

Temporary

Name Tim Willett / Ryan KellyAddress 37405 Wheeler Rd / 816965 Mahogany Ln.
Pleasant Hill, OR 97455 / Springfield, OR 97478
twillett541@gmail.comChange in POU, PODDate Filed 8-8-2022Initial notice date 8-23-2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 6/22/2023 Vol 128 Page 547-550

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A Reservoir ; Alder Creek ; Middle Fork
Willamette River
Trib. of Willamette RiverUse Irrigation ; Fish Culture County Lane

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

Name of ditch _____

App# S-32922 Per # S-25983 Cert # 96134 PR Date 2/18/1959

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>8-8-2022</u>	<u>\$ 955.40</u>	<u>138880</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments: _____

Irrigation District _____

Agent John A. Short & johnshort@usa.com

CWRE _____

CC's list Lane County☐ - Oversized map - Location _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14073

Transfer Specialist: *Aula*

Transfer Type: Temporary Transfer

Applicant: TIM WILLETT 37405 WHEELER RD PLEASANT HILL, OR 97455 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Lane County Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S32922	S25983	96134	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	—
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: August 8, 2022	Proposed Action(s): <i>POINT OF DIVERSION; PLACE OF USE</i>	
Fees Pd: 955.40	WM District: 2	ODFW District:
Initial Public Notice: 08/23/2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> 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: <i>4/4/23</i> Initials: <i>AKS</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>PKI</i>	Date: <i>4/13/23</i> Initials: <i>AKS</i>	CW Sent: <i>4/13/23</i>	N/A
PD	Date: <i>4/4/23</i> Initials: <i>AKS</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>PKI</i>	Date: <i>4/13/23</i> Initials: <i>AKS</i>	Date: <i>4/13/23</i>	Date: <i>6/24/23</i>
FO	Date: <i>4/4/23</i> Initials: <i>AKS</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>SWH</i>	Date: <i>4/11/23</i> Initials: <i>PKI</i>	Date: <i>4/13/23</i> Initials: <i>AKS</i>	Date: <i>4/13/23</i>	Date: <i>6/24/23</i>

Special Issues: 5 year Temp Transfer - removed ΔPOD
 Special Order Volume: Vol. 125 Pages _____
on 3/28/23



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

June 22, 2023

TIM WILLETT
37405 WHEELER RD
PLEASANT HILL, OR 97455

REFERENCE: District Temporary Transfer Application T-14073

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, Arla.L.Davis , by telephone at (503) 979-3511 or by e-mail at

Arla.L.DAVIS@water.oregon.gov

Sincerely,

Flor Pena
Water Rights Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
John A. Short, Agent
Lane County

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14073, Lane County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 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 diversion 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.

Applicants

TIM WILLETT
37405 WHEELER RD
PLEASANT HILL, OR 97455

RYAN KELLY
86965 MAHOGANY LN
SPRINGFIELD, OR 97478

Findings of Fact

1. On August 8, 2022, TIM WILLETT AND RYAN KELLY filed an application to temporarily change the place of use and point of diversion to serve the proposed place of use under Certificate 96134 for a period of 5 years. The Department assigned the application number T-14073.
2. Notice of the application for transfer was published on August 23, 2022, pursuant to OAR 690-380-4000.
3. On November 22, 2022, and March 15, 2023, the Department issued a watermaster review and a watermaster re-review. Both reviews indicated that if the proposed point of diversion location is approved, there would likely be a change in source and probability of injury to downstream water rights, therefore the proposed change in point of diversion should be denied.

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.

4. On March 28, 2023, the agent for the applicant provided the Department with amended application pages, removing the proposed point of diversion, allowing the application to be approved as a change in place of use only.

5. The portion of the first right to be temporarily transferred is as follows:

Certificate: 96134 in the name of PAUL D. GREEN (perfected under Permit S-25983)

Use: IRRIGATION of 2.0 ACRES

Priority Date: FEBRUARY 18, 1959

Rate: 0.025 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-EIGHTITH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed, 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from a reservoir constructed under R-2220, water to be diverted from Alder Creek when available and any deficiency in the available supply in Alder Creek is to be made up by diversion from Middle Fork Willamette River, providing that the total quantity diverted from both streams shall not exceed one-eighth of a cubic foot per second for each acre irrigated,

Source: MIDDLE FORK WILLAMETTE RIVER, ALDER CREEK, AND GREEN'S RESERVOIR a tributary of WILLAMETTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	2 W	WM	31	SW NW		102 FEET NORTH AND 780 FEET EAST FROM THE W1/4 CORNER OF SECTION 31
18 S	1 W	WM	31	SW SW		NONE GIVEN
18 S	2 W	WM	36	NE SE	3	NONE GIVEN

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
18 S	2 W	WM	36	SE NE	2	2.0

6. Temporary Transfer Application T-14073 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
18 S	2 W	WM	9	NE NE	2	2.0

7. 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.

8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. 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).
10. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

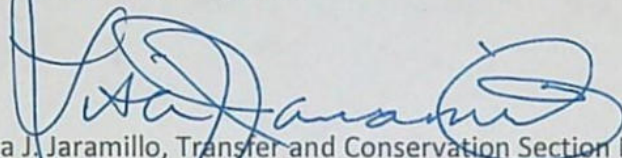
The temporary change in place of use proposed in Temporary Transfer Application T-14073 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use in Temporary Transfer Application T-14073 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.
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. A subsequent application for permanent transfer of Certificate 96134 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.
6. 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 96134.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - 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.
9. The use of the remaining water right described by Certificate 96134 shall continue to be in accordance with the terms and conditions of Certificate 96134.

Dated in Salem, Oregon on **JUN 22 2023**



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

Mailing Date: **JUN 23 2023**

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: 96134**
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
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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

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 # 96134

Description of Water Delivery System

System capacity: 0.05 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. WATER TRUCK

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD # 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	2 W	36	NE SE	L3	320' S, 860' W OF W 1/4 COR SEC 31, T18S R1W
POD # 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	NW SW	L3	1240' S, 290' E OF W 1/4 COR SEC 31, T18S R1W
POD # 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	SW NW		120' N, 780' E OF W 1/4 COR SEC 31, T18S R1W

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

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

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

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

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

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

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

PERMIT # G-17588

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L-101882	11	S	43	E	19	NE	NE	2600	37 ft S and 325 ft W from NE corner of Section 19
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L-109663	11	S	43	E	19	NE	NE	2600	466 ft S and 295 ft W from NE corner of Section 19
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	11	S	43	E	18	SE	SE	2600	1,869 ft N and 732 ft W from SE corner of Section 18

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

- | | |
|---|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- ☒ 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 permit to be changed.

For a change in place of use: (N/A)

Does the permit holder of record own or control the land TO which the place of use is being moved?

☐ Yes ☐ No

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? ☐ Yes ☐ No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use unless the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Bert and Terri Siddoway			PHONE NO. 541-403-0490	ADDITIONAL CONTACT NO.
ADDRESS PO Box 115			FAX NO.	
CITY Durkee	STATE OR	ZIP 97905	E-MAIL Bertsiddoway@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Paul Garvin/Garvin HydroGeo L.L.C.			PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.
ADDRESS 1705 MAIN ST STE 101			FAX NO.	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL GARVIN.HYDROGEO@GMAIL.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:
The existing two wells are not sufficient to reach the permitted rate of 3.34 cfs. In order to reach the permitted rate and increase system flexibility, the water user proposes to add a point of appropriation.

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

☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Is the applicant the permit holder of record? ☒ Yes ☐ No

If NO, include either:

- ☐ A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), OR
- ☐ An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

Has the Completion ("C") Date of the permit(s) in this application expired? ☐ Yes ☒ No

If YES, this application will not be accepted by the Department.

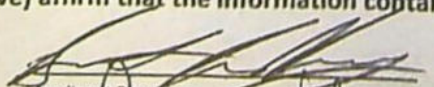
If NO, what are the completion dates of the permit(s)? 10/1/21

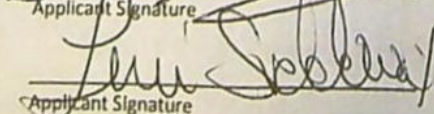
- If the permit completion date expires while the Permit Amendment Application is pending, the Department will not approve the Permit Amendment Application until an Extension of Time Application is approved for the permit.
- You may consider using the Reimbursement Authority process to expedite the processing of this Permit Amendment Application if the completion date of the permit expires within 6 months of the date of filing this application.

By my signature below, I confirm that I understand:

- Prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Baker City Herald

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


Applicant Signature


Applicant Signature

Bert Siddoway/ Permit holder 3-23-23
Print Name (and Title If applicable) Date

Terri Siddoway/Permit Holder 3-23-23
Print Name (and Title If applicable) Date

RECEIVED
MAR 31 2023
OWRD

MAR 28 2023

Part 4 of 5 – Applicant Information and Signature

Applicant Information

Salem, OR

APPLICANT/BUSINESS NAME TIM WILLETT			PHONE NO. 541-912-1375	ADDITIONAL CONTACT NO.
ADDRESS 37405 WHEELER RD			FAX NO.	
CITY PLEASANT HILL	STATE OR	ZIP 97455	E-MAIL twillett541@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				
APPLICANT/BUSINESS NAME RYAN KELLY			PHONE NO. 541-915-9912	ADDITIONAL CONTACT NO.
ADDRESS 86965 MAHOGANY LN			FAX NO.	
CITY SPRINGFIELD	STATE OR	ZIP 97478	E-MAIL nwmaryankelly@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application and why:
TRANSFER TEMPORARILY TO A NEW PLACE OF USE.

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

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

_____ Applicant signature	<u>TIM WILLETT</u> Print Name (and Title if applicable)	_____ Date
_____ Applicant signature	<u>RYAN KELLY</u> Print Name (and Title if applicable)	_____ Date

*- original
Signed*

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.

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 # 96134

Received by OWRD

Description of Water Delivery System

System capacity: 0.05 cubic feet per second (cfs) OR

MAR 28 2023

_____ gallons per minute (gpm)

Salem, OR

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. WATER TRUCK

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD # 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	2 W	36	NE	SE	L3	320' S, 860' W OF W 1/4 COR SEC 31, T18S R1W
POD # 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	NW	SW	L3	1240' S, 290' E OF W 1/4 COR SEC 31, T18S R1W
POD # 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	SW	NW		120' N, 780' E OF W 1/4 COR SEC 31, T18S R1W

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

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

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

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

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

- | | |
|--|---|
| <input type="checkbox"/> 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. |
| <input checked="" type="checkbox"/> No | Complete all of Table 2 to describe the portion of the water right to be changed. |

