale: 1" = 1,320'



0 1,320
Feet

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

Transfer Application Map Certificate 40215

11/2016

Revised 04/2018

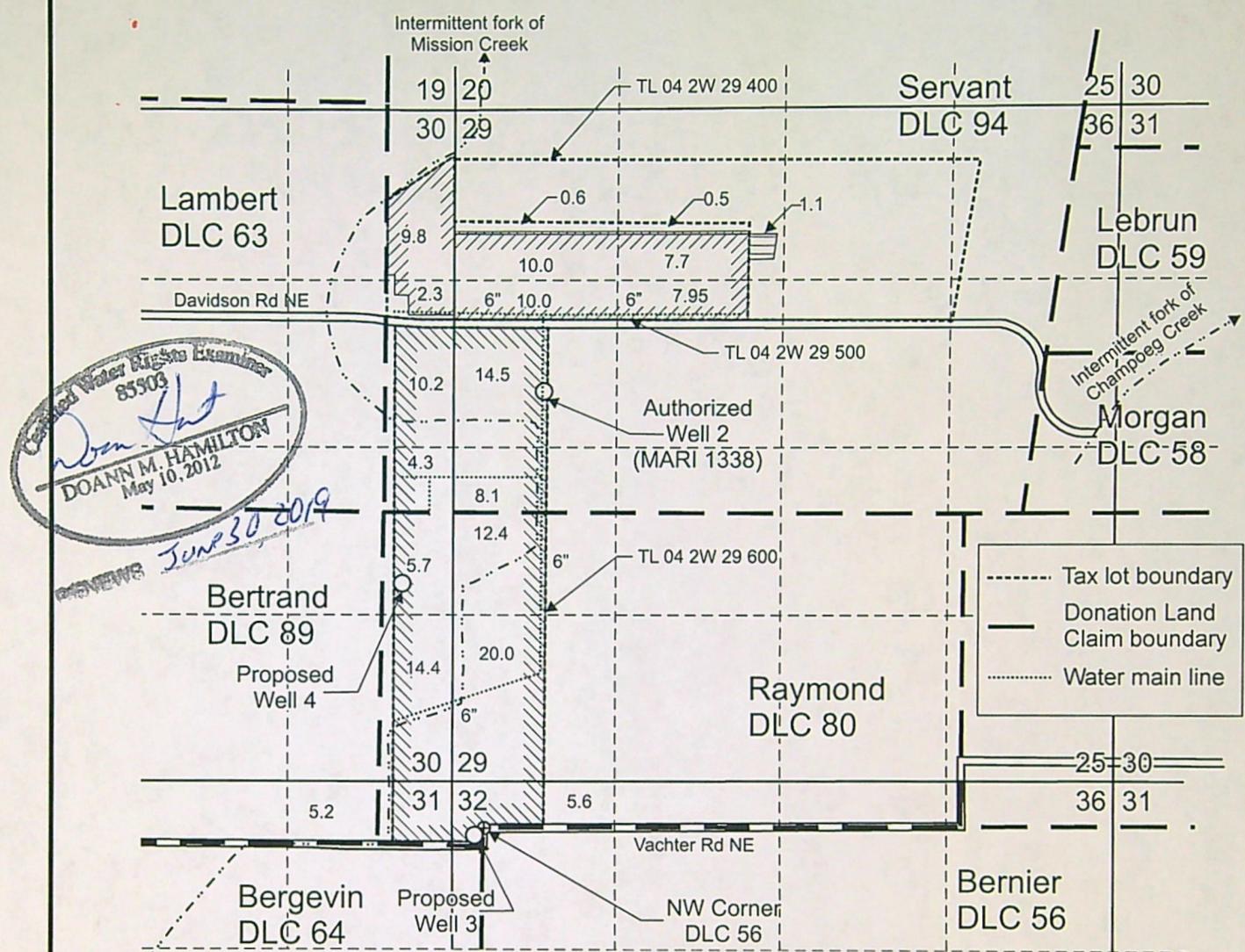
2nd Revised 08/2018

3rd Revised 12/2018

RD Farms Inc. c/o Steve Davidson

T.4S. R.2W. Sec. 29 & 30, W.M.

T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

Area (47.74 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer.

"From" Area (1.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this transfer.

"To" Area (1.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this transfer.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer

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

Scale: 1" = 1,320'



0 1,320
Feet

Application for Water Right Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss

County of MARION)

I, STEVE DAVIDSON, in my capacity as OWNER OF RD FARMS INC.,

mailing address 4608 DAVIDSON ROAD NE, ST. PAUL, OR 97137

telephone number (503) 633-4887, 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 # 40215; OR

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

Certificate #	Township	Range	Mer	Sec	1/4	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.

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

(continues on reverse side)

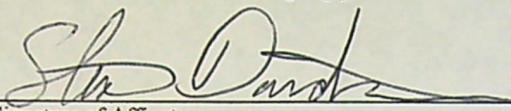
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3. The water right was used for: (e.g., crops, pasture, etc.): WHEAT FIELD

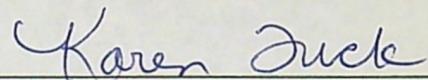
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

12-8-2016
Date

Signed and sworn to (or affirmed) before me this 8 day of Dec., 2016.

