

Temporary

WITHDRAW AT THE
SAME TIME

T-13964

Name Hard rock farmland w. f.o. for
Garon wesler
 Address PO Box 226
Christmas Valley Or 97004

T-14199

OF WATER RIGHT(s)

Name of Stream

well

Trib. of Fort rock BasinUse irrigationCounty lake

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G10407Per # G9598Cert # 521027

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

Change in POD POADate Filed 3/31/2022Initial notice date 4/19/2022

DPD issued date

PD issued date

PD notice date

Date of FO 5/16/2023Vol 128 Page 346-34912/20/2023129559

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent John Short water right SCS

CWRE

CC's list lake county Planning☐ - Oversized map - Location

FEES PAID

Amount

Receipt #

Date

3-31-2022\$1064.48137806

FEES REFUNDED

Amount

Receipt #

Date

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13964

Transfer Specialist:

Scott

Transfer Type: Temporary Transfer

Applicant: AARON J WESLER PO BOX 226 CHRISTMAS VALLEY, OR 97641 Email: _____ Phone: _____		Agent: ☐ N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Lake County Planning Department Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G10407	G9598	52627	☐ Yes ☒ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: March 31, 2022	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1064.48	WM District: 11	ODFW District:
Initial Public Notice: 04/19/2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: 4/5/23 Initials: Scott	Date: 4/11/23 Initials: ALP	Date: _____ Initials: _____	Date: 5/3/23 Initials: PLS	Date: 5/5/23 Initials: Scott	Date: 5/5/23	Date: 5/17/23 12/20/23

Special Issues: _____

Special Order Volume: Vol. 128 Pages 300-309
129 559



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

December 20, 2023

Aaron J. Wesler
PO Box 226
Christmas Valley, OR 97641

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-13964

The above referenced transfer application was withdrawn from the record of the Water Resources Department on December 20, 2023, by Special Order Volume 129, Page 559 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-3511 or by e-mail at Scott.a.grew@water.oregon.gov.

Sincerely,

Elyse Richman
Water Right Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
John A. Short, Agent
Lake County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER WITHDRAWING
T-13964, Lake County, Oregon	)	AN APPLICATION FOR A WATER RIGHT
	)	TRANSFER

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

Applicant

AARON WESLER
HARD ROCK FARMLAND, LLC
PO BOX 226
CHRISTMAS VALLEY, OR 97641

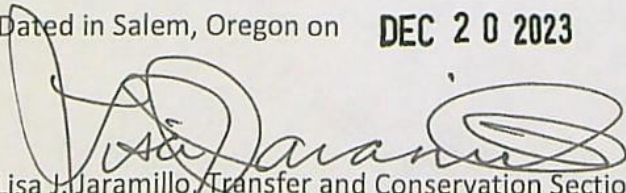
Findings of Fact

1. Transfer Application T-13964, in the name of AARON WESLER / HARD ROCK FARMLAND, LLC, was filed on March 31, 2022.
2. On March 27, 2023, the applicant submitted a written request asking that Transfer Application T-13964 be withdrawn upon final order approving T-14199.

Now, therefore, it is ORDERED:

Transfer Application T-13964, in the name of AARON WESLER / HARD ROCK FARMLAND, LLC, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on **DEC 20 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: **DEC 21 2023**

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.



Oregon

Tina Kotek, Governor

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.oregon.gov/owrd

May 16, 2023

AARON J WESLER
PO BOX 226
CHRISTMAS VALLEY, OR 97641

REFERENCE: District Temporary Transfer Application T-13964

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

The temporary change shall be effective at the beginning of the 2023 irrigation season. The use shall revert to the original authorized place of use at the end of the 2027 irrigation season.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Kelly Starnes, by telephone at (503) 979-3511 or by e-mail at Patrick.K.Starnes@water.oregon.gov.

Sincerely,

Flor Pera
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
John A. Short, Agent
Lake County

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A TEMPORARY
T-13964, Lake County	)	CHANGE IN PLACE OF USE AND POINT OF
	)	APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

AARON WESLER
HARD ROCK FARMLAND, LLC
PO BOX 226
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On March 31, 2022, AARON WESLER / HARD ROCK FARMLAND, LLC, filed an application to temporarily change the place of use and change the point of appropriation to serve the proposed place of use under Certificate 52627 for a period of 5 years. The Department assigned the application number T-13964.
2. Notice of the application for transfer was published on April 19, 2022, pursuant to OAR 690-380-4000.
3. The portion of the right to be transferred is as follows:

Certificate:	52627 in the name of JAMES M. MCDONALD (perfected under Permit G-9598)
Use:	IRRIGATION of 42.4 ACRES
Priority Date:	JUNE 26, 1981

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

Rate: 0.53 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	18 E	WM	17	SE NW	WELL #1 - 1330 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF NESW OF SECTION 17

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	18 E	WM	18	SE NE	21.0
25 S	18 E	WM	18	NE SE	21.4
				Total	42.4

4. Temporary Transfer Application T-13964 proposes to temporarily change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Well
25 S	18 E	WM	2	NW NW	4	3.9	2
25 S	18 E	WM	2	SW NW		2.2	2
25 S	18 E	WM	2	SE NW		4.4	2
25 S	19 E	WM	31	NE SE		10.2	3
25 S	19 E	WM	31	SE SE		21.7	3
				Total		42.4	

5. A change in point of appropriation is necessary to convey the water to the proposed temporary places of use. Temporary Transfer Application T-13964 proposes to move the authorized points of appropriation with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from the Authorized Well in miles (mi.)
25 S	18 E	WM	2	NW NW	WELL #2 - 1320 FEET SOUTH AND 1310 FEET EAST FROM THE NW CORNER OF SECTION 2	3.7 mi
25 S	19 E	WM	31	SW SE	WELL #3 - 360 FEET NORTH AND 100 FEET EAST FROM THE S CORNER OF SECTION 31	6.3 mi

Temporary Transfer Review Criteria

6. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right [is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
8. The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

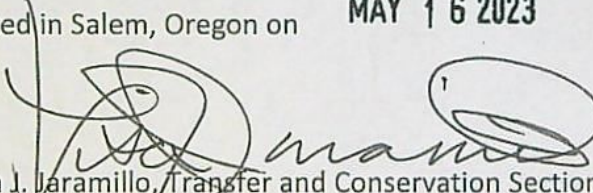
The temporary change in place of use and point of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-13964 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and change in point of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-13964 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2023, 2024, 2025, 2026 and 2027 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2027 irrigation season. The authorization to use the temporary points of appropriation shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted at the proposed temporary points of appropriation (Wells #2 and #3) shall not exceed the quantity of water lawfully available at the original point of appropriation (Well #1).
6. A subsequent application for permanent transfer of Certificate 52627 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 52627.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of 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.
10. The use of the remaining water right described by Certificate 52627 shall continue to be in accordance with the terms and conditions of Certificate 52627.

Dated in Salem, Oregon on **MAY 16 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date: **MAY 17 2023**

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13964

GW Reviewer Gerald H. Grondin

Date Review Completed: 14 December 2022

Summary of Same Source Review:

- ☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

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 or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

☒ None of the Above

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 (temporary)
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13964

Applicant Name: Aaron Wesler / Hard Rock Farmland, LLC

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☐ RA
☐ USE ☒ POU ☐ OTHER

Reviewer(s): Gerald H. Grondin

Date of Review: 14 December 2022

Date Reviewed by GW Mgr. and Returned to WRSD: jti 2/16/23

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 temporary transfer application relates to water right certificate 52627. The application explanation states the applicant seeks to "move a portion of C-52627 to a new place of use and points of appropriation temporarily."

The transfer application proposes moving 42.40 acres of 54.3 total authorized POU acres located in T25S/R18E-sec 18 to proposed 10.50 total POU acres located in T25S/R18E-sec 02 and to proposed 31.90 total POU acres located in T25S/R19E-sec 31.