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

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

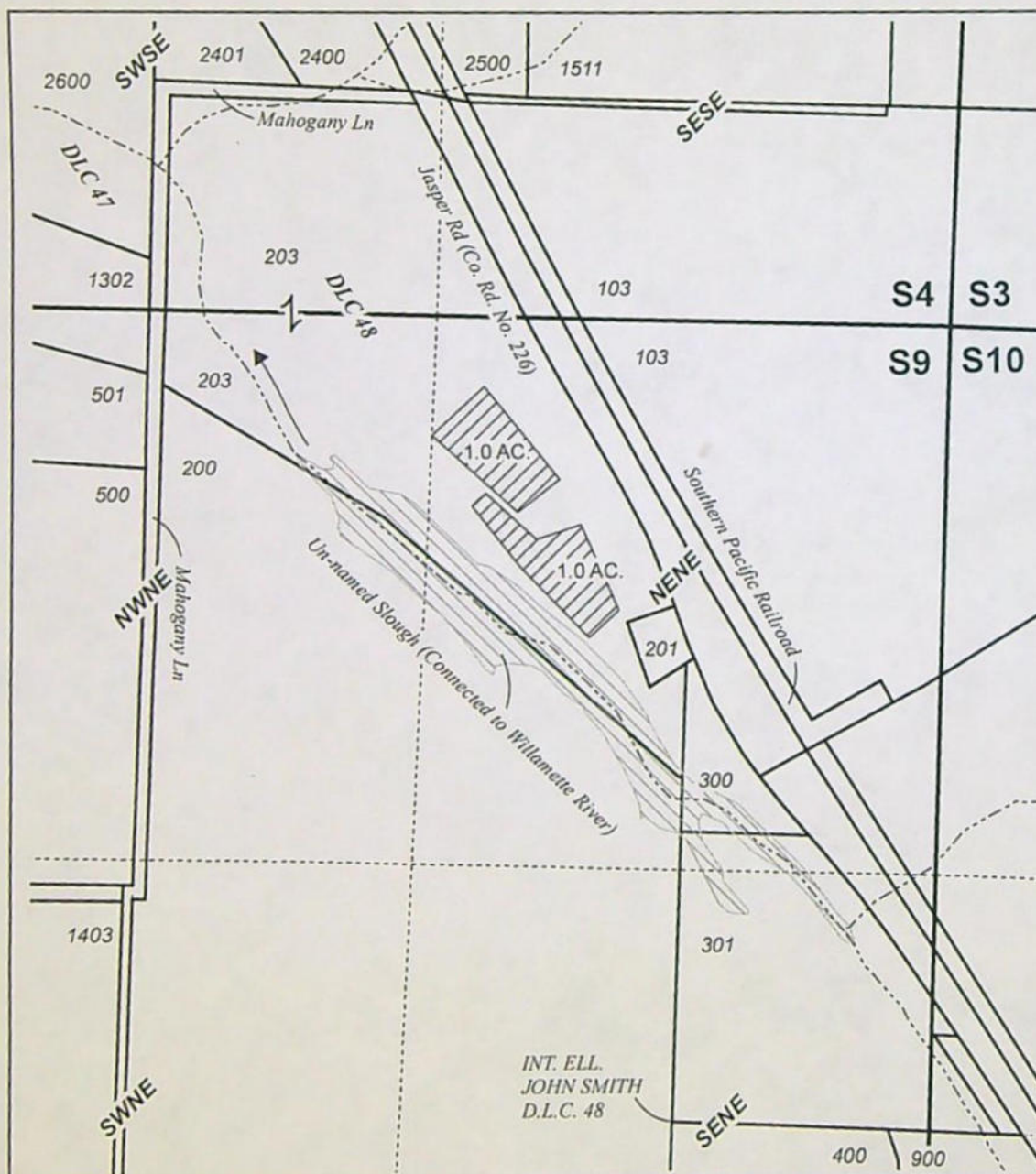
Table 2. Description of Temporary Changes to Water Right Certificate # 96134

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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
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			
18	S	2	W 36 SE NE	108	L2	2.0	IR	POD 3, 4, 5	1959	POU	18	S	2	W 9 NE NE	203		2.0	IR	POD 3, 4, 5	1959			
TOTAL ACRES						2.0						TOTAL ACRES						2.0					

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Salem, OR

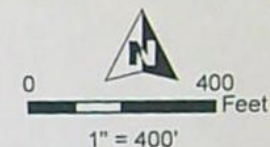
Additional remarks: THE APPLICANT PROPOSES TO CHANGE THE PLACE OF USE FOR A 2.0 ACRE IRRIGATION PORTION OF THE CERTIFICATE, LEAVING THE REMAINING IRRIGATION AND FISH CULTURE PORTION OF THE CERTIFICATE IN PLACE.



T18S R2W, WM,
Received by OWRD LANE COUNTY, OR

MAR 28 2023

Salem, OR



- Un-named Streams
- Slough
- C-96134 Irrigation 2/18/1959 "ON"
- DLC
- Section
- Quarter Quarter
- Tax Lot



TEMPORARY TRANSFER "ON" MAP
Tim Willett & Ryan Kelly

Date: 3/28/2023

C-96134

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

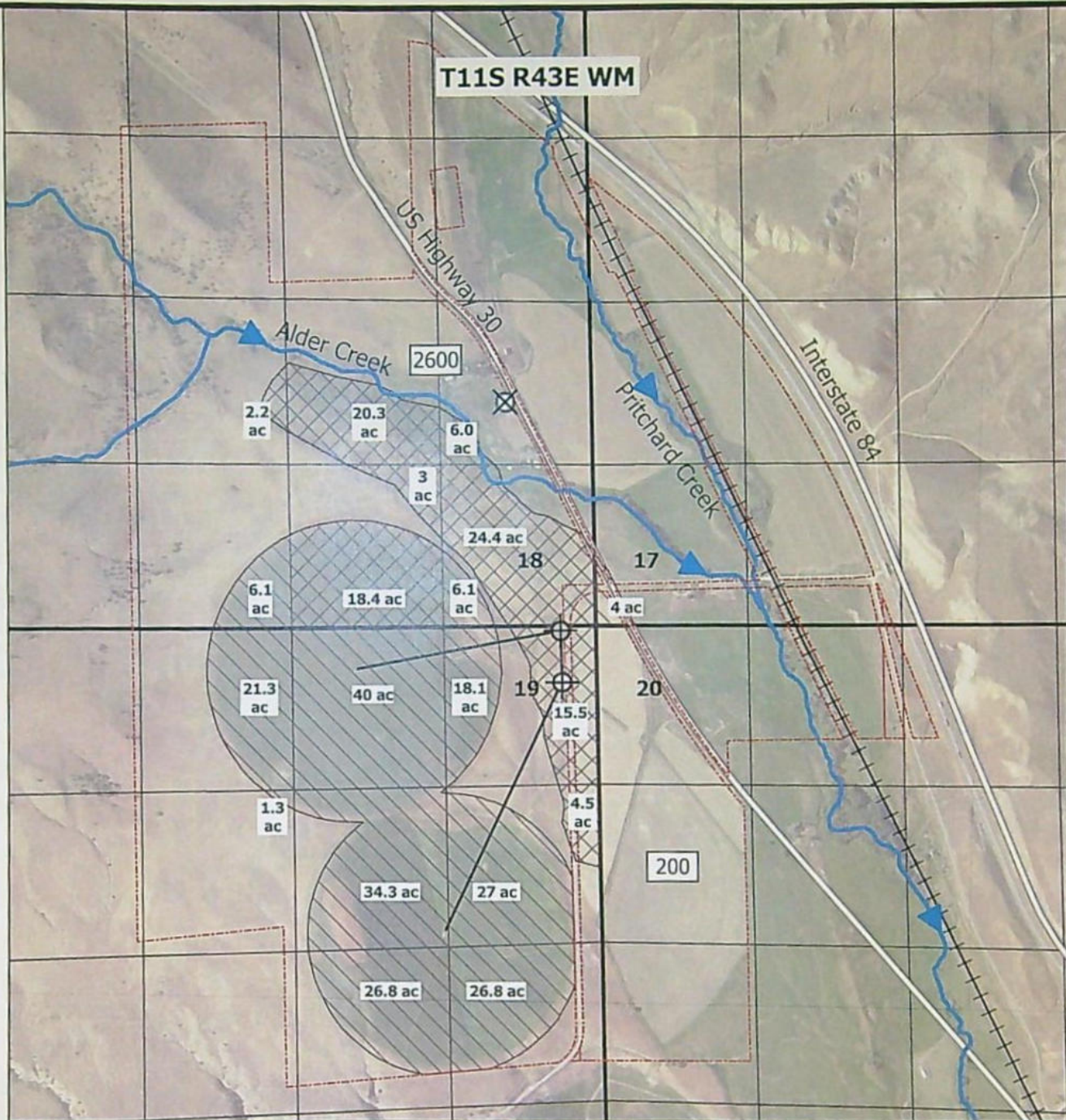
WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121



LEGEND

- Irrigated Area - Primary
- Irrigated Area - Supplemental
- Baker County Taxlot Boundary

- Well 1
- Well 2
- Proposed well
- 10" Mainline

200

Garvin
HydroGeo
LLC

Map to Accompany Application for Permit Amendment Permit G-17588 Baker County, OR

Prepared on behalf of Bert and Terri Siddoway



Drawn by: Paul F. Garvin, R.G. C.W.R.E.
Date: 3/24/23

1 inch = 1,320 feet

Notes:

- Well 1 (L-101882): 37 ft S and 325 ft W from NE corner of Section 19
- Well 2 (L-109663): 466 ft S and 295 ft W from NE corner of Section 19
- Well 3 (Proposed): 1,869 ft N and 732 ft W from SE corner of Section 18

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

DAVIS Arla L * WRD

From: Ryan Kelly <ryan.kelly@whitetailproperties.com>
Sent: Friday, March 31, 2023 10:13 AM
To: DAVIS Arla L * WRD
Subject: T-14073

Good morning,

I wanted to check in and let you know that Bryce from Water Right Services is adjusting the application to remove the change of POD and only have the Change of place of use. I believe that he should get that to you within a few days. Please give us another week to make sure that it gets to you and has everything that you need for approval.

I also wanted to let you know that I have tried to get in touch with Mr. McCord for the last two weeks. I have sent 3 emails and have not gotten any response. I am sure that he is busy but two weeks without even as much as a reply saying that he got my emails or any response at all seems unreasonable. If anyone in the private sector took more than two weeks to respond to concerns from their customers, they would be out of business.

You have been very helpful and responsive so I don't want to come across as upset with you, but wanted to let you know of the situation in case you can ask him to please respond to my concerns.

Thanks,
Ryan



Whitetail Properties Real Estate, LLC DBA Whitetail Properties, DBA Whitetail Properties Real Estate. In the States of Nebraska & North Dakota DBA Whitetail Trophy Properties Real Estate LLC. Licensed in CO, MN, ND, SD, TN & WI - Jeffrey Evans, Broker. Licensed in FL, KS & MO - Jefferson Kirk Gilbert, Broker. Licensed in TX & NM - Joey Bellington, Broker. Licensed in IN - Dan Bates, Broker. Licensed in AL, GA, LA, & MS - Sybil Stewart, Broker. Licensed in TN - Tim Burnette, Broker. Licensed in TN & MS- Josh Monk, Broker. Licensed in AR - Anthony Chrisco, Broker. Licensed in NC, SC, VA - Chip Camp, Broker. Licensed in IA, NC - Richard F. Baugh, Broker. Licensed in MI - Edmund Joel Nogaski, Broker. Licensed in IL, MD, WV - Debbie S. Laux, Broker. Licensed in ID, MT, OR, UT, WA, WY & NV - Aaron Milliken, Broker. Licensed in NY - John Myers, Real Estate Broker. Licensed in OK - Dean Anderson, Broker. Licensed in KY, ME & NH - Derek Fisher, Broker. Licensed in OH - Jeremy Schaefer, Principal Broker. Licensed in NE & SD- Jason Schendt, Broker. Licensed in MS- Chipper Gibbes, Broker. Licensed in PA- Jack Brown, Broker.

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DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Thursday, February 23, 2023 8:49 AM
To: ryan.kelly@whitetailproperties.com
Subject: T-14073 - Temporary Transfer to change POU/POD

Hi Ryan,

Thank you for speaking with me today. If you have any questions please let me know.

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.

Speaking to Lanaya about Wm Review.
Wait to issue F.O. until hear from
applicant. Change 5 year to 23, 24, 25, 26, 27

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-14073

Review Due Date:

Applicant Name: Tim Willet & Ryan Kelly

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

Reviewer(s): L. Blakely

Date of Review: 03/15/2023

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:
There are two senior water rights downstream from the proposed POD that could be injured if this transfer is approved given the low flow of water from the Middle Fork Willamette River within the slough.
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:

no known channel 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:

Minimal live flow from M Fk Willamette River likely reaches the proposed POD except during high flow events in the winter and spring. Water from M Fk Willamette appears to make up a small portion of the flow in the winter and even less in the summer. The slough is primarily filled with exposed groundwater and runoff/drainage from Jasper rd and the north-eastern hillsides. There is likely insufficient live flow from the M Fk Willamette in the slough during the season of use which would result in mostly groundwater being diverted. Due to the likely change in source and probability of injury to downstream water rights, the proposed POD should be denied.

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-

☐

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

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

at each new point of diversion/appropriation.

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

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

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

Approval of an Alternate Measurement Device

T-

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

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

 Watermaster signature

 District

 Date

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

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

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.