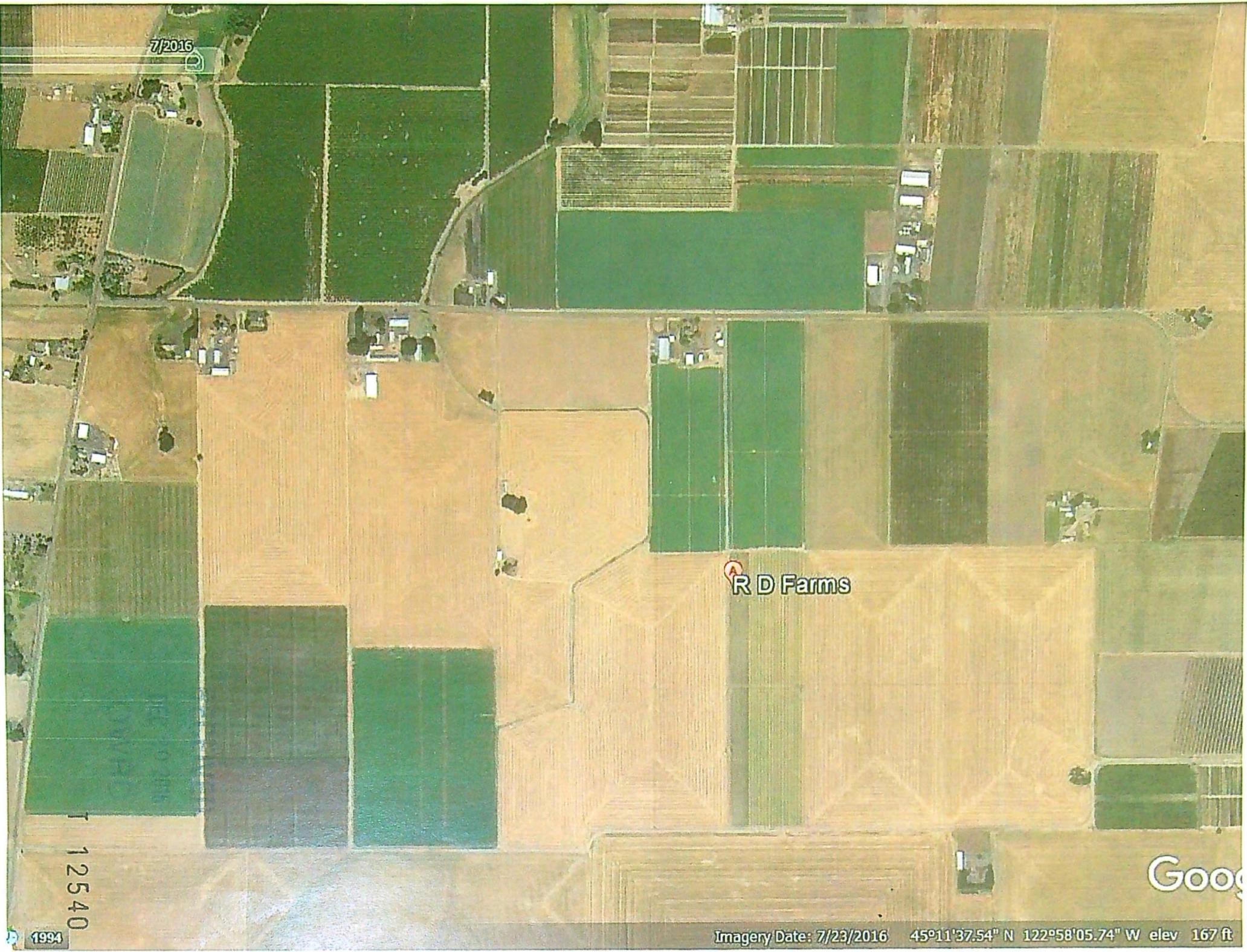



Karen Tuck
Notary Public for Oregon

My Commission Expires: 1-20-2020

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

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R D Farms

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1994

Imagery Date: 7/23/2016 45°11'37.54" N 122°58'05.74" W elev 167 ft

Google

Land Use Information Form



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

Applicant(s): RD Fams Inc. c/o Steve Davidson

Mailing Address: 4608 Davidson Road NE

City: St. Paul

State: OR

Zip Code: 97137

Daytime Phone: (503) 633-4887

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>4S</u>	<u>2W</u>	<u>29</u>	—	<u>600</u>	<i>Primary Ag/etd</i>	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>Irrigation</u>
<u>4S</u>	<u>2W</u>	<u>29</u>	—	<u>500</u>	—	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
—	—	—	—	—	—	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	—
—	—	—	—	—	—	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	—

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

Marion 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) _____

Estimated quantity of water needed: 1.34 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:

This Land Use Information Form is to accompany a water right transfer application that proposes to add an additional point of appropriation (well) to a portion of an existing water right (Certificate 40215).

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 17.136.020(a).

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

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

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

Name: Barbara Lich Title: Senior Planner
Signature: Barbara Lich Phone: 509-4038 Date: 12-20-16
Government Entity: Wenatchee County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Land Use Information Form - Page 3 of 3

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON 97300

within 30 days from the date
of well completion.

MARI. 1338

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WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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STATE OF OREGON

(Please type or print)

(Do not write above this line)

STATE ENGINEER

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State Well No.

4/2W-29 E

OWRD

State Permit No.

G-4330

(1) OWNER:

Name *Ray Davidson*Address *1000 1/2 B St 21*

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

18"	Diam. from	0	ft. to	117-2"	ft. Gage	250
12"	Diam. from	0	ft. to	158	ft. Gage	250
16"	Diam. from	158	ft. to	159-3"	ft. Gage	373

(6) PERFORATIONS:

Type of perforator used	<i>Mills Knob & Tools</i>				
Size of perforations	<i>7/16" x 1-1/2" in. by in.</i>				
140	perforations from	8-17	ft. to	224	ft.
120	perforations from	152	ft. to	158	ft.
100	perforations from	94-	ft. to	149	ft.
	perforations from	78-18"	ft. to		ft.