The transfer application further proposes moving 0.53 cfs of 0.68 cfs authorized maximum pumping rate for groundwater irrigation from authorized POA well LAKE 250 (this is a deepening log, no original log found, owner well #1, & LAKE 53263 additional deepening) located in T25S/R18E-sec 17 to proposed 0.13 cfs maximum pumping rate at proposed POA well LAKE 221 (owner well #2) located in T25S/R18E-sec 02 and to 0.40 cfs maximum pumping rate at proposed POA well LAKE 284 (owner well #3) located in T25S/R19E-sec 31.

The authorized and proposed POA wells are shown in the attached maps.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

☒ Yes ☐ No Comments: _____

Essentially yes, the "same aquifer" (source) given the same groundwater system will likely be tapped despite the authorized and proposed POA wells are constructed to varying depths and tap varying geologic units (see attached well logs). Long term groundwater level data indicates groundwater levels at wells in the vicinity of the currently authorized and proposed POA locations have similar elevations, seasonally fluctuate similarly, and show the same long-term trends (see attached hydrograph) despite being completed at varying depths and different geologic units.

Additionally, groundwater in the Fort Rock Valley-Christmas Valley area (Fort Rock Classified Area) is identified as a single groundwater system. Groundwater is found in both a shallower predominantly basin-fill sediment unit and a deeper predominantly volcanic rocks and sediments unit below. The predominantly basin fill sediment unit and the predominantly volcanic rocks and sediment unit both readily yield groundwater and the two units are hydraulically connected.

Miller (1984 and 1986) describes the groundwater source as the main groundwater reservoir. That reservoir includes groundwater in different geologic units. The reservoir has three characteristics. First, the "natural" groundwater level changes less than 1.5 feet annually, indicating the system is highly modulated. Second, the 1980s potentiometric surface was approximately 4292 feet elevation amsl basin-wide with Silver Lake an exception. Third, the reservoir consists of numerous water producing zones in several formations, all having an essentially common potentiometric level, and all being very transmissive in general.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

☐ Yes ☒ No _____

Essentially no. Single hydraulically connected groundwater system. See discussion in part 2 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.): _____

No estimate made and no limitation recommended. Single groundwater system. See item 2 and 3a above.

4. 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: _____

The proposed POA well change will move groundwater pumping further away from the POA wells closest to the currently authorized POA well LAKE 250. The seasonal interference at those wells should decrease.

The proposed POA well change will move groundwater pumping closer to a groundwater right POA well LAKE 72 within T24S/R18-sec 35, the POA well closest to proposed POA well LAKE 221 within T25S/R18-sec 02 (LAKE 72 is about 2555 feet north of LAKE 221). The calculated interference at LAKE 72 indicates an initially net drawdown interference increase of less than 0.05 feet at the end of 30 days pumping changing to a net decrease in drawdown interference by the end of the irrigation season (see attached). That POA well should be able to accommodate the seasonal drawdown change.

Additionally, the proposed POA well change will move groundwater pumping closer to a groundwater right POA well LAKE 706 within T26S/R19-sec 05, the POA well closest to proposed POA well LAKE 284 within T25S/R19-sec 31 (LAKE 706 is about 3625 feet south of LAKE 284). The calculated interference at LAKE 706 indicates a net drawdown interference increase that is less than 0.75 feet during the irrigation season (see attached). That POA well should be able to accommodate the seasonal drawdown interference change. The additional seasonal groundwater level drawdown interference at other POA wells further away will be less.

The long-term impact on the groundwater system should be the same. That impact is to continue contributing to the ongoing annual Fort Rock Classified Area groundwater level decline (see the attached hydrograph...it shows an annual decline rate less than 0.50 feet per year).

- 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: _____

See discussion in part 4a above.

5. 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: _____

No for Paulina Marsh and No for Silver Lake. The POA changes moves the net pumping further away from Paulina Marsh and from Silver Lake.

The seasonal interference at Paulina Marsh and Silver Lake should decrease.

The long-term interference at Paulina Marsh and Silver Lake should be the same.

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: Silver Lake

☒ Minimal ☐ Significant

Stream: Paulina Marsh

☒ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See comment in part 5a above.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☒ No Comments: _____

Not Applicable. No SW-GW transfer.

7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

Note: the proposed transfer is within the Fort Rock groundwater limited area.

The following are technical groundwater review recommendations. It is recognized that one or more technically recommended conditions may or may not be allowed under the transfer process rules and statutes. This technical groundwater review relies on other appropriate and authorized Department staff to make that determination.

"Large" flow meter condition for any proposed "To" POA and/or APOA well. Require the flow meter for any POA and/or APOA well to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

Condition 7P (well tag condition) for all the "To" and "From" POA wells.

Condition 7T (modified) for all "To" POA wells: "Prior to use, all POA wells shall be configured to allow a strictly clean water (no oil) static water level measurements with an electric-tape. That can include measurement access via an unobstructed vertical discharge pipe that allows the groundwater level to fluctuate freely within the discharge pipe (no valves, etc.). Otherwise, a dedicated measuring tube must be installed prior to use. The tube must be unobstructed, have a diameter of 3/4 inch (0.75 inch) or greater, and pursuant to figure 200-5 in OAR 690-200."

8. Any additional comments: _____

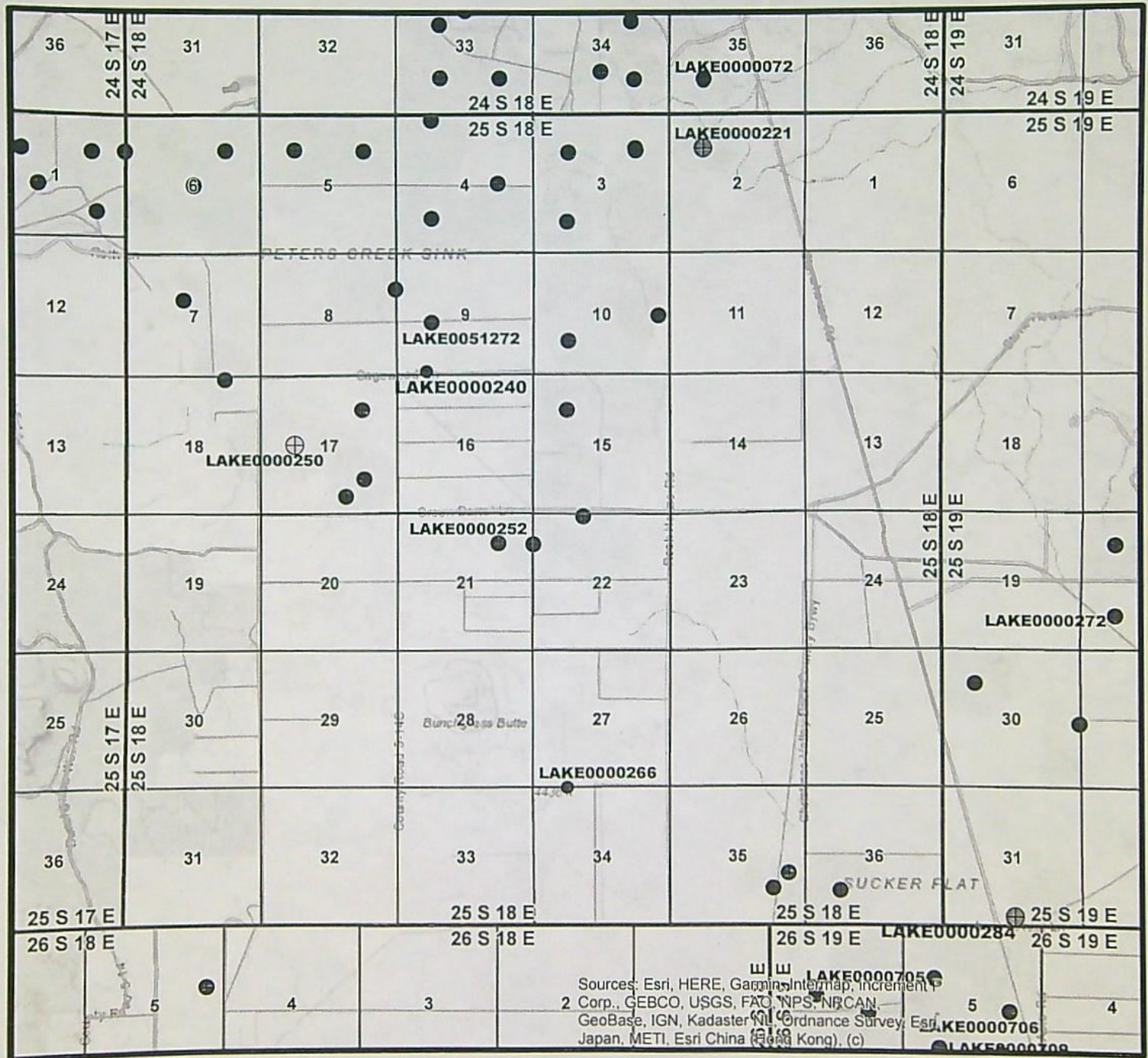
No additional comments.