Received by OWRD

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

MAR 28 2023

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist. Salem, OR
- ☒ 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

☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TIM WILLETT			PHONE NO. 541-912-1375	ADDITIONAL CONTACT NO.
ADDRESS 37405 WHEELER RD			FAX NO.	
CITY PLEASANT HILL	STATE OR	ZIP 97455	E-MAIL twillett541@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				
APPLICANT/BUSINESS NAME RYAN KELLY			PHONE NO. 541-915-9912	ADDITIONAL CONTACT NO.
ADDRESS 86965 MAHOGANY LN			FAX NO.	
CITY SPRINGFIELD	STATE OR	ZIP 97478	E-MAIL nwmariyankelly@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application and why:

TRANSFERS TEMPORARILY TO A NEW PLACE OF USE.

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.

Received by OWRD

_____ Applicant signature	TIM WILLETT Print Name (and Title if applicable)	Date _____ MAR 28 2023
_____ Applicant signature	RYAN KELLY Print Name (and Title if applicable)	Date _____ Salem, OR

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.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 96134

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
18	S	2	W	36	SE	NE	108	L2	2.0	IR	POD 3, 4, 5	1959	POU	18	S	2	W	9	NE	NE	203		2.0	IR	POD 3, 4, 5	1959
TOTAL ACRES									2.0																	
														TOTAL ACRES									2.0			

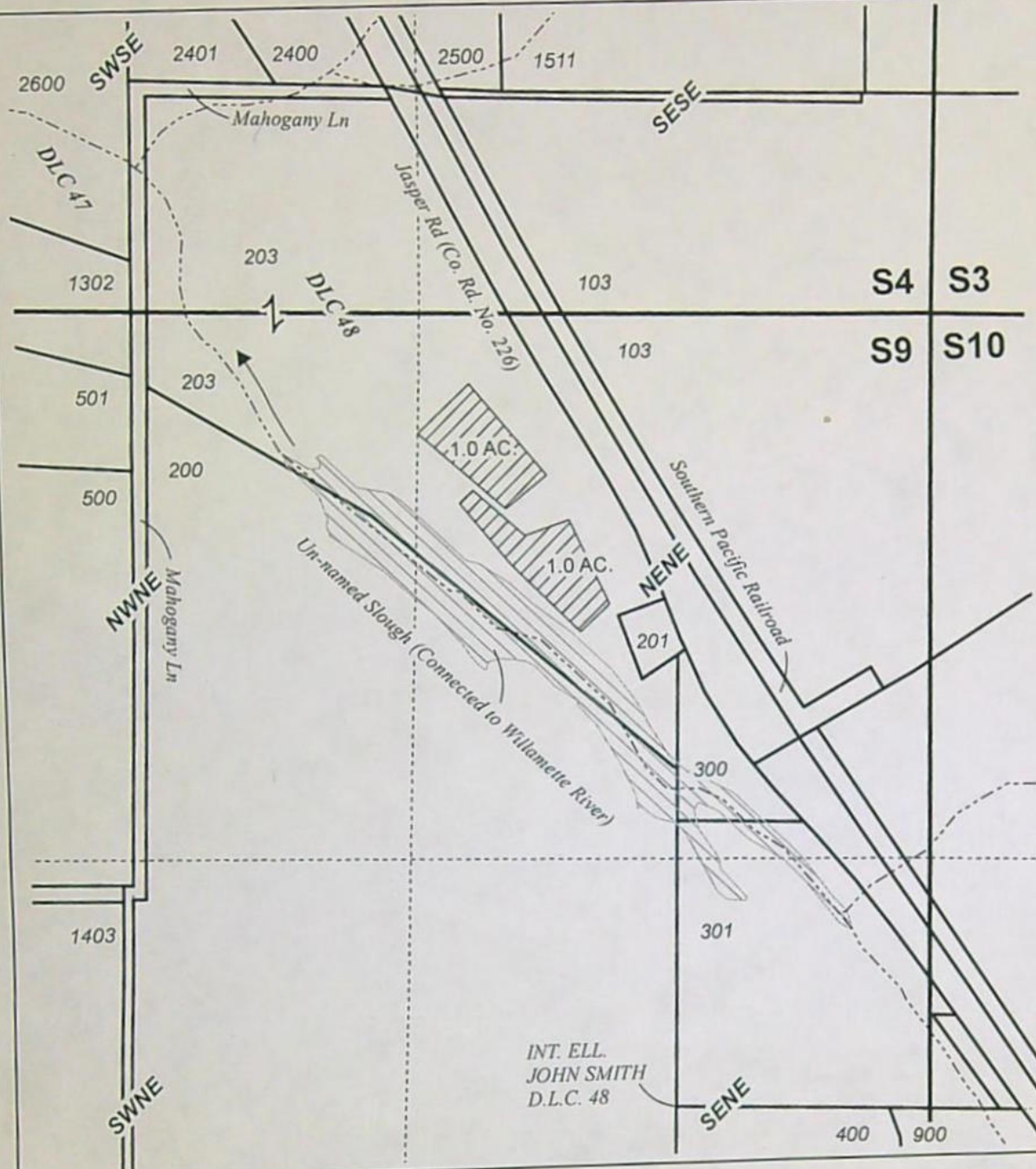
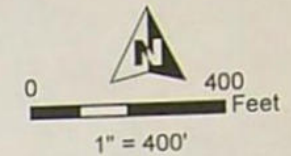
Received by OWRD

MAR 28 2023

Salem, OR

Additional remarks: THE APPLICANT PROPOSES TO CHANGE THE PLACE OF USE FOR A 2.0 ACRE IRRIGATION PORTION OF THE CERTIFICATE, LEAVING THE REMAINING IRRIGATION AND FISH CULTURE PORTION OF THE CERTIFICATE IN PLACE.

T18S R2W, WM,
LANE COUNTY, OR



- Un-named Streams
- Slough
- C-96134 Irrigation 2/18/1959 "ON"
- DLC
- Section
- Quarter Quarter
- Tax Lot

Received by OWRD

MAR 28 2023

Salem, OR



TEMPORARY TRANSFER "ON" MAP
Tim Willett & Ryan Kelly

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: 3/28/2023

C-96134

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT Received by OWRD

THIS CERTIFICATE ISSUED TO

MAR 28 2023

PAUL D. GREEN
STAR ROUTE
DEXTER OR 97431

Salem, OR

Has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of MIDDLE FORK WILLAMETTE RIVER, ALDER CREEK, AND GREEN'S RESERVOIR constructed under application number R-32921, Permit number R-2220, a tributary of WILLAMETTE RIVER for the purpose of IRRIGATION of 4 ACRES and FISH CULTURE.

Under Permit S-25983 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that priority of the right hereby confirmed dates from FEBRUARY 18, 1959. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.55 CUBIC FOOT PER SECOND (cfs), being 0.05 cfs for irrigation and 0.50 cfs for fish culture, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	1 W	WM	31	SW SW		NONE GIVEN
18 S	2 W	WM	36	NE SE	3	NONE GIVEN
18 S	2 W	WM	31	SW NW		102 FEET NORTH AND 780 FEET EAST FROM THE W1/4 CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed, 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-2220, water to be diverted from Alder Creek when available and any deficiency in the available supply in Alder Creek is to be made up by diversion from Middle Fork Willamette River, providing that the total quantity diverted from both streams shall not

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.

exceed one-eightieth of a cubic foot per second for each acre irrigated, and shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

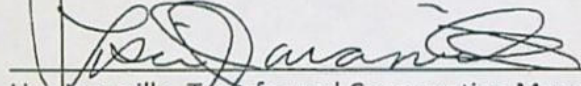
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
18 S	2 W	WM	36	SE NE	2	2.00
18 S	2 W	WM	36	NE SE	3	2.00

FISH CULTURE					
Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	1 W	WM	31	SW SW	3
18 S	2 W	WM	36	NE SE	3

This certificate is issued to confirm A CHANGE IN POINT OF DIVERSION DUE TO GOVERNMENT ACTION approved by an order of the Water Resources Director entered JAN 05 2022, approving Notification T- 13637, and supersedes Certificate 30982, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed JAN 05 2022.



Lisa Jaramillo, Transfer and Conservation Manager, for
THOMAS M. BYLER, DIRECTOR

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

Received by OWRD

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: 96134**
- 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
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 23, 2022

TIM WILLETT
37405 WHEELER RD
PLEASANT HILL, OR 97455

RYAN KELLY
86965 MAHOGANY LN
SPRINGFIELD, OR 97478

Reference: Application T-14073

On August 8, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$955.40. Our receipt number 138880 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. #2, Lanaya F. Blakely (via email)
Lane County Planning Department
John A. Short, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138880**

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

INVOICE # _____

RECEIVED FROM: Ryan Kelly

BY: Dennis Kelly

APPLICATION	
PERMIT	
TRANSFER	T-14073

CASH: ☐ CHECK: # 1026 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 955.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
 _____ OTHER: (IDENTIFY) \$
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ EXAM FEE 0202 \$
 0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$ 955.40

WELL CONSTRUCTION

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **138880**

DATED: 08/08/22 BY: [Signature]

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

RECEIVED

AUG 05 2022

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: 96134**
- 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: 2026.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

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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.

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°).

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	\$0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	\$0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>2 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$5.40
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	\$955.40

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

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

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME TIM WILLETT			PHONE NO. 541-912-1375	ADDITIONAL CONTACT NO.
ADDRESS 37405 WHEELER RD			FAX NO.	
CITY PLEASANT HILL	STATE OR	ZIP 97455	E-MAIL TWILLETT541@GMAIL.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				
APPLICANT/BUSINESS NAME RYAN KELLY			PHONE NO. 541-915-9912	ADDITIONAL CONTACT NO.
ADDRESS 86965 MAHOGANY LN			FAX NO.	
CITY SPRINGFIELD	STATE OR	ZIP 97478	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.				

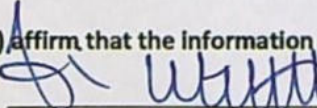
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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:
TRANSFER TEMPORARILY TO A NEW PLACE OF USE AND POD.

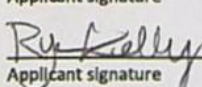
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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


Applicant signature

TIM WILLETT
Print Name (and Title if applicable)

7-27-22
Date


Applicant signature

RYAN KELLY
Print Name (and Title if applicable)

8-1-22
Date

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

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

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME LANE COUNTY PLANNING AND ZONING	ADDRESS 3050 N. Delta Hwy	
CITY EUGENE	STATE OR	ZIP 97408

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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AUG 05 2022

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 # 96134

Description of Water Delivery System

System capacity: 0.05 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. WATER TRUCK

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD # 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	2 W	36	NE	SE	L3	320' S, 860' W OF W 1/4 COR SEC 31, T18S R1W
POD # 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	N W	S W	L3	1240' S, 290' E OF W 1/4 COR SEC 31, T18S R1W
POD #5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	1 W	31	S W	N W		120' N, 780' E OF W 1/4 COR SEC 31, T18S R1W
POD "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		18 S	2 W	9	NE	NE		630' S, 1040' W OF NE COR SEC 9

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 96134

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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
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			
18	S	2	W 36 SE NE	108	L2	2.0	IR	POD 3, 4, 5	1959	POU & POD	18	S	2	W 9 NE NE	203		2.0	IR	POD "ON"	1959			
TOTAL ACRES						2.0						TOTAL ACRES						2.0					

Additional remarks: THE APPLICANT PROPOSES TO CHANGE THE PLACE OF USE AND POD FOR A 2.0 ACRE IRRIGATION PORTION OF THE CERTIFICATE, LEAVING THE REMAINING IRRIGATION AND FISH CULTURE PORTION OF THE CERTIFICATE IN PLACE.