(7) SCREENS:

Manufacturer's Name	<i>NOTE 8-10' perforated</i>			
Type	<i>installed outside of 18" Model No.</i>			
Diam.	Slot size	Set from	ft. to	ft.
Diam.	Slot size	Set from	ft. to	ft.

(8) WATER LEVEL: Completed well.

Static level	40	ft. below land surface	Date	3-4-68
Air pressure		lbs. per square inch	Date	

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level				
Was a pump test made? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<i>if yes, by whom?</i>			
Yield: 800 gal./min. with 95 ft. drawdown after 8 hrs.				
"	"			
"	"			
Baller test	gal./min. with	ft. drawdown after	hrs.	
Artesian flow	g.p.m.	Date		
Temperature of water 54°	Was a chemical analysis made? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

(10) CONSTRUCTION:

Well seal—Material used	<i>Bentonite</i>
Depth of seal	70 ft.
Diameter of well bore to bottom of seal	<i>Specified with 1/2" bit</i>
Were any loose strata cemented off? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Depth 8 ft.
Was a drive shoe used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Did any strata contain unusable water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Type of water?	depth of strata
Method of sealing strata off	
Was well gravel packed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Size of gravel: 1/4-3/8
Gravel placed from	0 ft. to 158 ft.

(11) LOCATION OF WELL:

County *Mari* Driller's well number

1/4 1/4 Section 29 T. 4S R. 2W W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing 0
Depth drilled 228 ft. Depth of completed well 225 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
<i>Top</i>	0	2	
<i>Brown Clay</i>	2	21	
<i>Blue Clay</i>	21	90	
<i>Silty Blue Clay</i>	90	93	
<i>Black Sand</i>	93	94	55'
<i>Brown Clay</i>	94	97	
<i>Blue</i>	97	121	
<i>Brown Clay</i>	121	128	
<i>Black Sand</i>	128	133	28'
<i>Layers of Blue Clay</i>	133	138	
<i>Brown Clay</i>	138	148	33'
<i>Black Sand</i>	148	154	
<i>Blue Clay</i>	154	168	
<i>Brown Clay</i>	168	170	
<i>Brown Clay & Sand</i>	170	172	33'
<i>Brown Clay</i>	172	186	
<i>Brown Clay & Sand</i>	186	190	
"	190	218	
<i>Black Sand & gravel</i>	218	223	40'
<i>Blue Clay</i>	223	228	

Note: Boulders 156-151' shot pinches 15" Casing

Work started 11-20-1967 Completed 3-4-68

Date well drilling machine moved off of well 3-4-68

Drilling Machine Operator's Certification:

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

[Signed] *Edgar J. Schneid* Date 3/27/68
(Drilling Machine Operator)

Drilling Machine Operator's License No. 581

Water Well Contractor's Certification:

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

NAME *Milo Schneid Eng Co*
(Person, firm or corporation) (Type or print)Address *Stop Route of Box 97, Portland, Or.*[Signed] *Milo Schneid* (Water Well Contractor)

Contractor's License No. 387 Date 3-27-68

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
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4	S	2	W	29	NE	NW	500	94	8.8	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	8.2	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	10.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	80	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

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Please use and attach additional pages of Table 2 as needed.
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4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
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4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

Received by OWRD

R. V. S. P. 3
8-22-18
D. B.

Please use and attach additional pages of Table 2 as needed.
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4	S	2	W	29	NE	NW	500	94	9.4	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	9.5	IR	Well 2, 3 & 4	4-16-68
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4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.7	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	1.15	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68

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Revised 7/1/2013

Permanent Transfer Application Form – Page 7 of 10

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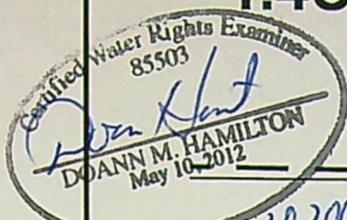
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Twp	Rng	Sec	1/4 1/4		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
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4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						50.6 IR 100.4 IS							TOTAL ACRES:						50.6 IR 100.4 IS							