References:

Miller, D.W., 1986, Appraisal of ground-water conditions in the Fort Rock Basin, Lake County, Oregon: Oregon Water Resources Department, Ground Water Report No. 31, 196 p and plates.

Groundwater Transfer Application T-13964

Aaron Wesler / Hard Rock Farmland, LLC

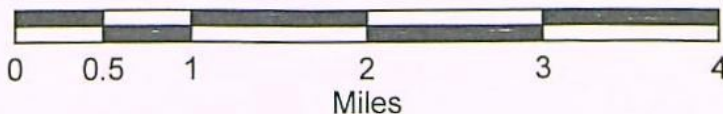
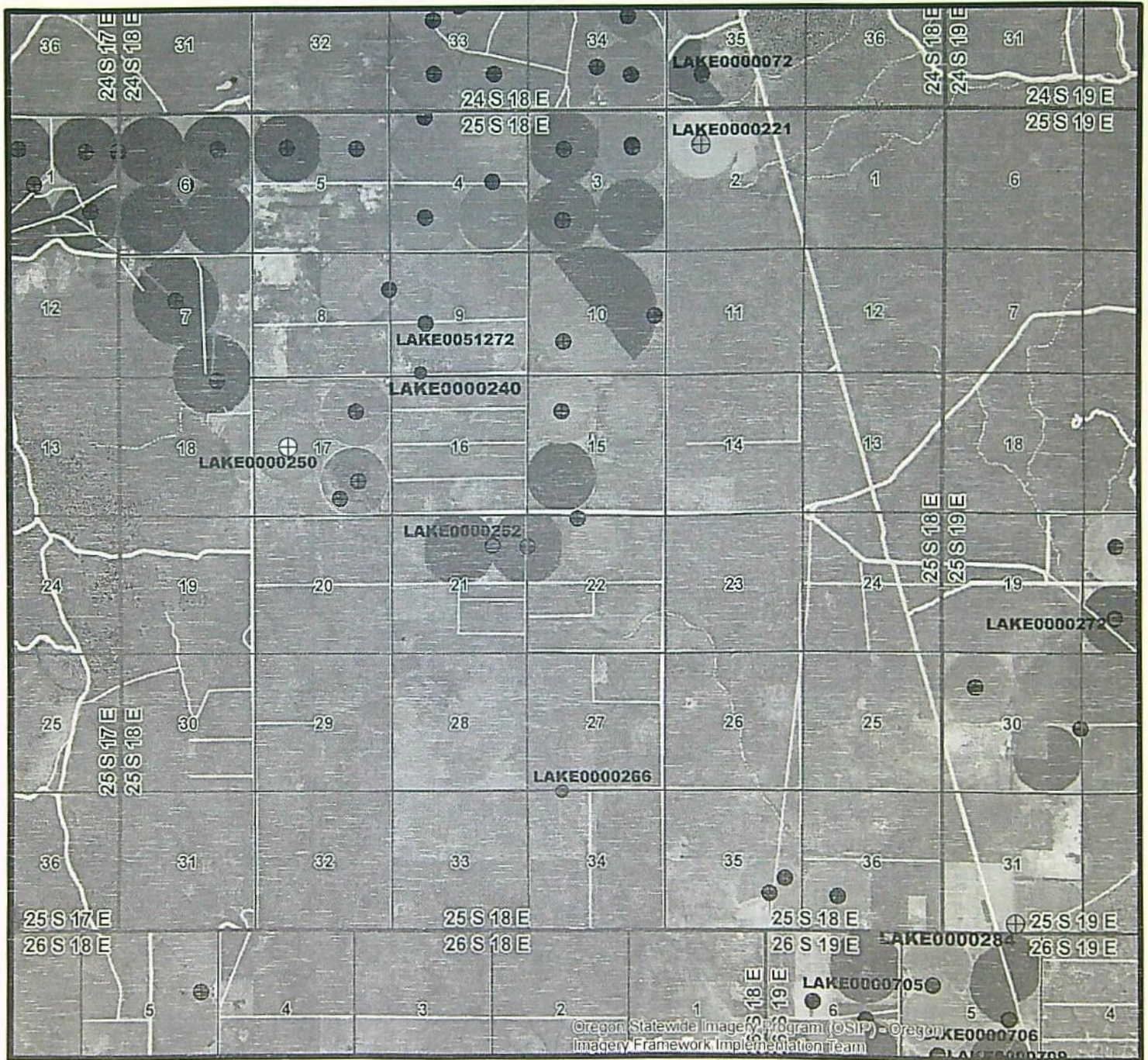


Green = Proposed Well
 Yellow = Authorized Wells
 Red = Groundwater PODs or Other Wells
 Blue = Surface Water PODs