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For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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 OWRD

17
After Recording Return To
First American Title
PO Box 10146
Eugene, OR 97440



After recording return to:
Timothy Charles Willett and Michelle
Eble Willett
37405 Wheeler Road
Pleasant Hill, OR 97455

Until a change is requested all tax statements
shall be sent to the following address:
Timothy Charles Willett and Michelle
Eble Willett
37405 Wheeler Road
Pleasant Hill, OR 97455
File No.: 7191-1489311 (jlw)
Date: November 18, 2009

Division of Chief Deputy Clerk
Lane County Deeds and Records

2009-065010



\$47.00

01115955200900650100020029

11/23/2009 01:06:46 PM

RPR-DEED Cnt=1 Stn=6 CASHIER 07
\$10.00 \$11.00 \$16.00 \$10.00

STATUTORY WARRANTY DEED

Michael L. Babcock and Jennifer P. Babcock, Grantor, conveys and warrants to **Timothy Charles Willett and Michelle Eble Willett, husband and wife**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Lane, State of Oregon, described as follows:

PARCEL 2, LAND PARTITION PLAT NO. 2001-P1498, AS PLATTED AND RECORDED OCTOBER 04, 2001, RECEPTION NO. 2001-065705, OFFICIAL RECORDS OF LANE COUNTY, OREGON.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$840,000.00**. (Here comply with requirements of ORS 93.030)


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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, OF CHAPTER 424, OREGON LAWS 2007. 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, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 19th day of Nov., 2009.


Michael L. Babcock


Jennifer P. Babcock

STATE OF Oregon)
)ss.
County of Lane)

This instrument was acknowledged before me on this 20 day of Nov, 2009
by **Michael L. Babcock and Jennifer P. Babcock.**

Mandy V. M. G. Fern



Notary Public for Oregon
My commission expires:

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Application for Water Right Transfer Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.
Supporting documentation must be attached.

State of Oregon)
) ss

County of LANE

I, TIM WILLETT, in my capacity as OWNER,

mailing address 37405 WHEELER RD. PLEASANT HILL, OR 97455

telephone number (541)912-1375, 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)
96134	18	S	2	W	WM	36	SE	NE	L2	2.0

OR

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

(continues on reverse side)

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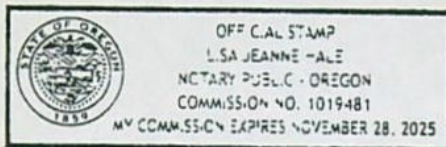
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE

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

[Signature]
Signature of Affiant

7-27-22
Date

Signed and sworn to (or affirmed) before me this 27th day of July, 2022.



Lisa Hale
Notary Public for Oregon
My Commission Expires: 11/28/25

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

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Paragon Water Tenders LLC

Josh Micheli, Pres.
POB 5363
Eugene, OR 97405
nwparagon@yahoo.com
(541) 232-6481

Date: 7/14/22

Invoice

#071422-1

To:
Ryan
37405 Wheeler Rd
Dexter, OR 97431
(541) 915-9912

For:
Water truck services

	Quantity	Rate	Amount
Water truck services: Draft water from river, and broad cast spray over field	1	\$225.00	\$225.00
Mileage	14	\$3/mile	\$40.00
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AUG 05 2022			\$265.00

Thank you for your business!

OWRD

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL D. GREEN
STAR ROUTE
DEXTER OR 97431

Has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of MIDDLE FORK WILLAMETTE RIVER, ALDER CREEK, AND GREEN'S RESERVOIR constructed under application number R-32921, Permit number R-2220, a tributary of WILLAMETTE RIVER for the purpose of IRRIGATION of 4 ACRES and FISH CULTURE.

Under Permit S-25983 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that priority of the right hereby confirmed dates from FEBRUARY 18, 1959. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.55 CUBIC FOOT PER SECOND (cfs), being 0.05 cfs for irrigation and 0.50 cfs for fish culture, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	1 W	WM	31	SW SW		NONE GIVEN
18 S	2 W	WM	36	NE SE	3	NONE GIVEN
18 S	2 W	WM	31	SW NW		102 FEET NORTH AND 780 FEET EAST FROM THE W1/4 CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed, 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-2220, water to be diverted from Alder Creek when available and any deficiency in the available supply in Alder Creek is to be made up by diversion from Middle Fork Willamette River, providing that the total quantity diverted from both streams shall not

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.

exceed one-eightieth of a cubic foot per second for each acre irrigated, and shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

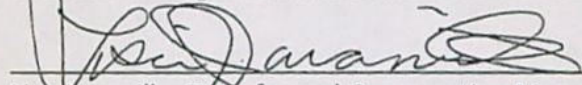
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
18 S	2 W	WM	36	SE NE	2	2.00
18 S	2 W	WM	36	NE SE	3	2.00

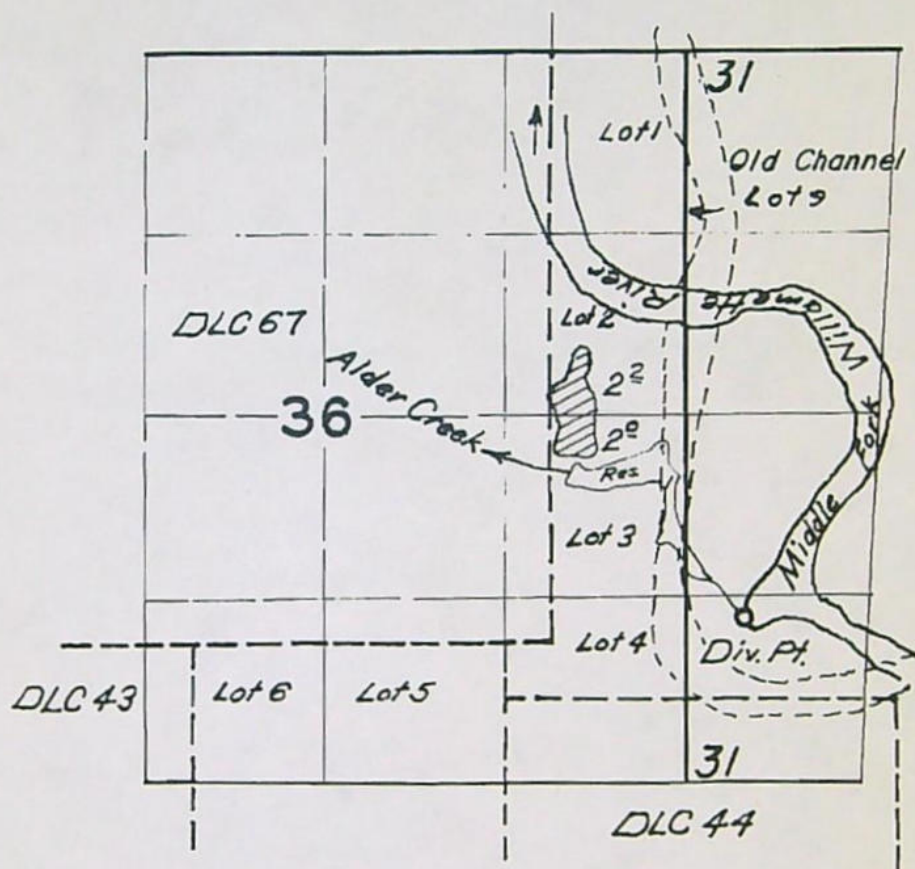
FISH CULTURE					
Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	1 W	WM	31	SW SW	3
18 S	2 W	WM	36	NE SE	3

This certificate is issued to confirm A CHANGE IN POINT OF DIVERSION DUE TO GOVERNMENT ACTION approved by an order of the Water Resources Director entered JAN 05 2022, approving Notification T- 13637, and supersedes Certificate 30982, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed JAN 05 2022.


Lisa Jaramillo, Transfer and Conservation Manager, for
THOMAS M. BYLER, DIRECTOR

T.18S. R.1&2 W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. *R-32921* *R-2220*
32922 Permit No. *23983*
IN NAME OF


Paul D. Green


Surveyed *11 May*, 1962, by *Carl R. Baker*

T18S R2W & T18S R1W, WM, LANE COUNTY, OR


- ⊙ Proposed POD
- Authorized POD


----- Streams


 C-19509 IR (NOT AFFECTED)

 C-19509 IR PROPOSED FOR NEW POD

 C-30982 IR (PROPOSED FOR NEW POD)


 C-30981 Storage & Fish (PROPOSED FOR NEW POD)

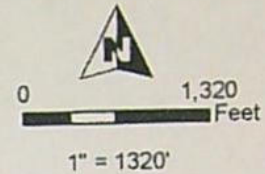
 Township

 Section

----- Quarter Quarter

----- DLC

 Tax Lot



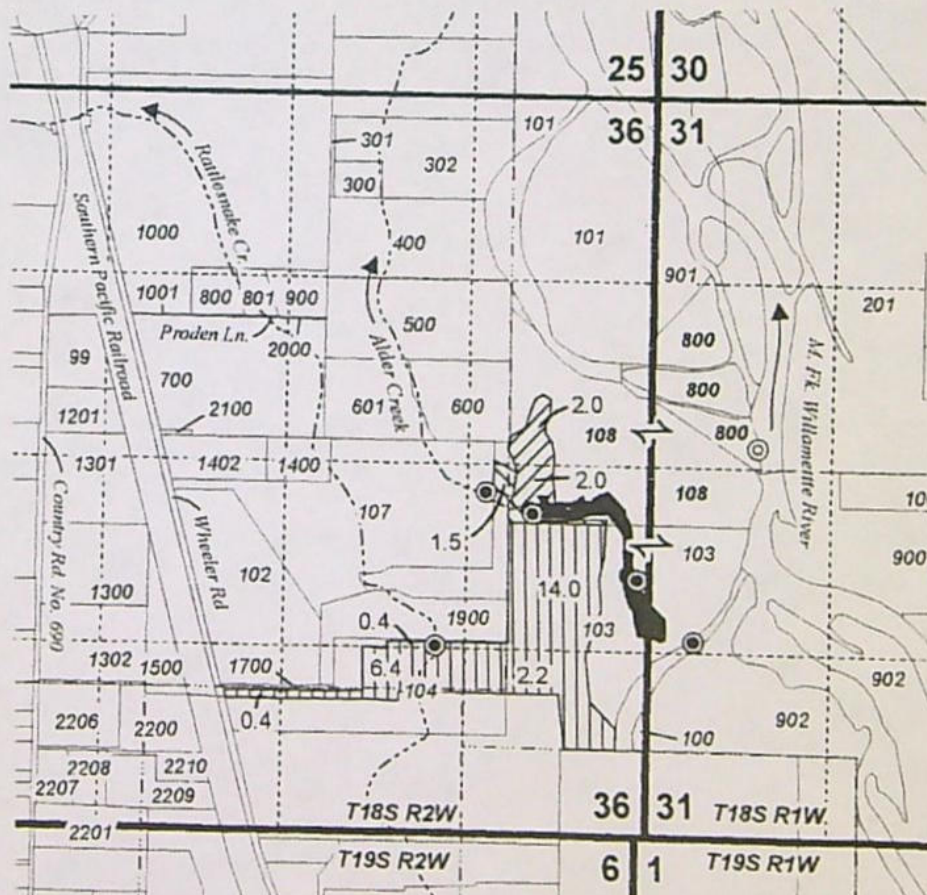
Proposed POD Location:

120' N, 780' E of W 1/4 Cor Sec 31, T18S R1W, W.M.

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13637 -

C-19509, C-30981, & C-30982

**POD CHANGE CAUSED
BY GOVERNMENT ACTION MAP**
Tim Willett Date: 2/4/2021

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 CCB # 197121
johnshort@usa.com 541-389-2837













LAND MANAGEMENT DIVISION

Date Received/ RECEIVED JUL 21 2022

RECEIVED JUL 21 2022

TYPE I APPLICATION

Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # 509-PA22-05470

FEE: 143⁰⁰ GW

Applicant (print name):

Ryan Kelly

Mailing address:

1015 S. 44th St. Springfield, OR 97478

Phone:

541-915-9912

Email:

ryan.kelly@whitetailproperties.com

Applicant Signature:

Ry k

PROPERTY LOCATION

18 02 09 0000 203

Assessor's Map and Tax Lot

86965 Mahogany Ln Springfield, OR 97478

Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

Please complete the attached OWRD Land Use Information Form.