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

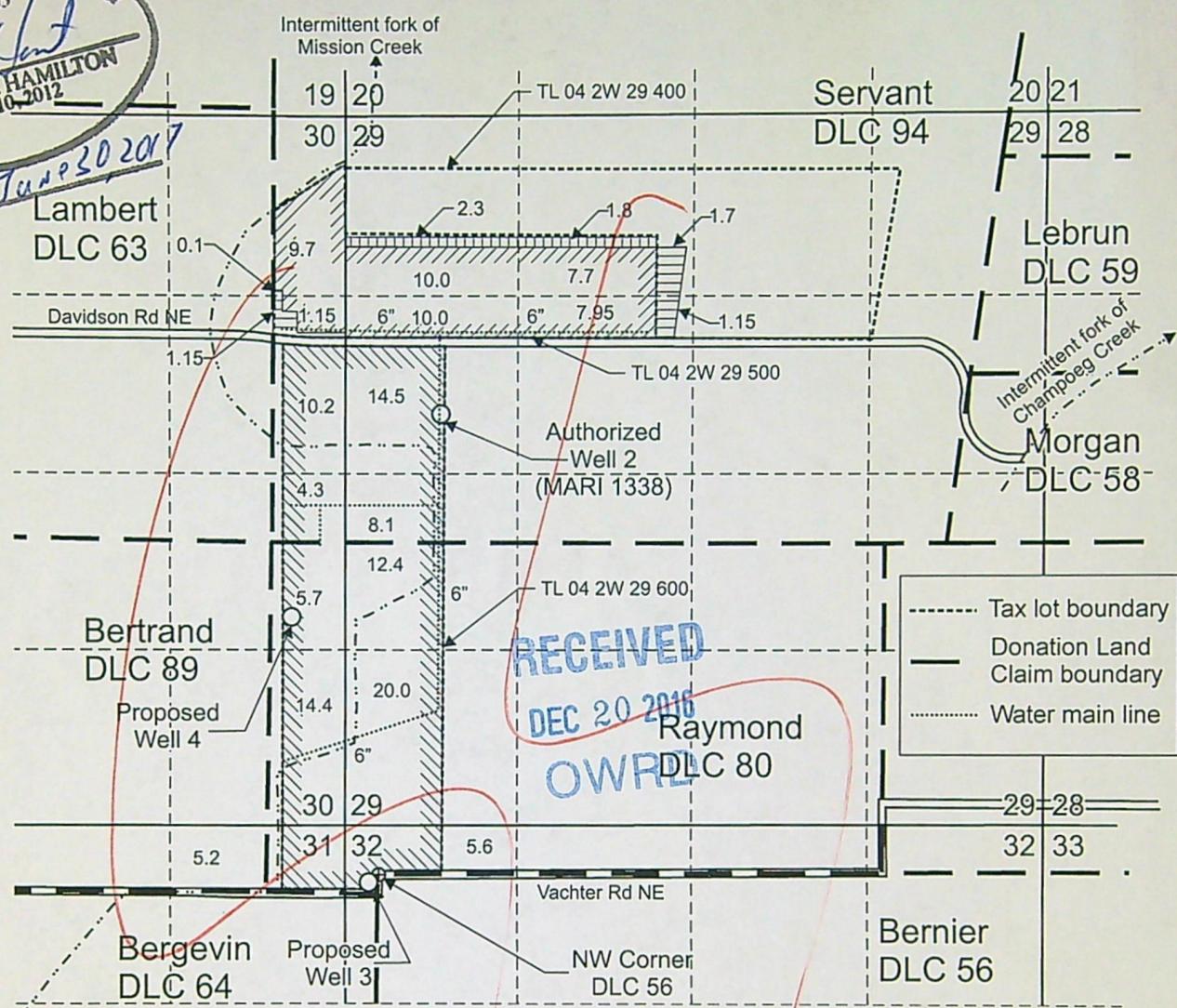
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T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



REnews June 30 2017



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

Area (46.5 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by additional point of appropriation.

"From" Area (4.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68.

"To" Area (4.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, also affected by additional point of appropriation.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, affected by additional point of appropriation

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

Scale: 1" = 1,320'



0 1,320
Feet

Transfer Application Map Certificate 40215

12/2016

RD Farms Inc. c/o Steve Davidson
T.4S. R.2W. Sec. 29 & 30, W.M.



Oregon

Kate Brown, Governor

December 27, 2016

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

RD FARMS INC.
C/O DAVIDSON, STEVE
4608 DAVIDSON RD NE
SAINT PAUL, OR 97137

Reference: Application T- 12540

On December 20, 2016, we received your water right Transfer application. The application was accompanied by \$2150.00. Our receipt number 122163 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. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #16 (*via email*)
Doann M. Hamilton, Agent

Enclosure



Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before January 26, 2017. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer Water Right County/Basin Applicant Name	<u>T_12536</u> Cert:65752, 89368 Harney / Malheur Lake(12) CARPENTER, MARY H. 293 WEAVER SPRINGS LN BURNS, OR 97720
Proposed Change Sources/TRSQ40Q160	POINT OF APPROPRIATION A WELL > SAGE HEN CREEK / 25.00S 30.00E 27 SENW A WELL > SAGE HEN CREEK / 25.00S 30.00E 27 NWSE A WELL > SAGE HEN CREEK / 25.00S 30.00E 34 NWNE A WELL > SAGE HEN CREEK / 25.00S 30.00E 35 NWNW WELL 5 > WEST FORK SILVIES RIVER / 25.00S 30.00E 34 NWNE
Use/Quantity	IRRIGATION / 3.790 CFS IRRIGATION / 0.690 CFS
Priority Date	11/27/1959, 01/23/1991
Transfer Water Right County/Basin Applicant Name	<u>T_12539</u> Cert:38266 Marion / Willamette(2) KEDDIE, REG KEDDIE FARMS 10236 MATTHIEU LN NE AURORA, OR 97002
Proposed Change Sources/TRSQ40Q160	POINT OF APPROPRIATION A WELL > RYAN CREEK / 4.00S 1.00W 7 SWNE
Use/Quantity	IRRIGATION / 0.180 CFS
Priority Date	11/28/1966
Transfer Water Right County/Basin Applicant Name	<u>T_12540</u> Cert:40215 Marion / Willamette(2) RD FARMS INC. C/O DAVIDSON, STEVE 4608 DAVIDSON RD NE SAINT PAUL, OR 97137
Proposed Change Sources/TRSQ40Q160	ADDITIONAL POINT OF APPROPRIATION,PLACE OF USE A WELL > WILLAMETTE RIVER / 4.00S 2.00W 29 SWNW
Use/Quantity	IRRIGATION / 1.340 CFS
Priority Date	04/16/1968

Regular Permanent Water Right Transfer Application Checklist

Checked by KE Date 12/20/2016

(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? Fee paid: _____

If not, the correct fee would be: _____, so the amount missing is: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
		Total =

► If a Government Action POD change (see: Page 5): NO CHARGE

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	_____	x \$450.00 =
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00 <u>350</u>
1 or 2 additional TYPES of change* (see Page 5 of application) =	_____	x \$800.00 = <u>800</u>
If <i>Place of Use</i> or <i>Character of Use</i> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	_____	x \$300.00 =

HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer

Sub-total =	<u>2150</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =	
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =	

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

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3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____.

4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, 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 and assign it a numbered transfer folder. 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.