Groundwater Transfer Application T-13964

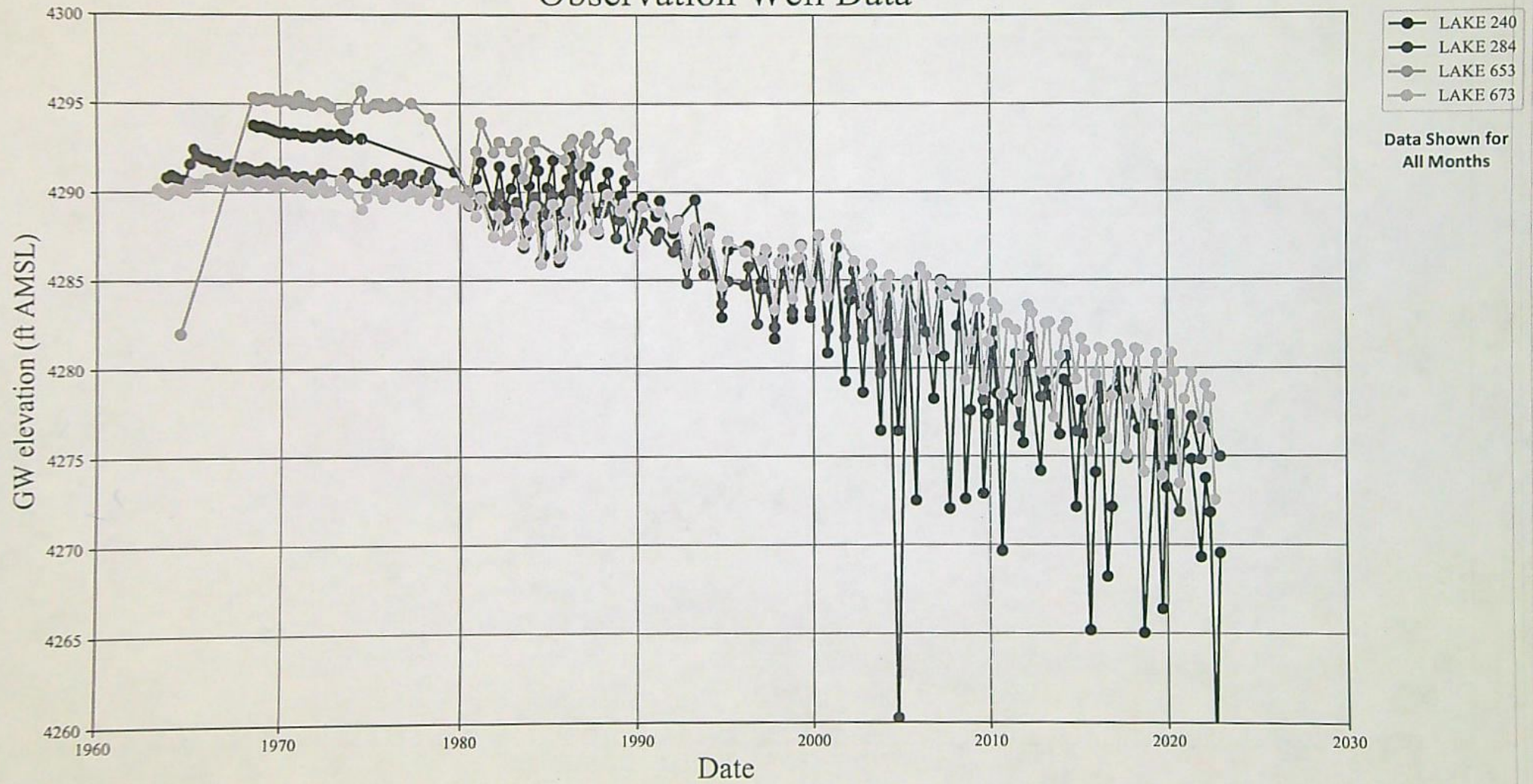
Aaron Wesler / Hard Rock Farmland, LLC



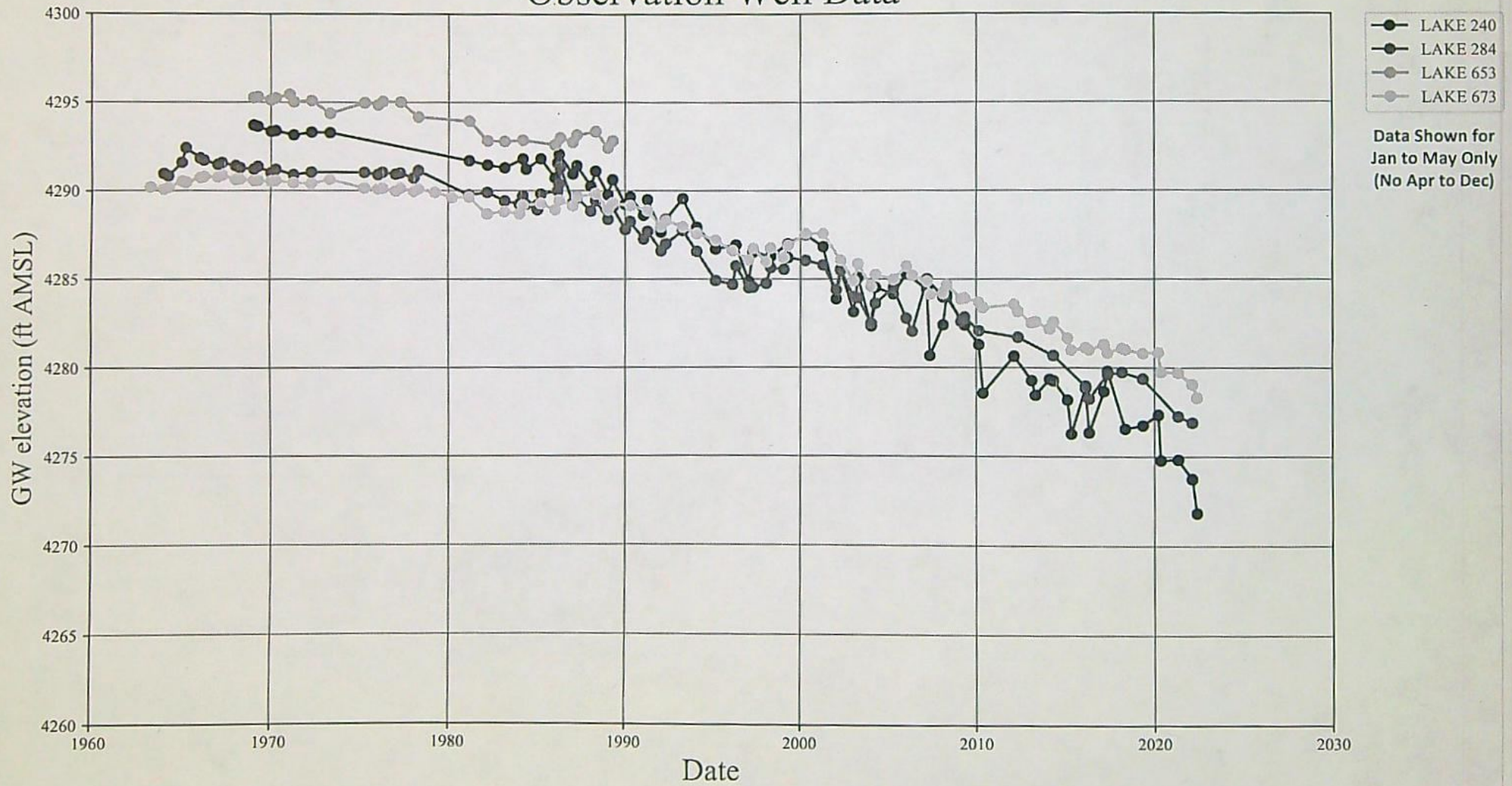
Green = Proposed Well
Yellow = Authorized Wells
Red = Groundwater PODs or Other Wells
Blue = Surface Water PODs



Observation Well Data



Observation Well Data



Drawdown Calculations Using Theis Equation

Theis Equation: $s = \frac{Q}{4\pi T} W(u)$

$u = \frac{r^2 S}{4 T t}$

$W(u) = (-\ln u) - (0.5772157) + (u/1.1) - (u^2/2.2) + (u^3/3.3) - (u^4/4.4) + \dots$

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

$\pi = 3.141592654$

r = radial distance (L)

t = time (T)

u = dimensionless

$W(u)$ = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pl	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Drawdown Well	Comments
Note: yellow grid areas are where values are calculated														
Note: W(u) calculation valid when u < 7.1														
W(u) calculation test														
"From" POA wells to Water Right Well closest to Proposed "To" Wells (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	237.88	0.53	30.00	21,185.00	3.14	0.2493	1.0464	0.2542		LAKE 250	LAKE 72	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	237.88	0.53	30.00	35,210.00	3.14	0.6887	0.3819	0.0928		LAKE 250	LAKE 706	Continuous Pumping at Full Rate
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	58.91	0.13	30.00	2,555.00	3.14	0.0036	5.0458	0.3036	0.0494	LAKE 221	LAKE 72	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	178.97	0.40	30.00	3,625.00	3.14	0.0073	4.3499	0.7950	0.7023	LAKE 284	LAKE 706	Continuous Pumping at Full Rate
			237.88	0.53										
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	117.48	0.26	30.00	21,185.00	3.14	0.2493	1.0464	0.1255		LAKE 250	LAKE 72	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	117.48	0.26	30.00	35,210.00	3.14	0.6887	0.3819	0.0458		LAKE 250	LAKE 706	Continuous Pro-Rated Pumping
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	29.09	0.06	30.00	2,555.00	3.14	0.0036	5.0458	0.1499	0.0244	LAKE 221	LAKE 72	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	88.39	0.20	30.00	3,625.00	3.14	0.0073	4.3499	0.3927	0.3468	LAKE 284	LAKE 706	Continuous Pro-Rated Pumping
			117.48	0.26										
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	237.88	0.53	245.00	21,185.00	3.14	0.0305	2.9421	0.7147		LAKE 250	LAKE 72	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	237.88	0.53	245.00	35,210.00	3.14	0.0843	1.9783	0.4806		LAKE 250	LAKE 706	Continuous Pumping at Full Rate
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	58.91	0.13	245.00	2,555.00	3.14	0.0004	7.1427	0.4297	-0.2850	LAKE 221	LAKE 72	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	178.97	0.40	245.00	3,625.00	3.14	0.0009	6.4436	1.1777	0.6971	LAKE 284	LAKE 706	Continuous Pumping at Full Rate
			237.88	0.53										
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	117.48	0.26	245.00	21,185.00	3.14	0.0305	2.9421	0.3530		LAKE 250	LAKE 72	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	117.48	0.26	245.00	35,210.00	3.14	0.0843	1.9783	0.2374		LAKE 250	LAKE 706	Continuous Pro-Rated Pumping
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001														
112,207.80	15,000.00	0.00100	29.09	0.06	245.00	2,555.00	3.14	0.0004	7.1427	0.2122	-0.1408	LAKE 221	LAKE 72	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	88.39	0.20	245.00	3,625.00	3.14	0.0009	6.4436	0.5816	0.3443	LAKE 284	LAKE 706	Continuous Pro-Rated Pumping
			117.48	0.26										