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AUG 05 2022

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Land Use Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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Land Use Information Form



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

Applicant(s): RYAN KELLY & TIM WILLETT

Mailing Address: 86965 MAHOGANY LN

City: SPRINGFIELD

State: OR

Zip Code: 97478

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>18S</u>	<u>2W</u>	<u>9</u>	_____	<u>203</u>	<u>E25</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

LANE 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) MIDDLE FORK WILLAMETTE RIVER

Estimated quantity of water needed: 0.025 ☒ 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:

TRANSFER TO NEW PLACE OF USE AND POINT OF DIVERSION.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): *Lane Code 16.212(3), Use Table 1.1*
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Irrigation for growing crops is permitted outright as a "farm use" per LC 16.212(3), Use Table Item 1.1

Name: *Gareth Warr* Title: *Planner*

Signature: *Gareth Warr* Phone: *541-682-6655* Date: *7/21/22*

Government Entity: *Lane County Land Management Division*

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: _____

RECEIVED

AUG 05 2022

OWRD

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL D. GREEN
STAR ROUTE
DEXTER OR 97431

Has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of MIDDLE FORK WILLAMETTE RIVER, ALDER CREEK, AND GREEN'S RESERVOIR constructed under application number R-32921, Permit number R-2220, a tributary of WILLAMETTE RIVER for the purpose of IRRIGATION of 4 ACRES and FISH CULTURE.

Under Permit S-25983 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that priority of the right hereby confirmed dates from FEBRUARY 18, 1959. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.55 CUBIC FOOT PER SECOND (cfs), being 0.05 cfs for irrigation and 0.50 cfs for fish culture, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	1 W	WM	31	SW SW		NONE GIVEN
18 S	2 W	WM	36	NE SE	3	NONE GIVEN
18 S	2 W	WM	31	SW NW		102 FEET NORTH AND 780 FEET EAST FROM THE W1/4 CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed, 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-2220, water to be diverted from Alder Creek when available and any deficiency in the available supply in Alder Creek is to be made up by diversion from Middle Fork Willamette River, providing that the total quantity diverted from both streams shall not

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.

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OWNED

exceed one-eightieth of a cubic foot per second for each acre irrigated, and shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

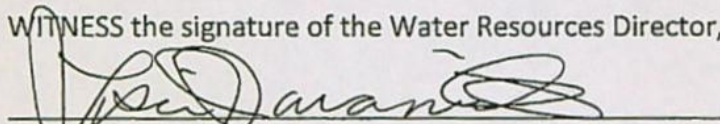
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
18 S	2 W	WM	36	SE NE	2	2.00
18 S	2 W	WM	36	NE SE	3	2.00

FISH CULTURE					
Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	1 W	WM	31	SW SW	3
18 S	2 W	WM	36	NE SE	3

This certificate is issued to confirm A CHANGE IN POINT OF DIVERSION DUE TO GOVERNMENT ACTION approved by an order of the Water Resources Director entered JAN 05 2022, approving Notification T- 13637, and supersedes Certificate 30982, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed JAN 05 2022.

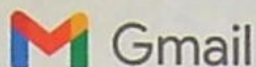


Lisa Jaramillo, Transfer and Conservation Manager, for
THOMAS M. BYLER, DIRECTOR

RECEIVED

AUG 05 2022

OWRD



Bryce Withers <brycewrs@gmail.com>

Temp. Transfer

1 message

Ryan Kelly <nwmaryankelly@gmail.com>

Wed, Mar 23, 2022 at 8:14 AM

To: Bryce Withers <brycewrs@gmail.com>, Tim Willett <twillett541@gmail.com>

Hi Bryce,

Tim and I spoke and we are planning on moving forward with the temporary transfer of 2 acres for 5 years as previously planned. We will use a water truck to pull water from Tim's new POD and irrigate the pasture grass with it to prove beneficial use. When is the start of the irrigation season that we should do that? Also, can you please mark on a map the exact pasture that we need to irrigate so that we can be sure to get it right.

I will mark on the map that you sent me where my POD is going to be and will get that back to you today. After this temp. transfer is approved, I am hoping that we can start the process for a permanent transfer of just 1 acre. Tim and I talked briefly about that and he was going to think about it and discuss further with you. We will just focus on getting this temp. transfer done for now and circle back on that down the road.

Thanks,
Ryan

RECEIVED

AUG 05 2022

OWRD



Bryce Withers <brycewrs@gmail.com>

Temp. Transfer

1 message

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Thanks,
Ryan

— will irrigate
w/ water truck
ASAP

2 ac Temp.

maybe 1 ac Perm. TBD

• Find out irrigation season start date

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OWRD

Ryan Kelly

#3 S 320', W 860' of W 1/4 Cor Sec 31
~~E 1/4 Cor Sec 36~~
#4 S 1240', E 290' of " "
#5 N 102' E 780' of " "

ON POD ?

S 630' W 1040' of NE Cor Sec 9

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OWRD

Property Data

Map and Taxlot 1802090000203

Number

Site Address Multiple Addresses
86965 MAHOGANY LN
36134 JASPER RD

Acres Map Acres: 22.5 Tax Account Acres: 2.95

City Boundaries

City Limits None Found

Urban Growth None Found

Boundary(UGB)

Interactive Maps

Links

County Zone and
Plan Map Viewer
Lane County Map
Viewer

Tax Account Data

and Maps Links

Tax Account Data 0567139

(<http://apps.lanecounty.org/PropertyAccountInformation/Account/0567139>)

Note: Only one account shown. Property may have multiple accounts. Use the individual Property Account (IPA) search tool to verify multiple accounts.

Tax Maps

Building Permits

Links

Current County
Building Permits
(Permit Search)
Scanned County
Building Permits
(LMD PRO)

Sales Last Three

Years

Sales (Last 3 years) None Found

Jurisdictions

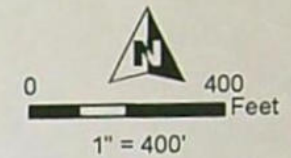
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☐ SIGN UP FOR NOTIFICATIONS

T18S R2W, WM, LANE COUNTY, OR



- POD
- Pipeline
- Un-named Streams
- Slough
- C-96134 Irrigation 2/18/1959 "ON"
- DLC
- Section
- Quarter Quarter
- Tax Lot

Proposed POD Location:
630' S, 1040' W of NE Cor Sec 9



TEMPORARY TRANSFER "ON" MAP Tim Willett & Ryan Kelly

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

WATER RIGHT SERVICES, LLC

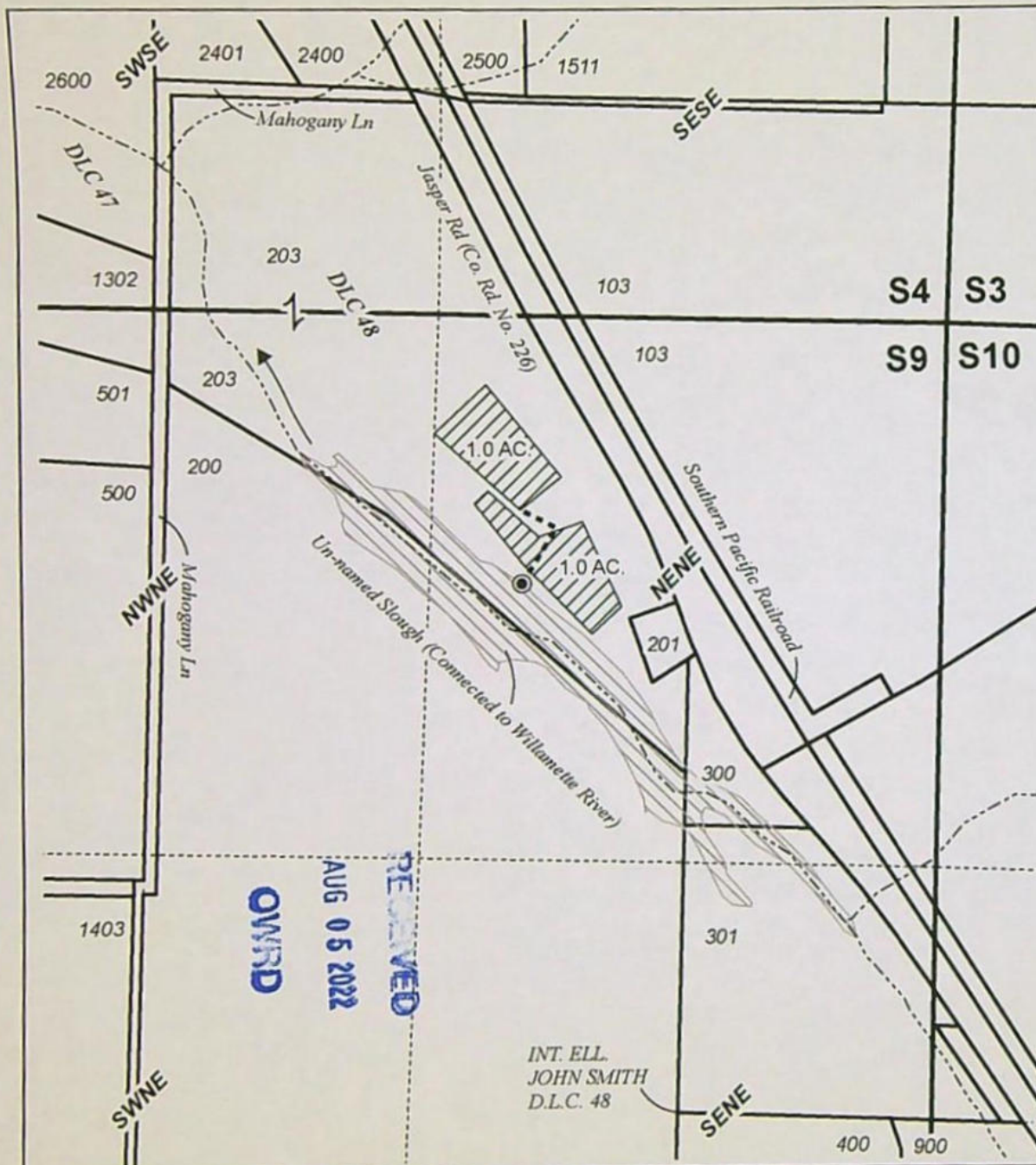
PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

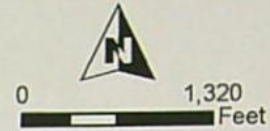
johnshort@usa.com CCB # 197121

Date: 3/25/2022

C-96134

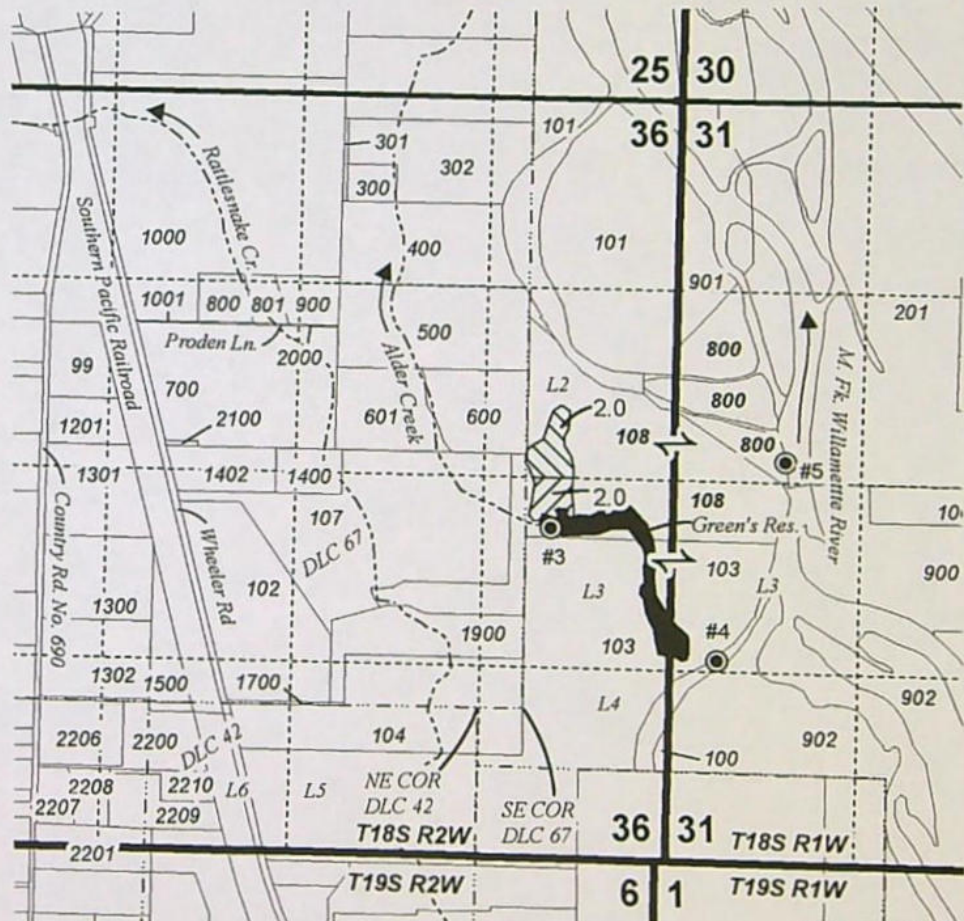


**T18S R2W &
T18S R1W, WM,
LANE COUNTY, OR**



1" = 1320'

- Authorized POD
- Streams
- C-96134 IRRIGATION 2/18/1959 "OFF"
- C-96134 IRRIGATION 2/18/1959 "NO CHANGE"
- C-96134 FISH CULTURE 2/18/1959 "NO CHANGE"
- Township
- Section
- Quarter Quarter
- DLC
- Tax Lot



Authorized POD Locations:

- #3: 320' S, 860' W of W 1/4 Cor Sec 31, T18S R1W, W.M.
- #4: 1240' S, 290' E of W 1/4 Cor Sec 31, T18S R1W, W.M.
- #5: 120' N, 780' E of W 1/4 Cor Sec 31, T18S R1W, W.M.