Search Criteria

Meridian: Willamette

Township: 4 South

Range: 2 West

Section: 29

Records per Page: 99

[Platcard](#)[Learn about](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	qq(40); Q(160);	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NW	SW	
Select Claim:GR 1377 *	T12858	2/28/1955	IRRIGATION					14	4.2		11.4				0.8											
Additional Info: THEODORE VAN DYKE Claim: GR1377																										
Select Claim:GR 1477 *		3/1/1953	IRRIGATION								2	5	22	8	10	26	26	10								
Additional Info: EDWARD F DAVIDSON Claim: GR1477																										
Select Cert:35496 OR *	T12917	4/23/1965	IRRIGATION	94				8.6	11		10.8	10.8														
Additional Info: EDWARD BRENTANO App: G3088 Permit: G2885 Cert: 35496																										
Select Cert:40094 OR *	T12917	12/28/1967	IRRIGATION	94				3	14	6.1	0.9	6.1	17.7													
Additional Info: EDWARD BRENTANO App: G4171 Permit: G3920 Cert: 40094																										
Select Cert:40215 OR *	T12540, T12917	4/16/1968	IRRIGATION	94							9.4	10	10	9.1												
Additional Info: RAYMOND T DAVIDSON App: G4330 Permit: G4085 Cert: 40215																										
Select Cert:42955 OR *		7/3/1969	IRRIGATION	57																						
Additional Info: PHILIP WOLFE App: G2925 Permit: G4644 Cert: 42955																										
Select Cert:46229 OR *		2/26/1974	IRRIGATION	57																						
Additional Info: MATT VACHTER App: G6447 Permit: G6048 Cert: 46229																										
Select Cert:60579 OR *		3/15/1978	IRRIGATION	80																8.3			21.8	2.1	15.2	40
Additional Info: RAY DAVIDSON App: G8692 Permit: G8021 Cert: 60579																										
Select Cert:85893 OR *		12/18/1990	IRRIGATION	95				2.5																		
Additional Info: KAUFMANN FARMS App: G12351 Permit: G11533 Cert: 85893																										
Select Permit: G 17955 *		12/20/2016	IRRIGATION						29	16.9						15	13.9							39.4	25.9	
Additional Info: COLEMAN KOCH PARTNERS LLC App: G18418 Permit: G17955																										
Select App: G 18690 *		5/23/2018	IRRIGATION					18.6		7.7																
Additional Info: WILLIAM MCGILL App: G18690																										
Select App: G 18690 *		5/23/2018	IRRIGATION					8.6	11		13	10.8			1.7											
Additional Info: WILLIAM MCGILL App: G18690																										
Select Claim:GR 2172 *		2/28/1955	IRRIGATION													18				20	20					
Additional Info:																										

RD FARMS INC. Claim: GR2172	5/23/2018	NURSERY USES	28.5	32.8	9.8	6.7	28.4	26.3	2			
Select App: G 18690 *												
Additional Info: WILLIAM MCGILL App: G18690												
Select Cert:36317 OR CN	1/11/1967	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)								-10.7	-11.5	-19.2
Additional Info: RAYMOND T DAVIDSON App: G3768 Permit: G3554 Cert: 36317										-17.5		
Select Cert:36317 OR CN	1/11/1967	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)								-13.8	-13.3	-6.7
Additional Info: RAYMOND T DAVIDSON App: G3768 Permit: G3554 Cert: 36317										7		
Select Cert:40215 OR *	T12540, T12917	4/16/1968	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	80						12.4	20	
Additional Info: RAYMOND T DAVIDSON App: G4330 Permit: G4085 Cert: 40215												
Select Cert:40215 OR *	T12540, T12917	4/16/1968	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	94						14.5		8.1
Additional Info: RAYMOND T DAVIDSON App: G4330 Permit: G4085 Cert: 40215												
Select Cert:75824 (T 6617 RR) *		1/11/1967	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	80						10.7	11.5	19.2
Additional Info: RAYMOND T DAVIDSON App: G3768 Permit: G3554 Cert: 75824										17.5		
Select Cert:75824 (T 6617 RR) *		1/11/1967	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	94						13.8	13.3	6.7
Additional Info: RAYMOND T DAVIDSON App: G3768 Permit: G3554 Cert: 75824										7		

Acreage Legend: 12.25 Regular acreage

-12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage-specific

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	29	NE	NW	500	94	9.4	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	9.5	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	12.3	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	9.1	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.7	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	1.15	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68

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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	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:							50.6 IR 100.4 IS									TOTAL ACRES:				50.6 IR 100.4 IS						

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

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T 12540

18487 S. Valley Vista Rd.
Mulino, Oregon 97042
(503) 632-5016 Phone
(503) 632-5983 Fax

Pacific Hydro-Geology Inc.

Memo

To: Oregon Water Resources Department / Arla Heard
From: Doann Hamilton, CWRE
CC:
Date: April 12, 2018
Re: Permit Amendment T-12540

On April 10, 2018 I received an email from Arla Heard from OWRD with issues concerning the transfer of acres for Certificate 40215, T-12540. Corrections have been made to the map and Table 2 to correct these changes. In addition, a partial cancellation of Certificate 40215 will be coming later once the client has time to sign the forms.

Attached is the corrected map and Table 2 to reflect these changes.



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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$		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	$\frac{1}{4}$ $\frac{1}{4}$		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	29	NE	NW	500	94	8.8	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	8.2	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	10.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

Revised
4-12-19
DT

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 additional rows to tables within the form.