WATER SUPPLY WELL REPORT -
continuation page

LAKE 53263

WELL I.D. LABEL# L136119

START CARD # 1056477

ORIGINAL LOG #	LAKE	250
----------------	------	-----

6/24/2022

(2a) PRE-ALTERATION

Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

Material	From	To	Amt	sacks/lbs

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL				sacks/ lbs
Dia	From	To	Material	From	To	Amt	
					Calculated		
					Calculated		
					Calculated		
					Calculated		
					Calculated		

FILTER PACK			
From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
--------------	-----	---	------	----	-------	-----	-------	-----	------

(7) PERFORATIONS/SCREENS

[illegible]

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
---------------	----------	-----------------------	---------------

Water Quality Concerns

[illegible]

(10) STATIC WATER LEVEL

[illegible]

(11) WELL LOG

[illegible]

Comments/Remarks

0 to 2 foot topsoil, 2 to 15 brown clay, 15 to 40 level rock, S,W,L 55 161 FT
OF CASING 1FT ALL together 162 ft of casing, form 150 to 170 lava rock
170 to 249 fractured level rock, 249 to 340 black sand

5 yards cemented was put in for the seal backfill from 78 ft with bentonite to 25 foot, two land surface
278 sack of bentonite were used altogether

WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

LAKE 53263

6/24/2022

Map of Hole

STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL

Latitude: 43.40651205 Datum: WGS84

Longitude: -120.59089062

Township/Range/Section/Quarter-Quarter Section:

WM25.00S18.00E17SE1/4

Address of Well:

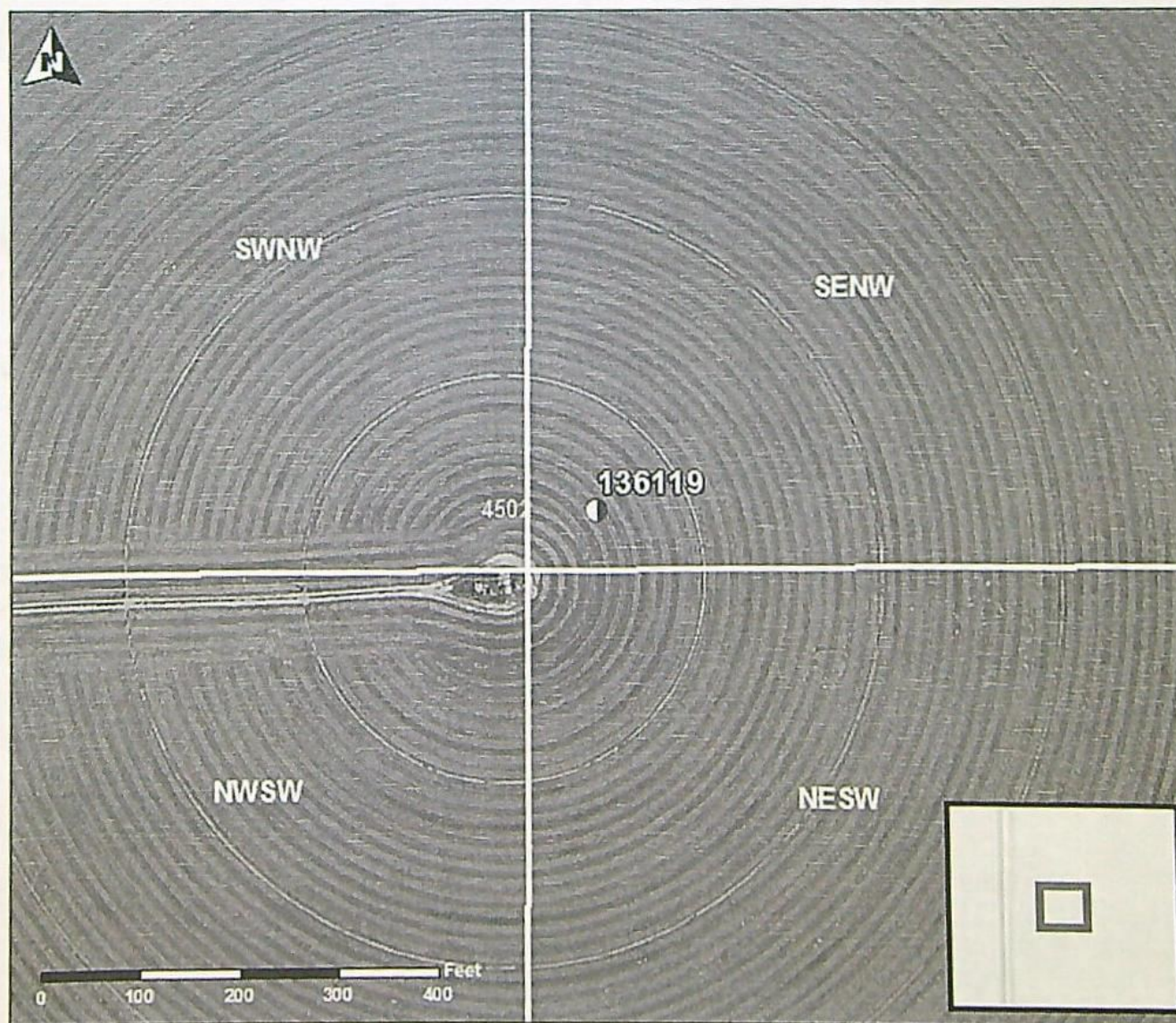
3 MILE ON SKIN RD ON RIGHT

Well Label: 136119

Printed: June 24, 2022

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



NOTICE TO WATER WELL CONTRACTOR

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

REC-1

WELL REPORT

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310

STATE OF OREGON

(Please type or print)

State Well No.

State Permit No.

within 30 days from the date
of well completion.

WATER RESOURCES DEPARTMENT
SALEM, OREGON

800-452-7833

DEC 3 1979

Do not write above this line

Lake 221

255/18E-2b

pg 1 of 2

(1) OWNER:

Name Lee Vanwinkle
Address 428 NE Emerald Dr
Roseburg Ore 97047

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rofary ☒ Driven ☐
☐ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☐
14" Diam. from 0 ft. to 19 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

test 1000 gal./min. with ft. drawdown after 3 hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement grout
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 16 1/4 in.
Diameter of well bore below seal 15 in. to 160' thru
Number of sacks of cement used in well seal 9 sacks
How was cement grout placed? pressure grouted

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number 76
Centerville Section 2 T. 25S R. 18E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 270 ft.
Static level 80 ft. below land surface. Date Dec 11
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 15"

Depth drilled 357 ft. Depth of completed well 355 ft.