RECEIVED

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OWRD

TEMPORARY TRANSFER "OFF" MAP
Tim Willett & Ryan Kelly

C-96134

Date: 3/24/2022

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 CCB # 197121
johnshort@usa.com 541-389-2837

WILLETT

2020 GOOGLE EARTH IMAGERY

Legend

R02W DC67

Survey
Google Earth

Image © 2022 Maxar Technologies

L1

L9

L1

Water

L2

L2

T18S R01W

Water

Water

L3

L3

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OWARD



700 ft

18020900
LCAT JCO - 2015-10-17 10:22

SEE MAP
18020334
CANCELLED
800
1501
400
402
202

RECEIVED

AUG 05/2022

OWRD

18020900

SECTION 31, T8N, R27W, W1M.
Lane County

019-32

019-32

019-36

019-15

019-15

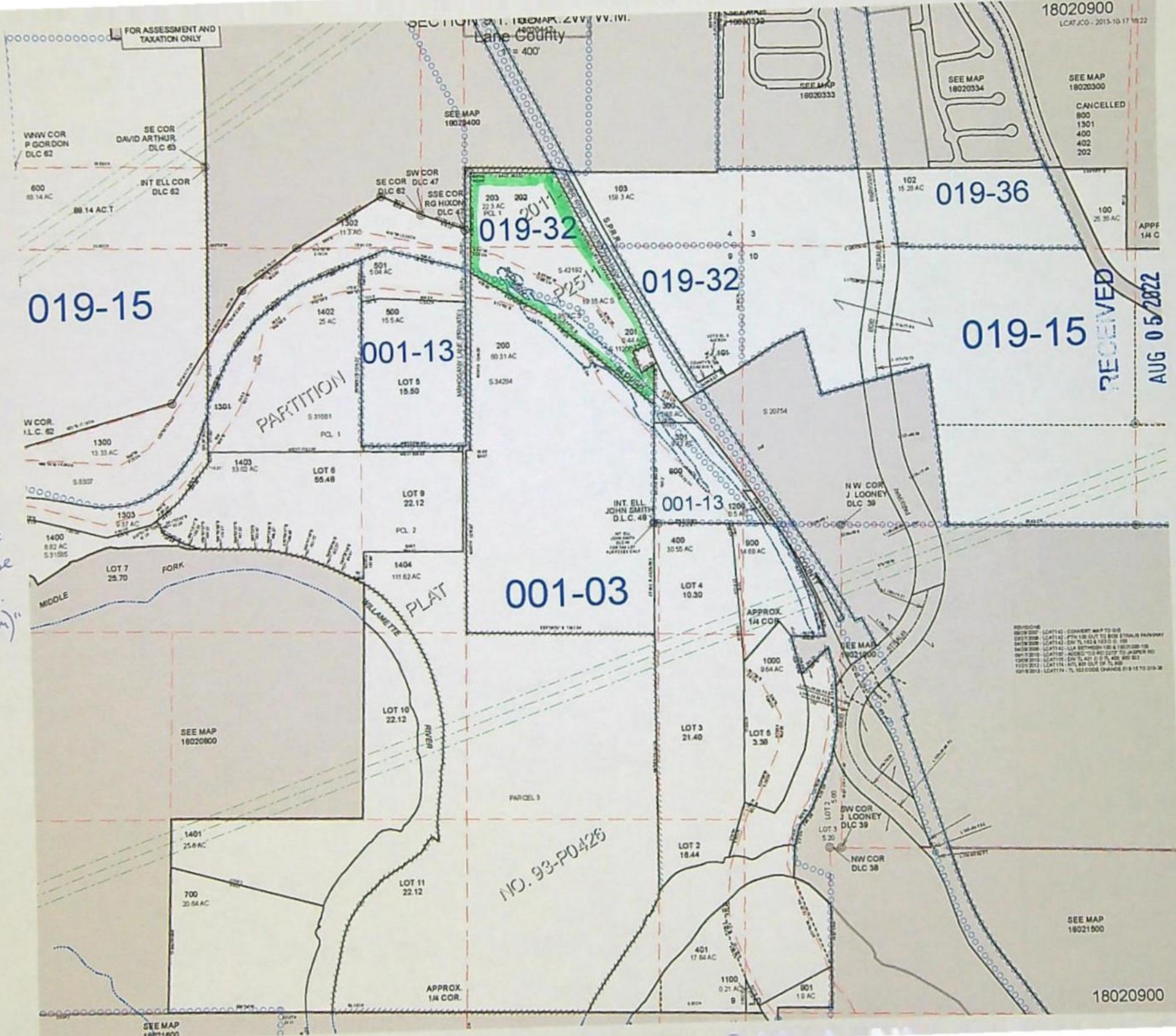
001-13

001-03

E2S
Zone
"Exclusive
Farm Use
(25 ac.
minimum)"

NO. 93-P0426

REVISIONS
08/18/2022 - LCAT JCO - CONVERT MAP TO GIS
09/17/2022 - LCAT JCO - PTH 150 OUT TO BOB STRALES PARKWAY
04/18/2022 - LCAT JCO - SW FL 150 & 100 S. 100
04/18/2022 - LCAT JCO - LIA BETWEEN 100 & 150 S. 100
04/18/2022 - LCAT JCO - ADDED TO AND OUT TO JUPITER RD.
12/08/2019 - LCAT JCO - SW FL 401 S. 100 FL 400 AND 302
11/12/2012 - LCAT JCO - SW FL 401 S. 100 FL 400
04/18/2012 - LCAT JCO - FL 100 CLOSURE CHANGES 019-15 TO 019-36



SECTION 4 T.18S. R.2W. W.M.
Lane County
1" = 400'

18020400
SPRINGFIELD

LCA794P - 2021-09-08 10:51

CANCELLED

1500
100
101
102
301
302
303
304
305
306
307
309
400
500
501
600
700
800
800
801
1000
1100
1200

AUG 05 2022

OWARD

RECEIVED

AUG 05 2022

OWARD

- CONSENT MAP TO GIS
- ACCURACY REPORT TO JASPER RD
- CROSS CHANGES TL 3000, 3002, & 3201
- CROSS CHANGES TL 3013
- CANS 310, 311, 313 TO PINEHURST PHASE I
- LIA BETWEEN TL 2800 & TL 2801
- CANS TL 1902 INTO 2020-PHASE 2
- PTN OF TL 3100 INTO ROAD
- CANS TL 2801 INTO WOODLAND RIDGE PHASE
- FRI WAPPING TL 3103

SPRINGFIELD
18020400

LAND PARTITION PLAT NO. **2011-P2511** (VALIDATION OF A UNIT OF LAND)

LANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. **42192**
FILE DATE **27 Sep '11**

Lane County Clerk
Lane County Deeds and Records
2011-043313
\$67.00
01246270201100433130010014
09/27/2011 01:04:41 PM
RPR-PART On-Net Sln#8 CRSHIER 06
\$30.00 \$10.00 \$11.00 \$16.00

OWNER/PARTITIONER
MICHAEL A. & JUDY J. KELLY
86965 MAHOGANY LANE
SPRINGFIELD, OR 97478

RECORDED
DATE: **27 Sep '11**
COUNTY CLERK
BY: *[Signature]*

APPROVALS

[Signature] **27 Sep '11**
LANE COUNTY PLANNING DIRECTOR
[Signature] **9/27/11**
LANE COUNTY SURVEYOR
[Signature] **9/27/11**
LANE COUNTY ASSESSOR

DECLARATION

KNOWN ALL PERSONS BY THESE PRESENT THAT MICHAEL A. KELLY AND JUDY J. KELLY, HUSBAND AND WIFE ARE THE OWNERS OF THE LAND SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATION AND HAVE CAUSED THE SAME TO BE PARTITIONED INTO A LEGAL PARCEL AS SHOWN HEREON IN ACCORDANCE WITH THE PROVISIONS OF OREGON REVISED STATUTES CHAPTER 92.

[Signature] **9/26/2011**
MICHAEL A. KELLY
[Signature] **9/26/2011**
JUDY J. KELLY

ACKNOWLEDGEMENT

STATE OF OREGON }
COUNTY OF LANE }
PERSONALLY APPEARED BEFORE ME MICHAEL A. KELLY AND JUDY J. KELLY AND ACKNOWLEDGED TO ME THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED.
SIGNED AND ATTESTED TO BEFORE ME ON THIS **26** DAY OF **Sept**, 2011.
SIGNATURE *[Signature]*
PRINT NAME **Peggy Hunter**
NOTARY PUBLIC FOR OREGON
COMMISSION NO. **421593**
MY COMMISSION EXPIRES **October 13, 2011**
(WRITE OUT IN FULL)

SE1/4 SEC. 4 & NE1/4 SEC. 9, T18S, R2W, W.M. LANE COUNTY, OREGON

CLIENT: **MIKE & JUDY KELLY**

DRAWN BY: **KD**
DATE: **SEPT. 22, 2011**
REVISION DATE
JOB NO. **2011-PARTITION-008**
SHEET **1** OF **1**

Roberts Surveying, Inc.
P.O. Box 7155
Eugene, Oregon 97401
Bus. (541) 345-1112
Fax (541) 345-3484

SURVEYOR'S CERTIFICATION

I, KENT BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT I HAVE CORRECTLY COMPILED RECORD INFORMATION FOR THE BOUNDARY OF THE LANDS REPRESENTED HEREON AS SHOWN, AND THAT NO ACTUAL SURVEY WAS PERFORMED AT THIS TIME. THE LANDS ARE DESCRIBED AS FOLLOWS:

PROPERTY DESCRIPTION
COMMENCING AT A 1992 LANE COUNTY BRASS CAP MARKING THE NORTHWEST CORNER OF THE JOHN SMITH DONATION LAND CLAIM NO. 48 IN SECTION 4, TOWNSHIP 18 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN; THENCE ALONG THE LINE BETWEEN SAID NORTHWEST CORNER OF DONATION LAND CLAIM NO. 48 AND THE NORTHEAST CORNER OF GOVERNMENT LOT 9, IN SECTION 9 OF SAID TOWNSHIP AND RANGE, SOUTH 2458.50 FEET TO A POINT; THENCE EAST 30.00 FEET TO A 5/8" IRON PIN THAT MARKS THE POINT OF BEGINNING OF THIS PARCEL OF LAND; THENCE CONTINUING EAST, 585.05 FEET TO A 5/8" IRON PIN LOCATED ON THE APPROXIMATE WESTERLY RIGHT-OF-WAY LINE OF JASPER ROAD (COUNTY ROAD NO. 266); THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, TO A 5/8" IRON PIN WHICH BEARS SOUTH 28°25'56" EAST, 1372.38 FEET FROM THE LAST DESCRIBED POINT; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 69°41'10" WEST, 119.54 FEET TO A 5/8" IRON PIN; THENCE SOUTH 20°18'50" EAST, 165.81 FEET TO A 5/8" IRON PIN; THENCE NORTH 55°27'13" EAST, 104.94 FEET TO A 5/8" IRON PIN WHICH BEARS NORTH FROM THE INTERIOR ELL CORNER OF THE JOHN SMITH DONATION LAND CLAIM NO. 48; THENCE SOUTH 27°09'06" FEET TO A POINT IN THE CENTER OF A SLOUGH; THENCE ALONG THE CENTER OF SAID SLOUGH, NORTH 50°00'00" WEST, 946.11 FEET TO A POINT; THENCE LEAVING THE CENTER OF SAID SLOUGH, NORTH 60°00'00" WEST, 630.00 FEET TO A 5/8" IRON PIN; SAID PIN BEING 30.00 FEET EAST OF THE LINE BETWEEN SAID NORTHWEST CORNER OF DONATION LAND CLAIM NO. 48 AND THE NORTHEAST CORNER OF GOVERNMENT LOT 9; THENCE NORTH 700.25 FEET TO THE POINT OF BEGINNING, ALL IN LANE COUNTY, OREGON.