CERTIFICATE # 40215

Description of Water Delivery System

System capacity: 1.34 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. **Water is pumped from the authorized through 6 inch buried PVC to the place of use. Along this line handlines with impact sprinklers can be used to irrigate wheat.**

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1338	4 S	2 W	29	SW NW	DLC 94	3,450 feet north and 470 feet east from NW corner, DLC 56
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	32	NW NW	DLC 80	425 feet south and 180 feet east from the NW corner, Section 32.
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	4 S	2 W	30	NE SE	DLC 80	1,565 feet north and 400 feet west from the SE corner, Section 30.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

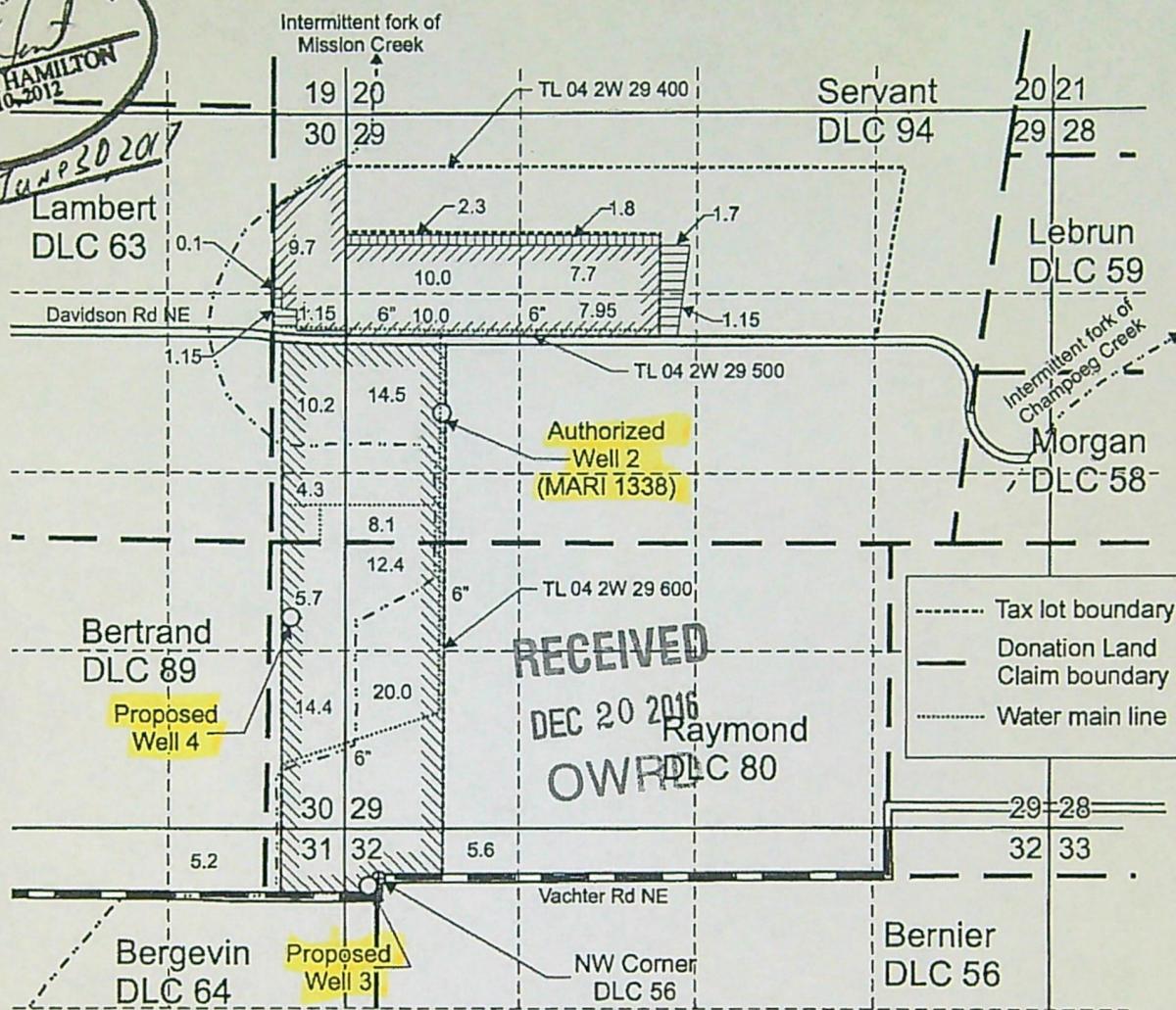
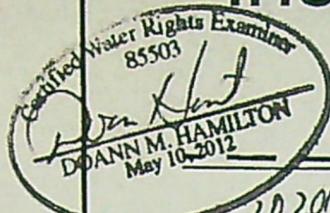
Will all of the proposed changes affect the entire water right?

Yes Complete only the Proposed (“to” or “on” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

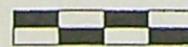
Area (46.5 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by additional point of appropriation.

"From" Area (4.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68.

"To" Area (4.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, also affected by additional point of appropriation.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, affected by additional point of appropriation.

Scale: 1" = 1,320'