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

MATERIAL	From	To	SWL
Brown soil & boulders	0	2	
Gray Brown basalt	2	16	
red cinder rock	16	17	
Gray basalt	17	30	
red Brown cinder rock	30	32	
Brown Basalt	32	41	
Gray basalt	41	78	
Dark Brown Clay	78	81	
Gray basalt & partial broken	81	120	
Brown sandstone	120	127	
Gray basalt	127	134	
Gray sandstone	134	139	
Gray basalt	139	161	
red cinder rock	161	186	
Gray basalt	186	175	
Brown red rocks	175	189	
Gray basalt	189	207	
Brown red rock	207	210	
Gray basalt	210	260	

Work started 10 Dec, 19 79 Completed Dec 15, 19 79

Date well drilling machine moved off of well Dec 15, 19 79

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] Str. J. Adams Date Dec 15, 19 79
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1302

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 Elye Adams
(Person, firm or corporation) (Type or print)

Address Rt 3 Box 122X Hillsboro Ore 97123

[Signed] Elye Adams
(Water Well Contractor)

Contractor's License No. 690 Date Dec 15, 19 79

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45638-119

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13964

Review Due Date: 05/13/2022

Applicant Name: Hard Rock Farmland, LLC

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

Reviewer(s): Giffin

Date of Review: 05/09/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☐ N/A

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

☐ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

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

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☒ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:

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

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

- i. "Injury" will occur to other water rights that share the same source? ☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur? ☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 13964



In order to avoid enlargement of the right or injury to other rights, a Totalizing flowmeter 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: Jeremy Giffin

District: 11

Address: 231 Scalehouse Ip, STE 103

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@Oregon.gov

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

Approval of an Alternate Measurement Device

T-

(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

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, March 3, 2023 7:39 AM
To: Bryce Withers; johnshort@usa.com
Subject: Temporary Transfer Application T-13964 for Hard Rock Farmland LLC/ Aaron Wesler

Importance: High

Good Morning,

Temporary Transfer Application T-13964 proposes temporary changes to Certificates 52627. The application indicates the temporary changes are for a 5 year period of time, specifically 2022-2027. This is actually a 6 year period of time, being 2022, 2023, 2024, 2025, 2026 and 2027. However, due to staffing shortages at the Department, we were not able to approve Temporary Transfer Application T-13960 for the 2022 season. Would the applicant like to change the application to 2023-2027? Or would they prefer 2022-2026? Please send updated application page 1 indicating the length of time the applicant would like for this Temporary Transfer Application T-13964. I have received the groundwater review and am working on processing this transfer now. Please let me know if there are any questions.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, March 3, 2023 7:36 AM
To: HAYNES Shavon L * WRD
Cc: STARNES Patrick K * WRD; JARAMILLO Lisa J * WRD; KAMIS Nianila * WRD
Subject: RE: WM Review for Temporary Transfer T-13964 for Hard Rock Farmland LLC/ Aaron J Wesler
Attachments: WMR T-13964.pdf
Importance: High

Good Morning Shavon,

Below is an email I sent last year in May regarding the WM file identifying the wrong applicant and with a review date before the application was received. It appears that I received the WM review for Temporary T-13694 and not for T-13964 – note I am looking for T - 1 3 9 6 4 not T - 1 3 6 9 4. I attached the incorrect WM review to this email. If I missed the updated review and you actually did send it to either myself or Julie, I apologize in advance for poking you again. I however do not have an updated review. If you could please get that to me asap I would very much appreciate it!! I have the completed Groundwater review and need to get this application completed. Again thank you! 😊

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

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NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day.

Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: DAVIS Arla L * WRD
Sent: Monday, May 9, 2022 12:08 PM
To: HAYNES Shavon L * WRD <Shavon.L.HAYNES@water.oregon.gov>
Cc: BAUSTIAN Julie C * WRD <Julie.C.BAUSTIAN@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: WM Review for Temporary Transfer T-13964 for Hard Rock Farmland LLC/ Aaron J Wesler

Good Afternoon Shavon!

I received the WM review for Temporary Transfer T-13964 (attached to this email and thank you for the review!) and it has the wrong Applicant name and the Wrong Review date (this is an assumption on the review date as it is 7/14/21 and

this transfer was received by the Department on 3/31/22). It appears you inverted the numbers and may have used information from Transfer T-13694 in the review. Could you please send me an updated WM Review for Temporary Transfer T-13964 when you have a chance please. Thank you in advance for your assistance! Hope you are well!

Arla L. Davis

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 13, 2022

HARD ROCK FARMLAND LLC.
AARON J WESLER
PO BOX 226
CHRISTMAS VALLEY, OR 97641

Reference: Application T-13964

On March 31, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1064.48. Our receipt number 137806 is enclosed.

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

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

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

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #11, Jeremy T. Giffin (via email)
Lake County Planning
John A. Short, Agent

Enclosure

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



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 52627**
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete ☐ Part is incomplete
- ☐ Additional signature(s) required

Other/Explanation

Staff: Phone: Date: / /

Received by OWRD

MAR 03 2023

Salem, OR

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



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

This temporary transfer application will be returned if Parts 1 through 5
and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 52627**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2022 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Part 3 of 5 – Fee Worksheet

[illegible]

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

***Example for Line 2a calculation** to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME AARON WESLER / HARD ROCK FARMLAND, LLC			PHONE NO. 541-771-5449	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 226			FAX NO.	
CITY CHRISTMAS VALLEY	STATE OR	ZIP 97641	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 JOHN A. SHORT / WATER RIGHT SERVICES, LLC			PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830			FAX NO.	
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
MOVE A PORTION OF C-52627 TO A NEW PLACE OF USE AND POINTS OF APPROPRIATION TEMPORARILY.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

Aaron Wesler Aaron Wesler 3-22-22
Applicant signature Print Name (and Title if applicable) Date

Applicant signature Print Name (and Title if applicable) Date

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

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

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

DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME LAKE COUNTY PLANNING DEPARTMENT	ADDRESS 513 CENTER ST	
CITY LAKEVIEW	STATE OR	ZIP 97630

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 52627

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Description of Water Delivery System

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System capacity: 0.68 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. PIPED FROM WELL TO PIVOT

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
WELL #1	☒ Authorized ☐ Proposed	LAKE 250	25	S	18	E	17	SE	NW	4502	1330' N, 1320' W OF SE COR OF THE NESW SEC 17
WELL #2	☐ Authorized ☒ Proposed	LAKE 221	25	S	18	E	2	NW	NW	201	1320' S, 1310' E OF THE NW COR SEC 2
WELL #3	☐ Authorized ☒ Proposed	LAKE 284	25	S	19	E	31	SW	SE	7400	360' N, 100' E OF THE S 1/4 COR SEC 31

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

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

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

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

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

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

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

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
25	S	18	E	18	SE	NE	4501		21.0	IR	WELL #1	6/26/ 1981	POU & POA	25	S	18	E	2	NW	NW	201	L4	3.9	IR	WELL #2	6/26/ 1981
"	"	"	"	"	NE	SE	4501		21.4	IR	WELL #1	"	"	"	"	"	"	SW	NW	"		2.2	"	"	"	
													"	"	"	"	"	SE	NW	"		4.4	"	"	"	
													"	25	S	19	E	31	NE	SE	7500		10.2	"	WELL #3	"
													"	"	"	"	"	SE	SE	7400		21.7	"	"	"	
TOTAL ACRES									42.4	TOTAL ACRES														42.4		

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For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

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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 DESCHUTES

I, BRYCE M. WITHERS, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

☐ Personal observation ☒ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # _____; **OR**

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
52627	25	S	18	E	WM	18	SE	NE		21.0
"	"	"	"	"	"	"	NE	SE		21.4

OR

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

(continues on reverse side)

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

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.

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B. W. H.

Signature of Affiant

March 03, 2022

Date

Signed and sworn to (or affirmed) before me this 03 day of MARCH, 2022.



Linda Lee Miller

Notary Public for Oregon

My Commission Expires: July 12, 2025

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion

DO NOT write above this line

(1) OWNER:

Name Lee Vanwinkle
Address 428 7E Emerald Dr
Roseburg Ore 970470

(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 ☐
Jettied ☐
Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

14" Diam. from 0 ft. to 19 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

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(10) LOCATION OF WELL:

County Lake Driller's well number 76
Center of NW 1/4 Section 2 T. 25S R. 18E
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 270
Static level 80 ft. below land surface. Date Dec 11
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 15"

Depth drilled 357 ft. Depth of completed well 355 ft.