KENT BAKER PLS #59885 DATE **9/22/11**

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PREPARE A PARTITION PLAT FOR A VALIDATION OF A UNIT OF LAND AS PER LANE COUNTY PA 11-5134. THE SUBJECT PROPERTY WAS SURVEYED BY LES ROBERTS AND FILED APRIL 21, 1997 AS COUNTY SURVEY FILE NO. 34284, LANE COUNTY OREGON SURVEY RECORDS. NO MONUMENTS WERE SET IN THE CENTER OF THE SLOUGH.

REFERENCES

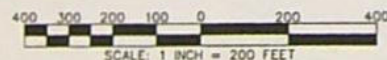
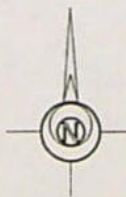
- () 1) LAND PARTITION PLAT NO. 93-P0426 BY OLSON DATED AUGUST 26, 1993 AND FILED AS CSF 31661.
- () 2) CSF 11206 BY FORD DATED OCTOBER, 1959.
- () 3) CSF 34284 BY ROBERTS FILED APRIL 21, 1997.

NOTES

- 1) BEARINGS AND DISTANCES EQUAL DATA OF RECORD.
- 2) DEVELOPMENT OR IMPROVEMENT OF A PARCEL CREATED UNDER LC 13.030(5) MUST COMPLY WITH APPLICABLE LAWS IN EFFECT WHEN COMPLETE APPLICATION FOR THE DEVELOPMENT OR IMPROVEMENT SUBMITTED AS DESCRIBED IN ORS 215.427(3)(a).
- 3) THIS PLAT IS THE RESULT OF A VALIDATION OF A UNIT OF LAND, REVIEWED UNDER LC 13.030 AND APPROVED BY PA 11-5134.
- 4) EASEMENT RECORDED JULY 22, 2005, RECEPTION NO. 2005-056364 DOES NOT AFFECT THE SUBJECT PROPERTY.

LEGEND

- MONUMENTS FOUND AS NOTED
- MONUMENTS FOUND: 5/8" X 30" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "ROBERTS SURV. INC." SET IN CSF 34284
- △ COMPUTED POINT, NOTHING FOUND OR SET
- () DATA OF RECORD
- DENOTES LINE NOT TO SCALE
- CSF COUNTY SURVEY FILE NO.
- LCODR LANE COUNTY OREGON DEED RECORDS
- OVERHEAD POWER LINE



N.W. CORNER
JOHN SMITH
D.L.C. NO. 48
FD. 1992 LANE
COUNTY BRASS CAP

MAHOGANY LANE (PRIVATE)
30.00' ROAD EASEMENT
REEL 353R, PAGE 90904, LCCOR

FD. 5/8" IRON PIN
(SET IN REF #1)
BEARS
N 28°25'56" W, 3.01'

(EAST)
(30.00') J3

(EAST 598.81') J3

(EAST 585.05') J3

(NORTH 700.25') J3

(NORTH 1244.50') J3

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(NORTH 1244.50') J3

N.E. CORNER
GOVERNMENT LOT 9
FD. 1987 LANE
COUNTY BRASS CAP

FD. 5/8" IRON PINS
REF. #1

(EAST 30.00') J3

TAX LOT 200
62.4 ACRES

(N 89°29'52" W 1301.04') J3

(N 89°29'52" W 1301.04') J3

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(N 89°29'52" W 1301.04') J3

INT. ELL CORNER
JOHN SMITH
D.L.C. NO. 48
N.W. CORNER
GOVERNMENT LOT 3

(S 0°02'53" E) J3

(S 0°02'53" E) J3

(S 0°02'53" E) J3

(S 0°02'53" E) J3

(S 0°02'53" E) J3

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(S 0°02'53" E) J3

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 18, 2003
KENT BAKER
#59885
EXPIRES 12-31-2011

ASSESSOR'S MAP NO. 18-02-09
TAX LOT #202
LANE COUNTY PA 11-5134

PLOTTER - HP DESIGNJET 800
INK CARTRIDGE - C4544A
FILM - HP 51643A

RECEIVED
AUG 05 2012

BASIS OF BEARING TOWARD
(NORTH 437.25') J3

MAHOGANY LANE (PRIVATE)
EAST OF ROAD EASEMENT
REEL 353R, PAGE 90904, LCCOR

(NORTH 1244.50') J3

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

Transfer Application Map for Certificate #94247 to Township 18S Range 2W Section Tax Lots 200 and 301



Irrigation Areas to be transferred from Certificate #94247



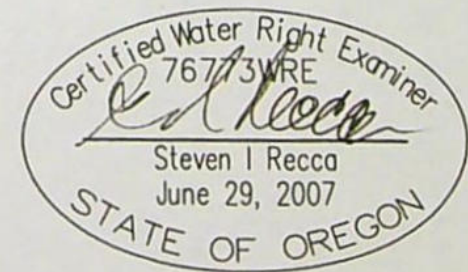
Property Boundary

Section Lines

Quarter Section Lines

Quarter Quarter Lines

Proposed Irrigation by 1/4 1/4, G1ot, and DLC								
Township	Range	Section	Qtr 40	Qtr 160	Tax Lot	G1ot	DLC	Acerage
18S	2W	9	NW	NE	200	-	48	7.66
18S	2W	9	SW	NE	200	-	48	4.94
18S	2W	9	SE	NE	200	-	48	10.06
18S	2W	9	SE	NE	301	-	48	2.66
18S	2W	9	NE	NE	200	-	48	4.55
Total								29.87



EXPIRATION DATE: 12/31/20

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MAR 06 2020
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AUG 05 2022

PARTITION & PROPERTY SURVEY FOR WILDISH GROUP OF COMPANIES SILVER DOLLAR RANCH

S.E. 1/4 OF SECTION 4 AND THE

N.E. 1/4, N.W. 1/4, AND THE S.E. 1/4 OF SECTION 9
TOWNSHIP 18 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN
LANE COUNTY, OREGON

LAND PARTITION PLAT NO.

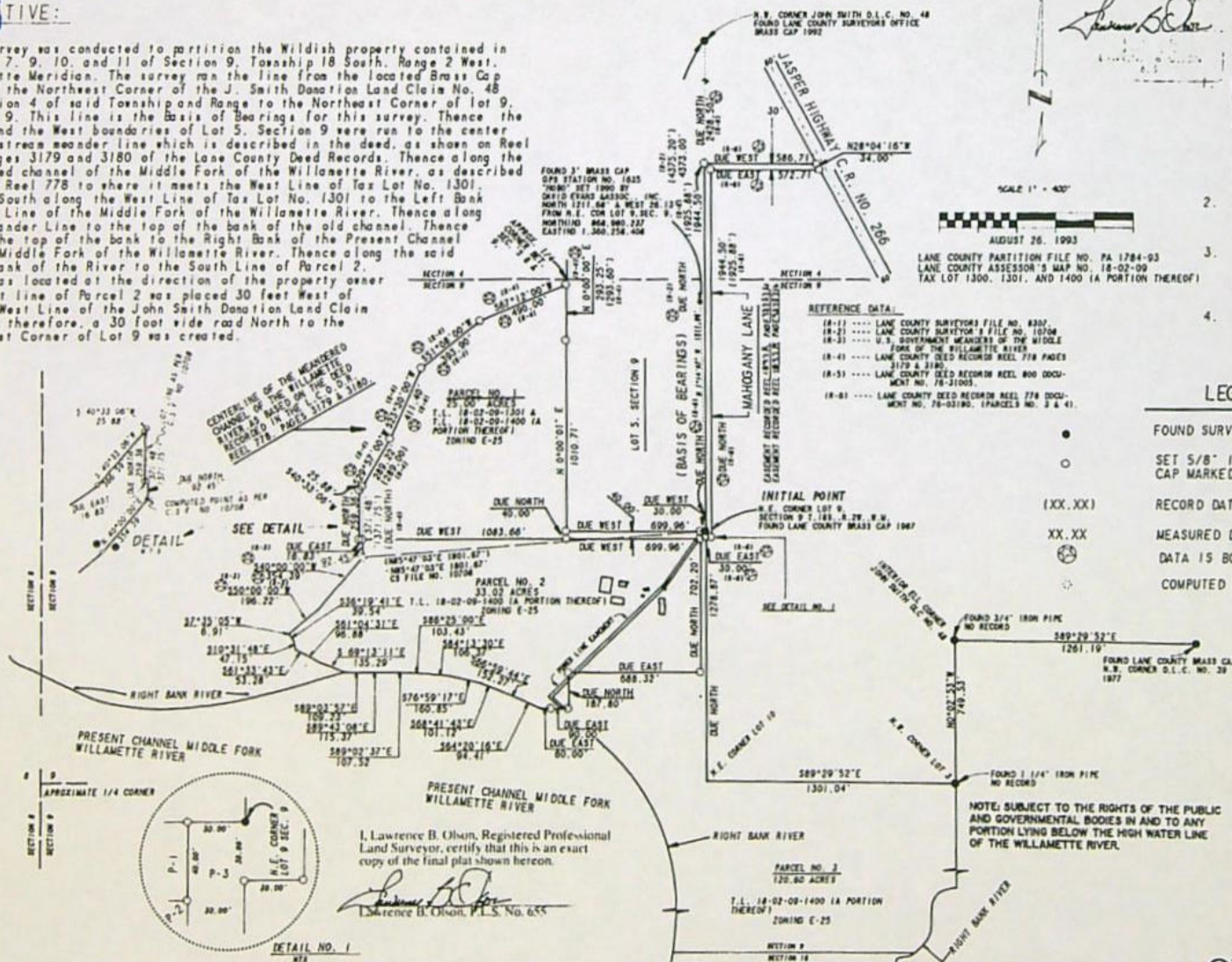
93-P0426

PAGE 1 OF 2

OWNER-PARTITIONER
WILDISH COMPANY
P.O. BOX 7428
EUGENE, OREGON 97401
TELEPHONE 485-1700

NARRATIVE:

This survey was conducted to partition the Wildish property contained in Lots 6, 7, 9, 10, and 11 of Section 9, Township 18 South, Range 2 West, Willamette Meridian. The survey ran the line from the located Brass Cap marking the Northwest Corner of the J. Smith Donation Land Claim No. 48 in Section 4 of said Township and Range to the Northeast Corner of Lot 9, Section 9. This line is the basis of bearings for this survey. Thence the South and the West boundaries of Lot 5, Section 9 were run to the center of the stream meander line which is described in the deed, as shown on Reel 778, Pages 3179 and 3180 of the Lane County Deed Records. Thence along the meandered channel of the Middle Fork of the Willamette River, as described in said Reel 778 to where it meets the West Line of Tax Lot No. 1301. Thence South along the West Line of Tax Lot No. 1301 to the Left Bank Meander Line of the Middle Fork of the Willamette River. Thence along said Meander Line to the top of the bank of the old channel. Thence along the top of the bank to the Right Bank of the Present Channel of the Middle Fork of the Willamette River. Thence along the said Right Bank of the River to the South Line of Parcel 2, which was located at the direction of the property owner. The East line of Parcel 2 was placed 30 feet West of the West Line of the John Smith Donation Land Claim No. 48. Therefore, a 30 foot wide road North to the Northeast Corner of Lot 9 was created.