0 1,320
Feet

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

Transfer Application Map
Certificate 40215

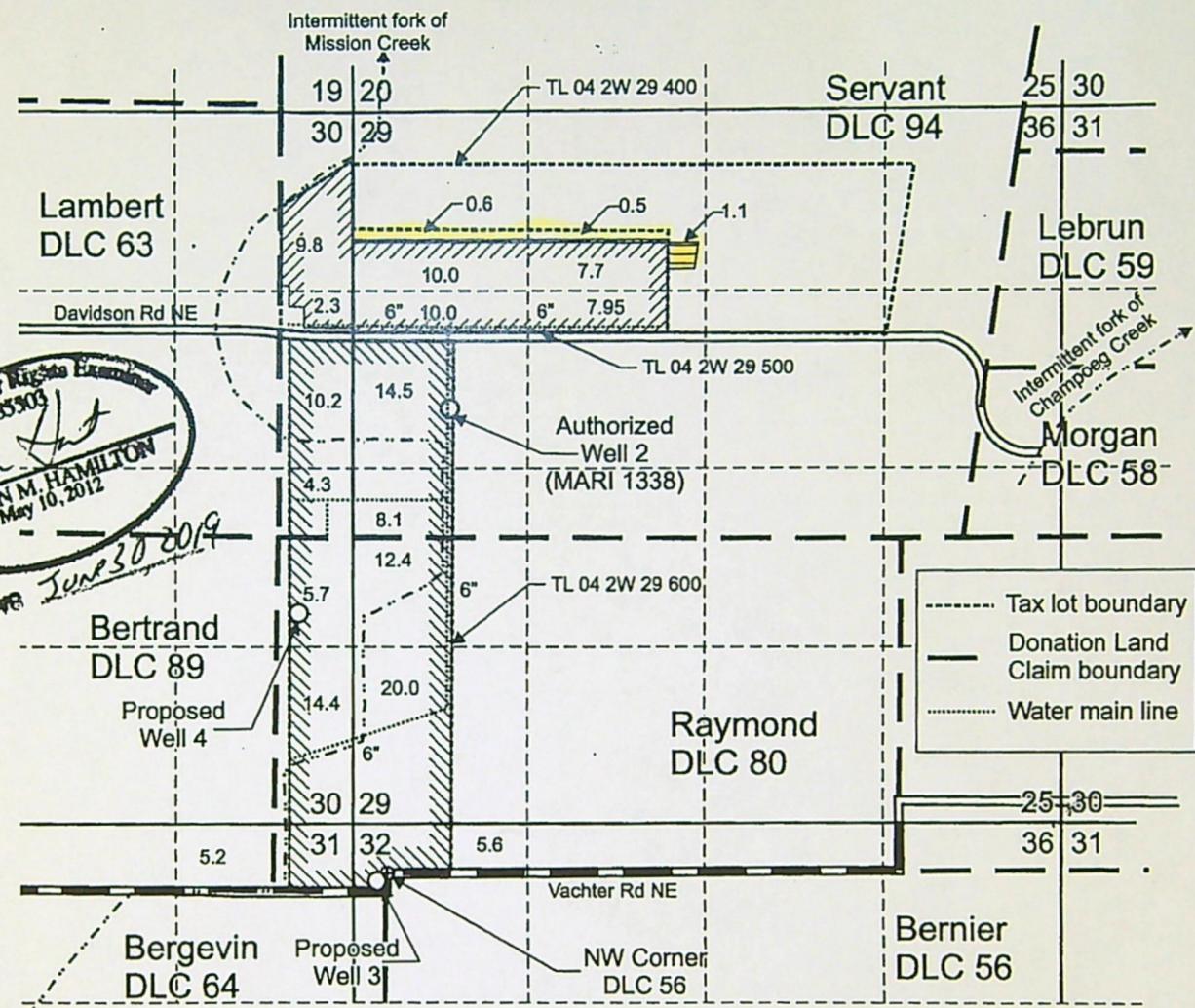


AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	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	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	94	4.3	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2	4-16-68	APOA	4	S	2	W	30	NE	SE	600	80	5.7	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	SE	600	80	14.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						48.85 IR 100.4 IS							TOTAL ACRES:						48.85 IR 100.4 IS							

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

*Revised
4-12-18
PJT*

T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

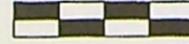
Proposed Well 3 is located 425 feet south and 180 feet east from the NW corner, Section 32.

Proposed Well 4 is located 1,565 feet north and 400 feet west from the SE corner, Section 30.

- Area (47.74 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer.
- "From" Area (1.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this transfer.
- "To" Area (1.1 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this transfer.
- Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, not affected by this transfer

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

Scale: 1" = 1,320'



Pacific Hydro-Geology Inc.

11/2016
Revised 04/2018

Transfer Application Map
Certificate 40215

RD Farms Inc. c/o Steve Davidson
T.4S. R.2W. Sec. 29 & 30, W.M.

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 Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	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	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

Revised 2
8-22-18
DT

Please use and attach additional pages of Table 2 as needed.
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Table 2. Description of Changes to Water Right Certificate # 40215

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
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Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table I)	Priority Date		Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table I)	Priority Date				
4	S	2	W	29	NE	NW	500	94	1.1	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	0.5	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NE	NW	500	94	7.7	IR	Well 2, 3 & 4	4-16-68
													POU, APOA	4	S	2	W	29	NW	NW	500	94	0.6	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SW	NW	500	94	10.0	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SE	NW	500	94	7.95	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	SW	600	94	8.1	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	POU, APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	POU, APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	POU, APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

RPVZSP 3
P-2218
D-H

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Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	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	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	NE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
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4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	NW	600	94	14.5	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2	4-16-68	APOA	4	S	2	W	29	SE	NW	500	94	7.9	IR	Well 2, 3 & 4	4-16-68
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4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2	4-16-68	APOA	4	S	2	W	29	NW	SW	600	80	12.4	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2	4-16-68	APOA	4	S	2	W	29	SW	SW	600	80	20.0	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2	4-16-68	APOA	4	S	2	W	30	NE	NE	500	94	9.8	IR	Well 2, 3 & 4	4-16-68
4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	500	94	2.3	IR	Well 2, 3 & 4	4-16-68

