

T-13854

regular

T-13854

Name Sarbanand enterprisesAddress 780 road 188
Delano CA 93315

DESCRIPTION OF WATER RIGHT(S)

Name of Stream S. Yamhill riverTrib. of Yamhill riverUse IrrigationCounty Yamhill

Quantity of water (CFS)

No. of Acres

Name of ditch

App# 563113Per # 54100Cert # 53093PR Date 12/14/1981App# 5-20653Per # 5-18862Cert # 60007PR Date 7/23/1945

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

Change in POD POD APDDate Filed 10/25/2021Initial notice date 11/9/2021

DPD issued date

PD issued date 12/11/2024PD notice date 12/17/2024Date of FO 2/6/2025 Vol 133 Page 836-841C-Date 10/1/2026COBU due date 10/1/2027

COBU Received date

Certificate issued

FEES PAID		
Date	Amount	Receipt #
10-25-2021	\$3,060.00	136700

FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

Irrigation District

Agent GSI water Solutions Kimberly Grigsby

CWRE

CC's list Yamhill County☐ - Oversized map - Location



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

February 6, 2025

Sarbanand Enterprises LLC
786 Rd 188
Delano, CA 93215

REFERENCE: Transfer Application T-13854

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kim French, by telephone at (503) 979-9607 or by e-mail at Kim.r.french@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)
Kim Grigsby, Agent
Yamhill County Planning Department, Local Government

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-13854, Yamhill County)	ADDITIONAL POINT OF DIVERSION, A
)	CHANGE IN POINTS OF DIVERSION AND A
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

SARBANAND ENTERPRISES
786 ROAD 188
DELANO, CA 93215

Findings of Fact

1. On October 25, 2021, SARBANAND ENTERPRISES LLC filed an application for an additional point of diversion, to change the points of diversion, and to change the places of use under Certificates 53093 and 66607. The Department assigned the application number T-13854.
2. Notice of the application for transfer was published on November 9, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 20, 2023, the Department approved Allocation of Conserved Water Application CW-132, recorded under Special Order Volume 129, Pages 83-91. Certificate 66607 was cancelled, and the Department subsequently issued remaining right Certificate 97356. The Department will reference Certificate 97356 in this transfer.

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

4. On August 12, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-13854. The draft Preliminary Determination cover letter provided a deadline of September 12, 2024 for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. On August 14, 2024, the applicant requested additional time to complete beneficial use of the water, pursuant to OAR 690-380-5140(3). The applicant needs until October 1, 2026, to obtain sign off from the Oregon Department of Fish and Wildlife on the required fish screen.
6. On December 11, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-13854 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 17, 2024, and in the News Register newspaper on December 13 and 20, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

7. The first right to be transferred is as follows:

Certificate: 53093 in the name of R. L. WALKER FARMS, INC. by DON L. WALKER, PRESIDENT (perfected under Permit S-46660)

Use: IRRIGATION OF 43.1 ACRES

Priority Date: DECEMBER 14, 1981

Rate: 0.54 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	5 W	WM	35	SE NW	37	NORTH POD - 2360 FEET SOUTH AND 2950 FEET WEST FROM THE NE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	26	SE SW	6		2.7

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	26	SE SW		70	3.4
5 S	5 W	WM	26	SW SE		70	4.9
5 S	5 W	WM	35	NW NE		70	3.5
5 S	5 W	WM	35	NW NE	4		5.3
5 S	5 W	WM	35	SW NE	5		2.1
5 S	5 W	WM	35	SW NE		37	5.2
5 S	5 W	WM	35	NE NW		70	3.0
5 S	5 W	WM	35	NE NW	3		7.5
5 S	5 W	WM	35	SE NW	2		2.1
5 S	5 W	WM	35	SE NW		37	3.4
TOTAL							43.1

8. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 10.6 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

9. Transfer Application T-13854 also proposes an additional point of diversion approximately 10.9 miles downstream at:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

10. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	13	NW SW	79	0.1
4 S	4 W	WM	13	SW SW	79	8.0
4 S	4 W	WM	13	SW SW	79	2.0
4 S	4 W	WM	14	NW NE	79	1.0
4 S	4 W	WM	14	SW NE	79	10.4
4 S	4 W	WM	14	SE NE	79	0.1
4 S	4 W	WM	14	NE SE	79	6.8
4 S	4 W	WM	14	NW SE	79	2.8
4 S	4 W	WM	14	SE SE	79	11.9
TOTAL						43.1

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

Certificate: 97356 in the name of R. L. WALKER FARMS, INC. (perfected under Permit S-18862)
Use: IRRIGATION OF 32.9 ACRES
Priority Date: JULY 23, 1945
Rate: 0.41 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER, tributary of the YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	5 W	WM	35	SW SW	MIDDLE POD - 1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	35	NE NE		70	0.2
5 S	5 W	WM	35	NE NE	6		1.6
5 S	5 W	WM	36	NW NW		70	13.2
5 S	5 W	WM	36	NW NW	4		17.0
5 S	5 W	WM	36	SW NW		68	0.9
TOTAL							32.9

12. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 11.1 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

13. Transfer Application T-13854 also proposes an additional point of diversion approximately 11.5 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

14. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	14	SE SE	79	0.2
4 S	4 W	WM	23	NE NE	79	18.0
4 S	4 W	WM	23	SE NE	79	0.5
4 S	4 W	WM	24	NW NW	79	13.8
4 S	4 W	WM	24	SW NW	79	0.4
TOTAL						32.9

15. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2110(2), and OAR 690-380-2200]

16. Water has been used within the five-year period prior to submittal of Transfer Application T-13854 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
17. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13854.
18. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
20. The proposed changes, as conditioned, would not result in enlargement of the right.
21. The proposed changes, as conditioned, would not result in injury to other existing water rights.
22. All other application requirements are met.

Conclusions of Law

The additional point of diversion and the change in points of diversion and places of use proposed in Transfer Application T-13854 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

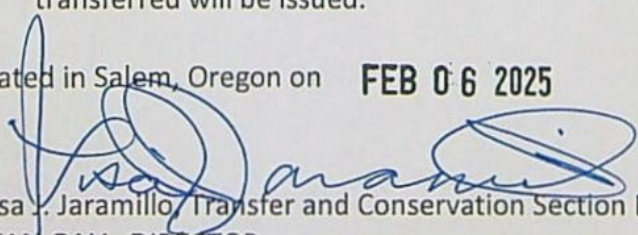
1. The additional point of diversion and the change in points of diversion and change in places of use proposed in Transfer Application T-13854 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 53093 and 97356 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of diversion or the new places of use.

4. Water right Certificates 53093 and 97356 are cancelled. A new certificate will be issued describing that portion of Certificate 97356 not affected by this transfer.
5. Under Certificate 53093, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (NORTH POD).
6. Under Certificate 97536, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original points of diversion (MIDDLE POD).
7. Water shall be acquired from the same source of surface water as the original points of diversion.
8. The former place of use of the transferred rights shall no longer receive water under the rights.
9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **FEB 06 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **FEB 07 2025**

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R. L. WALKER FARMS, INC.
11955 BALLSTON RD
AMITY, OR 97101

confirms the right to use the waters of the SOUTH YAMHILL RIVER, a tributary of YAMHILL RIVER for the purpose of irrigating 148.1 ACRES.

This right was perfected under Permit S-18862. The date of priority is JULY 23, 1945. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.86 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	5 W	WM	35	SW SW	1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35

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.

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

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	5 W	WM	35	SW SE	37	1.0
6 S	5 W	WM	2	NW NE	42	7.1
6 S	5 W	WM	2	SW NE	42	2.6
6 S	5 W	WM	2	SW NE	67	0.4
6 S	5 W	WM	2	NE NW	42	20.6
6 S	5 W	WM	2	SE NW	67	5.3
6 S	5 W	WM	2	SE NW	42	18.3
6 S	5 W	WM	2	NE SW	67	20.0
6 S	5 W	WM	2	NW SW	67	30.0
6 S	5 W	WM	2	SW SW	67	32.7