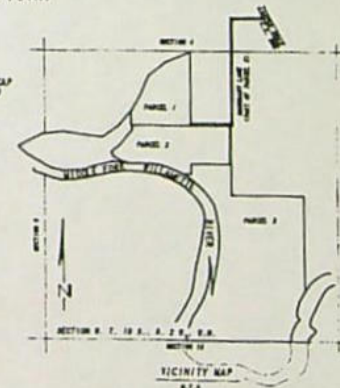
NOTES

WATER RIGHTS EXIST ON THIS PROPERTY FOR 67.3 ACRES OF IRRIGATION UNDER PERMIT NO. 24264, WHICH HAS A PRIORITY DATE OF JULY 10, 1959. THIS IS RECORDED IN STATE WATER RIGHT CERTIFICATE VOLUME 23, PAGE 31466. SEE REEL 1897R INSTR. NO. 337571A

- THE PROPERTY IS LOCATED IN AN AREA WHERE ARSENIC IS KNOWN TO OCCUR AT SIGNIFICANT LEVELS.
- THE PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE. ALL DEVELOPMENT SHALL COMPLY WITH LANE COUNTY FLOODPLAIN REGULATIONS.
- APPROVAL OF THIS PARTITION DOES NOT ENSURE THAT PARCEL 1 QUALIFIES AS A HOMESITE.

LEGEND

- FOUND SURVEY MARKER AS INDICATED ON THE DRAWING
- SET 5/8" IRON ROD 30" LONG WITH YELLOW PLASTIC CAP MARKED PLS 655.
- RECORD DATA
- MEASURED DATA
- DATA IS BOTH RECORD & MEASURED
- COMPUTED POINT



I, Lawrence B. Olson, Registered Professional Land Surveyor, certify that this is an exact copy of the final plat shown herein.

Lawrence B. Olson, P.L.S. No. 655

OLSON & GOEBEL, P.

C. 207 'Q' ST. SPRINGFIELD, OR 97477 (503)726-5104



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PARTITION & PROPERTY SURVEY FOR WILDISH GROUP OF COMPANIES

93-P0426

SILVER DOLLAR RANCH

S.E. 1/4 OF SECTION 4 AND THE

N.E. 1/4, N.W. 1/4, AND THE S.E. 1/4 OF SECTION 9
TOWNSHIP 18 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN
LANE COUNTY, OREGONLANE COUNTY SURVEYORS OFFICE
C.S. FILE NO. 31662
FILING DATE 12-7-93 C

SURVEYORS CERTIFICATE

STATE OF OREGON) S.S.
COUNTY OF LANE)

I, Lawrence B. Olson, Registered Professional Land Surveyor, being duly sworn on oath, say that I have surveyed and marked with proper monuments Parcel 1 and Parcel 2 of the following described property. Parcel 3 was not surveyed at this time.

Beginning at the Brass Cap marking the Northeast Corner of Lot 9, Section 9, Township 18 South, Range 2 West, Willamette Meridian; thence Due West 729.96 feet to the Southwest Corner of Lot 5, Township 18 South, Range 2 West, Willamette Meridian; thence North 0°00'01" East 1303.96 feet along the West line of said Lot 5 to a point in the centerline of the meander lines of the Willamette River; thence along the center of the old channel South 67°12'00" West 490.00 feet to a point; thence South 51°08'00" West 393.90 feet to a point; thence South 23°30'00" West 411.40 feet to a point; thence South 29°57'00" West 289.22 feet to a point; thence South 40°33'06" West 25.88 feet to a point; thence Due South 259.36 feet to a point; thence Due East 16.83 feet to a point; thence Due South 92.45 feet to a point; thence South 40°00'00" West 354.39 feet to a point; thence South 50°00'00" West 196.22 feet to a point; thence South 7°35'05" West 6.91 feet to a point on the top of the bank of the old channel; thence along the top of the old bank South 36°19'41" East 39.54 feet to a point; thence South 10°31'48" East 47.15 feet to a point; thence South 61°33'43" East 53.28 feet to a point; thence South 61°04'31" East 96.88 feet to a point; thence South 69°13'11" East 135.29 feet to the Right Bank High Water Mark of the Middle Fork of the Willamette River; thence upstream along the Right Bank of the River South 89°03'57" East 109.23 feet to a point; thence South 89°43'08" East 115.37 feet to a point; thence South 89°02'37" East 107.52 feet to a point; thence South 86°25'00" East 103.43 feet to a point; thence South 84°13'30" East 106.37 feet to a point; thence South 76°59'17" East 180.85 feet to a point; thence South 68°41'43" East 101.12 feet to a point; thence South 66°59'44" East 152.27 feet to a point; thence South 64°20'16" East 94.41 feet to a point on the high water line of the Middle Fork of the Willamette River and the line between Parcel 11 and Parcel 13; thence continue Southerly along the right bank high water line of the River to the South Line of Section 9; thence East along the South line of Section 9 to its intersection with the right bank of the Willamette River; thence Northeasterly along the right bank of the River to its intersection with the West Line of Lot 2, Section 9; thence North along the West Line of said Lot 2 and Lot 3 to the Northeast Corner of Lot 3, Section 9; thence East along the North Line of the N.W. 1/4, S.E. 1/4, Section 9 to the Northeast Corner of Lot 10; thence North along the East boundary of Lot 9 to a point 30 feet South of the Northeast Corner of Lot 9; thence Due East 30.00 feet to a point in the East right of way of Mahogany Lane; thence Due North 1944.50 feet to a point; thence Due East 572.71 feet to the Westerly right of way of the Jasper Highway; thence North 28°04'16" West 34.00 feet along said Highway to a point; thence Due West 586.71 feet to a point; thence Due South 1944.50 feet to the Brass Cap marking the Northeast Corner of Lot 9, which is the Point of Beginning.

The above described property contains 176.35 acres more or less in Lane County, Oregon.

Lawrence B. Olson
LAWRENCE B. OLSON P.L.S. No. 655

I, Lawrence B. Olson, do hereby certify that this is an exact copy of the final partition plat as shown hereon.

Lawrence B. Olson
Lawrence B. Olson, P.L.S. No. 655

Description for Easement

of
Mahogany Lane

Beginning at the Brass Cap marking the Northeast Corner of Lot 9, Section 9, Township 18 South, Range 2 West, Willamette Meridian; thence Due West 30.00 feet to a point; thence Due South 742.20 feet to a point; thence Due East 30.00 feet to the easterly right of way of Mahogany Lane; thence Due North 712.20 feet to a point 30.00 feet South of the said Northeast Corner of Lot 9; thence Due East 30.00 feet to a point; thence Due North 1944.50 feet to a point; thence Due East 572.21 feet to the West right of way of the Jasper Highway; thence North 28°04'16" West 34.00 feet along the easterly right of way of the Jasper Highway; thence Due West 586.71 feet to a point; thence Due South 1944.50 feet to the point of beginning.

The above described access easement contains 2.260 acre more or less in Lane County, Oregon.

DECLARATION:

Know all men by these presents that the Wildish Land Company owner of the real property as described hereon, does hereby partition the same as shown hereon.

Dated this 22d day of November, 1993.

James A. Wildish
Wildish Land Company by Mr. James A. Wildish - President

ACKNOWLEDGEMENTS:

Personally appeared before me James A. Wildish known to me to be the identical person who executed the above instrument, and does hereby acknowledge the same to be his free act and deed.

In witness whereof, I have set my hand and seal this 22d day of November, 1993.

Carol E. Egan
Notary Public
My Commission Expires 3-2-95

APPROVALS:

LAND PARTITION FILE NO. PA 1784 - 93

John S. Petach Nov 20, 1993

For Roy Burns, Director
Land Management Division

L. Robert Egell Nov 30, '93

County Surveyor

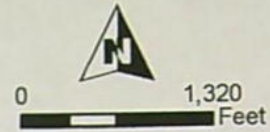
Jo Joyle 12/3/93
County Assessor

OLSON & GOEBEL, P.

C. 207 'Q' ST. SPRINGFIELD, OR 97477 (503)726-5104

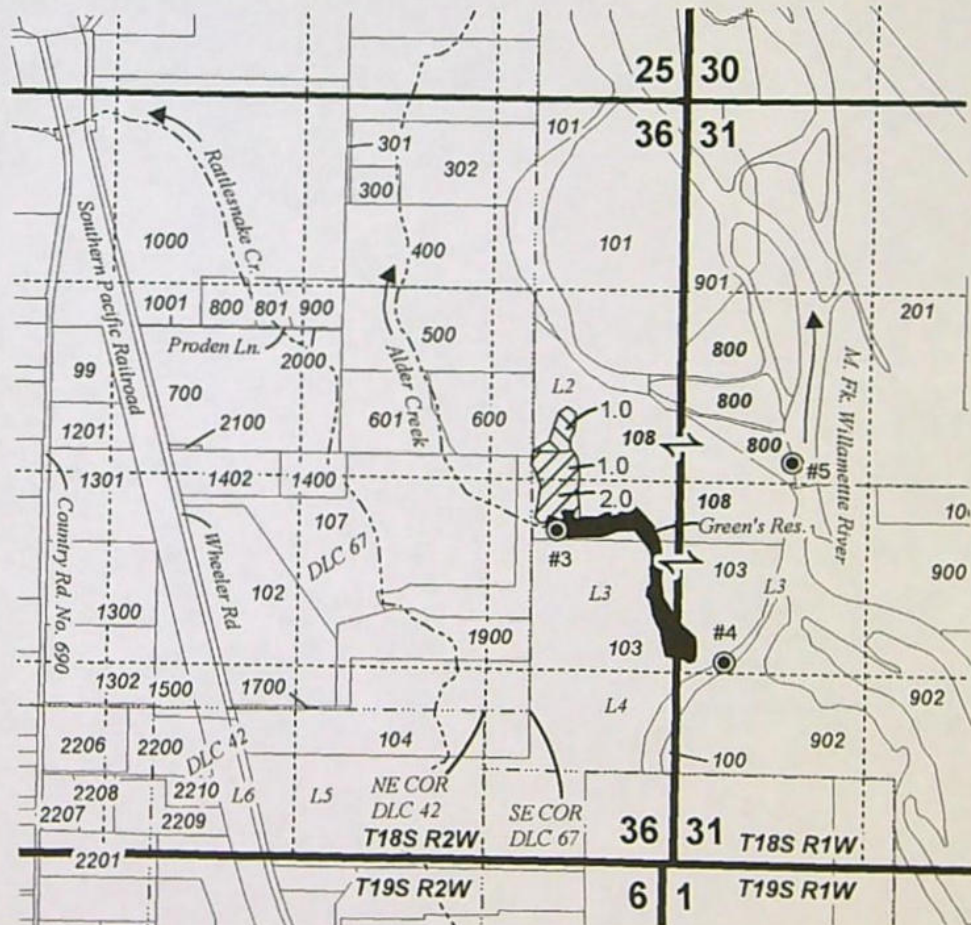
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**T18S R2W &
T18S R1W, WM,
LANE COUNTY, OR**



1" = 1320'

- Authorized POD
- Streams
- C-96134 IRRIGATION 2/18/1959 "OFF"
- C-96134 IRRIGATION 2/18/1959 "NO CHANGE"
- C-96134 FISH CULTURE 2/18/1959 "NO CHANGE"
- Township
- Section
- Quarter Quarter
- DLC
- Tax Lot



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Authorized POD Locations:

- #3: 320' S, 860' W of W 1/4 Cor Sec 31, T18S R1W, W.M.
- #4: 1240' S, 290' E of W 1/4 Cor Sec 31, T18S R1W, W.M.
- #5: 120' N, 780' E of W 1/4 Cor Sec 31, T18S R1W, W.M.

TEMPORARY TRANSFER "OFF" MAP
Tim Willett & Ryan Kelly

C-96134

Date: 3/20/2022

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 CCB # 197121
johnshort@usa.com 541-389-2837

Regular temporary water right transfer Application Checklist

Checked by Jean

Date 8/17/22

T-14073

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.

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

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

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

5 year

OK

8/8-

Received
date