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

MATERIAL	From	To	SWL
Brown soil & boulders	0	2	
Gray Brown basalt	2	16	
red cinder rock	16	17	
Gray basalt	17	30	
red Brown cinder rock	30	32	
Brown Basalt	32	41	
Gray basalt	41	78	
Dark brown clay	78	81	
Gray basalt partial broken	81	120	
Brown sandstone	120	127	
Gray basalt	127	134	
Brown sandstone	134	139	
Gray basalt	139	161	
red cinder rock	161	166	
Gray basalt	166	175	
Brown red rock	175	189	
Gray basalt	189	207	
Brown red rock	207	210	
Gray basalt	210	260	

Work started 10 Dec. 1979 Completed Dec 15 1979

Date well drilling machine moved off of well Dec 15 1979

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] Stan A. Adams Date Dec 15, 1979

(Drilling Machine Operator)

Drilling Machine Operator's License No. 1302

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 Tyle Adams

(Person, firm or corporation)

Address Rt 3 Box 122X Hillman Ore 97123

[Signed] Tyle Adams

(Water Well Contractor)

Contractor's License No. 690 Date Dec 15, 1979

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45650-119

13964

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

RECEIVED

DEC 31 1979

STATE OF OREGON
(Please type or print)

State Well No. 25518E-26

State Permit No. pg 2 of 2

WATER RESOURCES DEPT.
SALEM, OREGON

(1) OWNER:

Name Lee Van Winkle
Address 428 NE Emerald Dr
Portland Ore 97210

(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 ☐
Jettied ☐
Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☐
14" Diam. from 0 ft. to 19 ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

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

Yield: gal./min. with ft. drawdown after hrs.

Test 1000 gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement grout
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 16 7/8 in.
Diameter of well bore below seal 15 in.
Number of sacks of cement used in well seal 9 sacks
How was cement grout placed? pressure grouted

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number 76
Central Section 2 T. 28 S. R. 18 E. W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 270 ft.

Static level 80 ft. below land surface. Date Dec 11

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 15"

Depth drilled 357 ft. Depth of completed well 355 ft.

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

MATERIAL	From	To	SWL
Blue shale	260	270	
Black sand water bearing	270	281	
Blue Clay	281	296	
Black sand w/a	296	325	
blue Green shale	325	335	
blue Green shale with	335	350	
boulders			
Black sand w/a	350	357	

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Work started Dec 10 19 79 Completed Dec 15 19 79

Date well drilling machine moved off of well Dec 15 19 79

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] Stan L. Adams Date Dec 15, 19 79
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1302

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 Lyle Adams
(Person, firm or corporation) (Type or print)

Address 113 Box 122 X Hillsboro Or 97123

[Signed] Lyle R. Adams
(Water Well Contractor)

Contractor's License No. 690 Date Dec 15, 19 79

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45656-119

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THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Rock Hard Farmland, LLC
PO Box 226
Christmas Valley, OR 97641

Until a change is requested all tax statements shall be
sent to the following address:
Rock Hard Farmland, LLC
PO Box 226
Christmas Valley, OR 97641
File No. 367036AM

LAKE COUNTY, OREGON	2020-000808
D-WDEED	
Cnt=1 Pgs=3	05/26/2020 02:12:00 PM
\$15.00 \$11.00 \$10.00 \$60.00	\$96.00
I, Stacie Geaney, County Clerk for Lake County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Stacie Geaney - County Clerk	

STATUTORY WARRANTY DEED

Coastal View Dairy, Inc.,

Grantor(s), hereby convey and warrant to

Rock Hard Farmland, LLC,

Grantee(s), the following described real property in the County of Lake and State of Oregon free of encumbrances except as
specifically set forth herein:

See Attached Exhibit 'A'

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

2518-4501	1882
2518-4502	1883

The true and actual consideration for this conveyance is \$450,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

PP2005 - 002 L-1+2



2020-000808

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Page 2 Statutory Warranty Deed
Escrow No. 367036AM

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

Dated this 22 day of May, 2020

Costal View Dairy Inc.,

By: Gregory E. Myers
Gregory E. Myers, President

By: Elaine M. Myers
Elaine M. Myers, Secretary

State of Oregon)ss.
County of Clatsop

On this 22 day of May, 2020, before me, April Fawn Hensley a Notary Public in and for said state, personally appeared Gregory E. Myers and Elaine M. Myers known to me to be the President and Secretary of the Coastal View Dairy, Inc., Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she executed the foregoing in said Corporation name.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

April Fawn Hensley
Notary Public for the State of Oregon
Residing at: Prineville
Commission Expires: 8/2/2022



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Page 3 Statutory Warranty Deed
Escrow No. 367036AM

EXHIBIT 'A'

File No. 367036AM

Tract 1

Unsurveyed Parcel 1 of Partition Plat No. 2005-B-2, located in the S1/2 NW1/4 and N1/2 SW1/4 of Section 17 and located in the S1/2 NE1/4 and N1/2 SE1/4 of Section 18, Township 25 South, Range 18 East of the Willamette Meridian, Lake County, Oregon, and being more particularly described as follows:

The S1/2 of the NW1/4 and the N1/2 of the SW1/4 of Section 17 Township 25 South, Range 18 East of the Willamette Meridian, Lake County, Oregon. EXCEPTING Therefrom the County Road Right of way

Tract 2

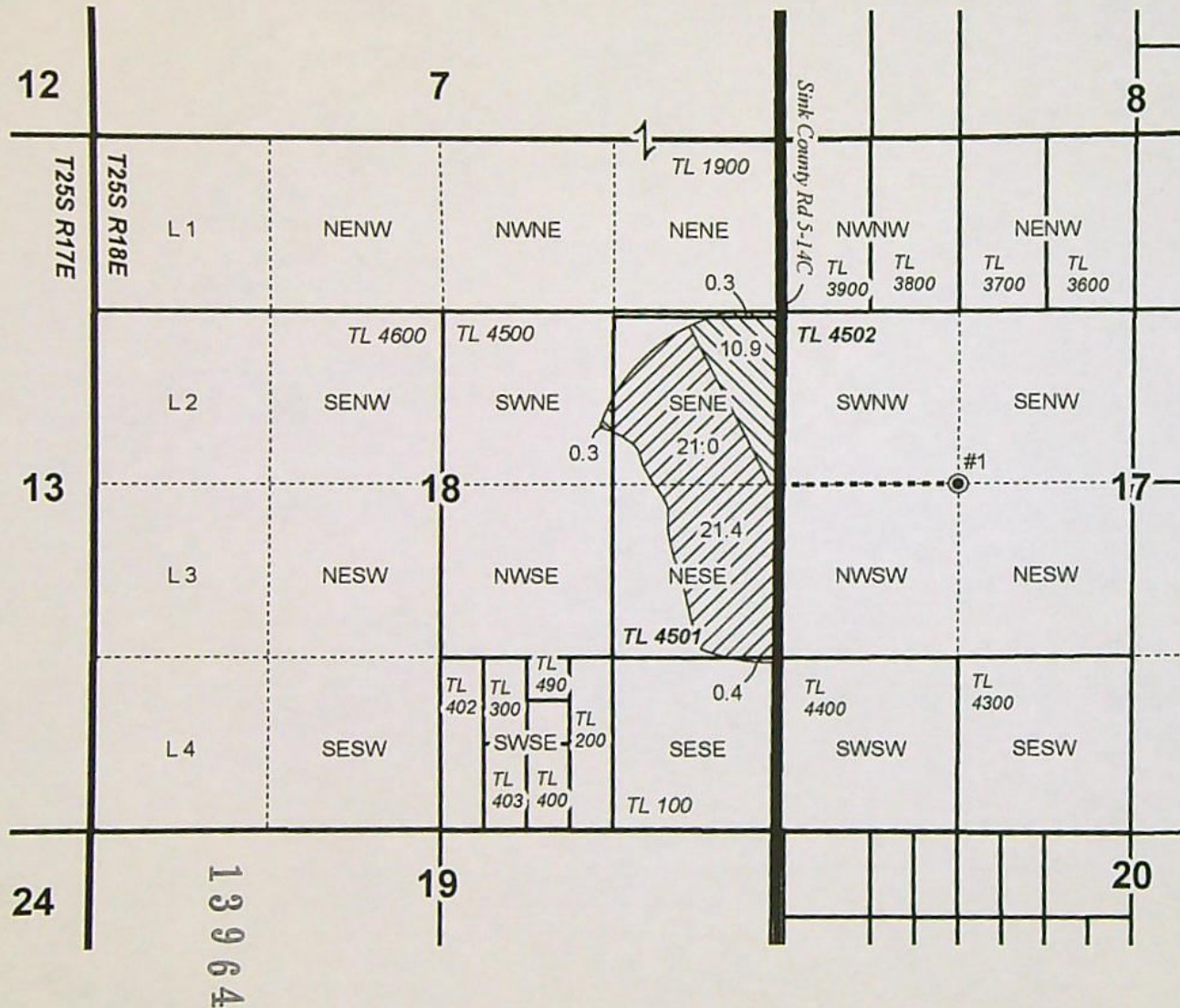
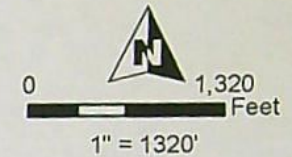
Unsurveyed Parcel 2 of Partition Plat No. 2005-B-2, located in the S1/2 NW1/4 and N1/2 SW1/4 of Section 17 and located in the S1/2 NE1/4 and N1/2 SE1/4 of Section 18, Township 25 South, Range 18 East of the Willamette Meridian, Lake County, Oregon, and being more particularly described as follows:

The SE1/4 of the NE1/4 of Section 18, Township 25 South, Range 18 East of the Willamette Meridian, Lake County, Oregon EXCEPTING Therefrom the North 40 feet; and the County Road Right of way.