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	5 W	WM	2	SE SW	67	4.6
6 S	5 W	WM	3	NE SE	67	3.8
6 S	5 W	WM	11	NW NW	67	1.7
TOTAL						148.1

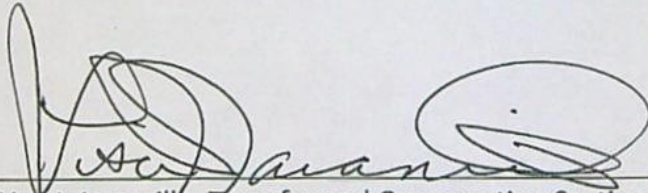
This certificate describes that portion of water right Certificate 97356, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered **FEB 06 2025**, approving Transfer Application T-13854.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Department with an effective date prior to this right.

The right is subject to all other terms and conditions of certificate 97356, and any related decree.

WITNESS the signature of the Water Resources Director, affixed **FEB 06 2025**.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # 144270

INVOICE # _____

RECEIVED FROM: Sarbanand Enterprises, LLC
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-13854

CASH: ☐ CHECK: # 9791 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 438.65

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 438.65

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 \$ _____ RECORD FEE \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ LICENSE FEE \$ _____
LANDOWNER'S PERMIT \$ _____

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: 144270

DATED: 11/26/24

BY: [Signature]

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

Check No.: 9791

Check Date: 11/21/24

Currency: USD

Totals:

438.65

.00

438.65

RECEIVED
NOV 26 2024
OWRD

Vendor: Oregon Water Resources Department
Invoice No. T-13854
Invoice Date 11/18/24
For T-13854 NOTICE

Description ID: 1666

P.O. No.

Voucher Amt 438.65

Discount Amt .00

Pay Amount 438.65

Sarbanand Enterprises

09791

Received
DEC 27 2024
OWRD

Yamhill County's
News-Register.com

0.

KEEPING YOU CONNECTED

PO BOX 727 503-472-5114 www.newsregister.com

00 "EXHIBIT A"

PUBLIC

Notice of Preliminary
Determination for
Water Right Transfer T-13854

T-13854 filed by Sarbanand Enterprises, 786 RD 188 Delano, CA 93215, proposes an additional point of diversion, a change in point of diversion and a change in place of use under Certificates 53093 and 97356. Certificate 53093 allows the use of 0.54 cubic foot per second (cfs) from the South Yamhill River in Sec. 35, T5S, R5W, WM for irrigation in Sects. 26 and 35, T5S, R5W, WM. The applicant proposes an additional point of diversion and to move the point of diversion to Sec. 14, T4S, R4W, WM; and to change the place of use to Sects. 13 and 14, T4S, R4W, WM. Certificate 97356 allows the use of 0.41 cfs from the South Yamhill River in Sec. 35, T5S, R5W, WM. The applicant proposes an additional point of diversion and to move the point of diversion to Sec. 14, T4S, R4W, WM; and to change the place of use to Sects. 14, 23 and 24, T4S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 12/20/2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

NR Published December 13, 20, 2024

AFFIDAVIT OF PUBLICATION

STATE OF OREGON } ss.
County of Yamhill

I, Terri Hartt

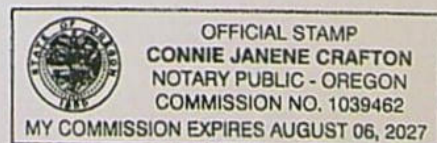
being first duly sworn, depose and say that I am the Legal Clerk, of the NEWS-REGISTER, a newspaper of general circulation as defined by O.R.S. 193.010 and O.R.S. 193.020 published two times each week at McMinnville, County of Yamhill, State of Oregon, and that **Water Right Service Support - Public Notice Water Right Transfer T-13854 - December 13, 20 2024**

Subscribed and sworn before me this 12/24/2024 .