RPLSP
12-5-18
QH

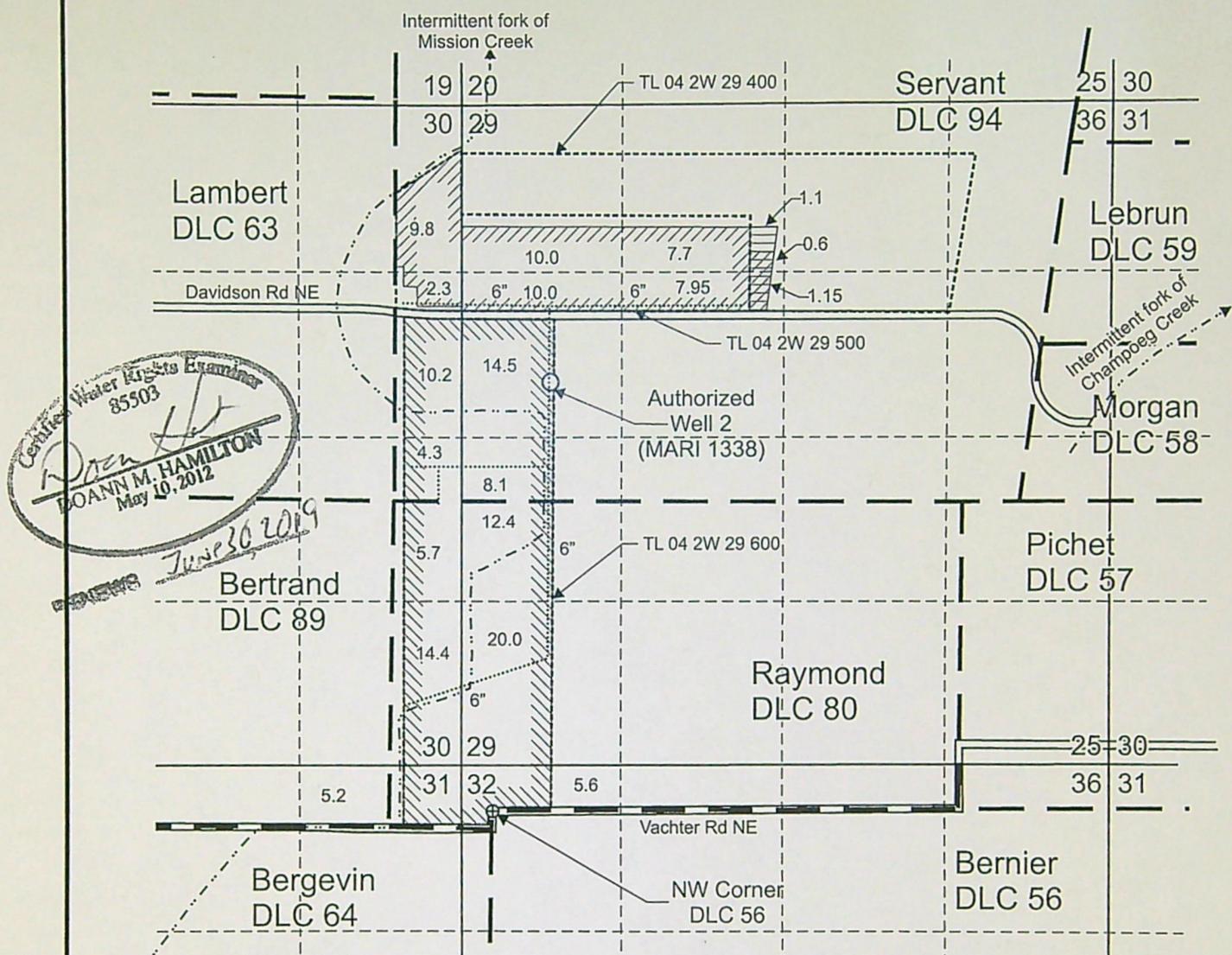
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Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/POA(s) to be used (from Table 1)	Priority Date				
4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2	4-16-68	APOA	4	S	2	W	30	SE	NE	600	94	10.2	IS	Well 2, 3 & 4	4-16-68
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4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2	4-16-68	APOA	4	S	2	W	31	NE	NE	600	80	5.2	IS	Well 2, 3 & 4	4-16-68
4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2	4-16-68	APOA	4	S	2	W	32	NW	NW	600	80	5.6	IS	Well 2, 3 & 4	4-16-68
TOTAL ACRES:						47.9 IR 100.4 IS											TOTAL ACRES:					47.9 IR 100.4 IS				

Additional remarks: The well specifications given below for the additional well are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

Revised
12-5-18
PT

RECEIVED
DEC 19 2018
OWRD

T.4S. R.2W. Sec. 29, 30, 31 & 32, W.M.



Authorized Well 2 (MARI 1338) is located 3,450 feet north and 470 feet east from the NW corner, DLC 56.

Area (48.85 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, not affected by this cancellation.

Area (1.75 Acres) primary irrigated under Certificate 40215, priority date 4-16-68, affected by this cancellation.

Area (100.4 Acres) supplemental irrigated under Certificate 40215, priority date 4-16-68, not affected by this cancellation.

----- Tax lot boundary

..... Water main line

— Donation Land Claim boundary

Scale: 1" = 1,320'



0 1,320
Feet

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

Partial Cancellation Map
Certificate 40215

RECEIVED

APR 25 2018

OWRD

04 2W 29

NW COR
J. SERVANT
DLC 94

SEE MAP
042W19 SE COR
L. SAUVIE
DLC 62

19 20
30 29

NE COR

C. LAMBERT

DLC 63

400

77.52 AC

500

55.39 AC

DAVIDSON RD

SEE MAP
042W20

1/4 COR

500 19 230 4174 43

500 19 230 3304 10

500 19 230 400 54

500 19 230 401 53

500 19 230 402 52

500 19 230 403 51

500 19 230 404 50

500 19 230 405 49

500 19 230 406 48

500 19 230 407 47

500 19 230 408 46

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