ALSO

the NE1/4 of the SE1/4 of Section 18, Township 25 South, Range 18 East of the Willamette Meridian, Lake County, Oregon EXCEPTING Therefrom the County Road Right of way.

**T25S R18E, WM,
LAKE COUNTY, OR**



- Well
- Pipeline
- POU IR C-52627 6/26/1981 "OFF"
- POU IR C-52627 6/26/1981 "NO CHANGE"
- Township
- Section
- Quarter Quarter
- Tax Lot

Well Location:

#1 (LAKE 250): 1330' N, 1320' W
of the SE Cor of the NESW of Section 17

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**TEMPORARY TRANSFER "OFF" MAP
HARD ROCK FARMLAND, LLC**

Date: 3/2/2022

C-52627

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

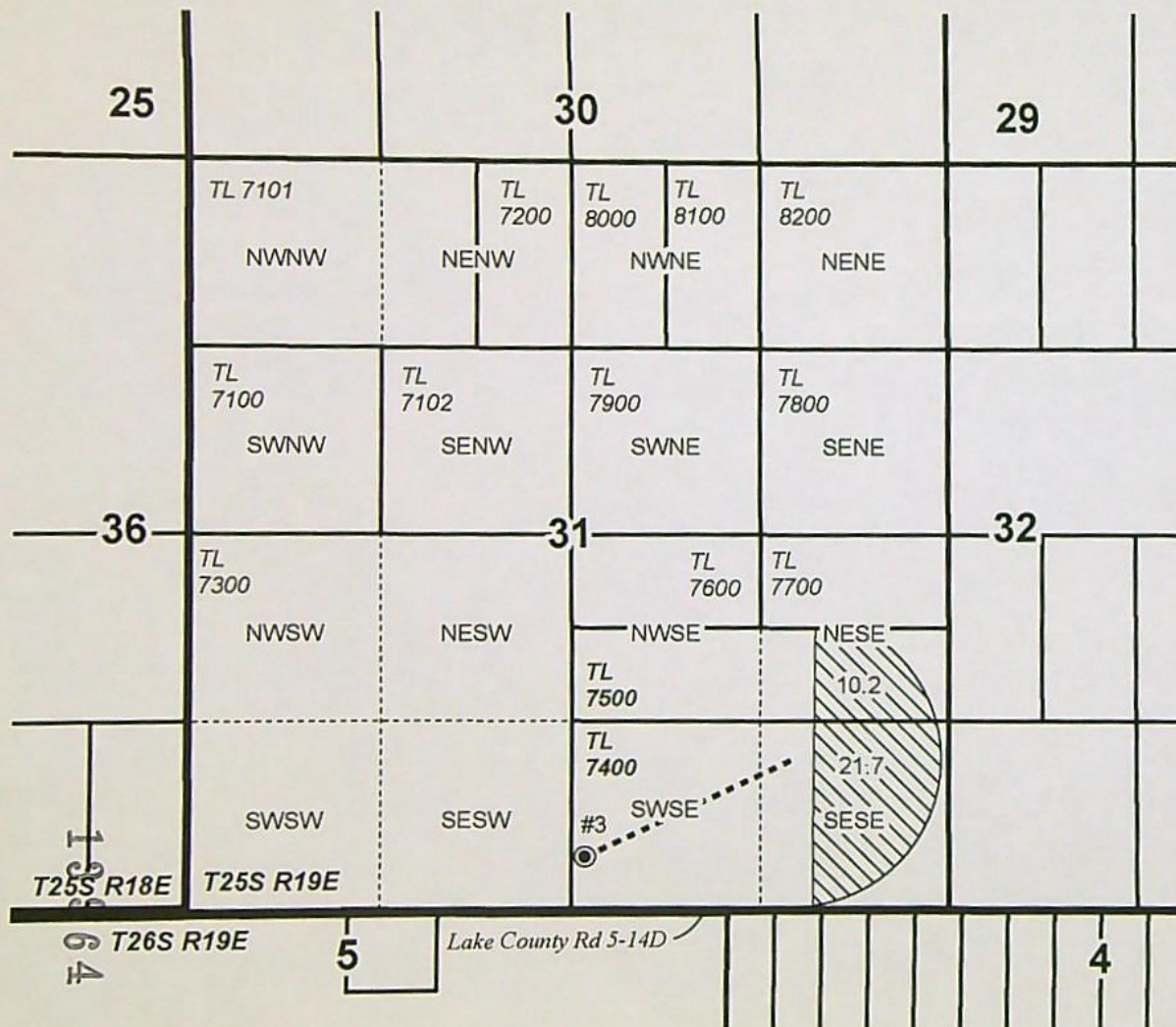
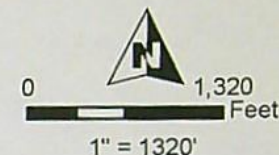
johnshort@usa.com

CCB # 197121



CCB # 197121

**T25S R19E, WM,
LAKE COUNTY, OR**



- Well
- Pipeline
- POU IR C-52627 6/26/1981 "ON"
- Township
- Section
- Quarter Quarter
- Tax Lot

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Well Location:

#3 (LAKE 284): 360' N, 100' E
of the S 1/4 Cor of Sec 31



**TEMPORARY TRANSFER "ON" MAP 2 OF 2
HARD ROCK FARMLAND, LLC**

Date: 3/2/2022

C-52627

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC

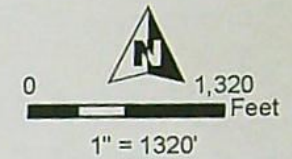
PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121

T25S R18E, WM,
LAKE COUNTY, OR



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"OREGONAERIAL2020" ESRI IMAGERY

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121

Date: 3/2/2022

C-52627

Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form

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

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Applicant(s): AARON WESLER / HARD ROCK FARMLAND, LLC

Mailing Address: PO BOX 226

City: CHRISTMAS VALLEY

State: OR

Zip Code: 97641

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>25S</u>	<u>18E</u>	<u>2</u>	_____	<u>201</u>	<u>FARM USE</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>25S</u>	<u>19E</u>	<u>31</u>	_____	<u>7400</u>	<u>FARM USE</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
<u>25S</u>	<u>19E</u>	<u>31</u>	_____	<u>7500</u>	<u>FARM USE</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

LAKE 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: 0.53 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

TEMPORARY TRANSFER OF IRRIGATION TO A NEW PLACE OF USE AND POINTS OF APPROPRIATION.

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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MAR 31 2022

For Local Government Use Only

OWRD

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): Yuba County Zoning Ordinance Article 3-B-2 zone
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

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

25-18-2-201; 25-19-31-7400; 25-19-31-7500

Name: Darwin Johnson Jr. Title: Planning Director
 Signature: [Signature] Phone: 541-947-6036 Date: 3/March 2022
 Government Entity: Lake County Planning Department

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: _____

Lake County Planning 3/3/2022

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Checked by

Scott

Date

4/5/22

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

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

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

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
- ☒ 2. Are fees included and correct? yes
If not, the correct fee would be: _____, so the amount missing is: _____
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled? yes N/C
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☒ N/A ☐ Form D needed from _____ (district)
6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

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