Terri Hartt

Connie Janene Crafton

Notary Public for Oregon
My Commission Expires 08/06/2027





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

December 11, 2024

VIA CERTIFIED MAIL AND E-MAIL

SARBANAND ENTERPRISES LLC

786 RD 188

DELANO, CA 93215

SUBJECT: Water Right Transfer Application T-13854

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13854. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French

Transfer Specialist

Transfer and Conservation Section

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13854, Yamhill County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF DIVERSION, A
)	CHANGE IN POINTS OF DIVERSION AND A
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

SARBANAND ENTERPRISES
786 ROAD 188
DELANO, CA 93215

Findings of Fact

1. On October 25, 2021, SARBANAND ENTERPRISES LLC filed an application for an additional point of diversion, to change the points of diversion and to change the places of use under Certificates 53093 and 66607. The Department assigned the application number T-13854.
2. Notice of the application for transfer was published on November 9, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 20, 2023, the Department approved Allocation of Conserved Water Application CW-132, recorded under Special Order Volume 129, Pages 83-91. Certificate 66607 was cancelled, and the Department subsequently issued Certificate 97356. The Department will reference Certificate 97356 in this transfer.
4. On August 12, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-13854. The draft Preliminary Determination cover letter provided a deadline of September 12, 2024 for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

5. On August 14, 2024, the applicant requested additional time to complete beneficial use of the water, pursuant to OAR 690-380-5140(3). The applicant needs until October 1, 2026, to obtain sign off from the Oregon Department of Fish and Wildlife on the required fish screen.

6. The first right to be transferred is as follows:

Certificate: 53093 in the name of R. L. WALKER FARMS, INC. by DON L. WALKER, PRESIDENT (perfected under Permit S-46660)

Use: IRRIGATION OF 43.1 ACRES

Priority Date: DECEMBER 14, 1981

Rate: 0.54 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	5 W	WM	35	SE NW	37	NORTH POD - 2360 FEET SOUTH AND 2950 FEET WEST FROM THE NE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	26	SE SW	6		2.7
5 S	5 W	WM	26	SE SW		70	3.4
5 S	5 W	WM	26	SW SE		70	4.9
5 S	5 W	WM	35	NW NE		70	3.5
5 S	5 W	WM	35	NW NE	4		5.3
5 S	5 W	WM	35	SW NE	5		2.1
5 S	5 W	WM	35	SW NE		37	5.2
5 S	5 W	WM	35	NE NW		70	3.0
5 S	5 W	WM	35	NE NW	3		7.5
5 S	5 W	WM	35	SE NW	2		2.1
5 S	5 W	WM	35	SE NW		37	3.4
TOTAL							43.1

7. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 10.6 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

8. Transfer Application T-13854 also proposes an additional point of diversion approximately 10.9 miles downstream at:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

9. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	13	NW SW	79	0.1
4 S	4 W	WM	13	SW SW	79	8.0
4 S	4 W	WM	13	SW SW	79	2.0
4 S	4 W	WM	14	NW NE	79	1.0
4 S	4 W	WM	14	SW NE	79	10.4
4 S	4 W	WM	14	SE NE	79	0.1
4 S	4 W	WM	14	NE SE	79	6.8
4 S	4 W	WM	14	NW SE	79	2.8
4 S	4 W	WM	14	SE SE	79	11.9
TOTAL						43.1

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

Certificate: 97356 in the name of R. L. WALKER FARMS, INC. (perfected under Permit S-18862)

Use: IRRIGATION OF 32.9 ACRES

Priority Date: JULY 23, 1945

Rate: 0.41 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER, tributary of the YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	5 W	WM	35	SW SW	MIDDLE POD - 1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	35	NE NE		70	0.2
5 S	5 W	WM	35	NE NE	6		1.6
5 S	5 W	WM	36	NW NW		70	13.2
5 S	5 W	WM	36	NW NW	4		17.0
5 S	5 W	WM	36	SW NW		68	0.9
TOTAL							32.9

11. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 11.1 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

12. Transfer Application T-13854 also proposes an additional point of diversion approximately 11.5 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

13. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	14	SE SE	79	0.2
4 S	4 W	WM	23	NE NE	79	18.0
4 S	4 W	WM	23	SE NE	79	0.5
4 S	4 W	WM	24	NW NW	79	13.8
4 S	4 W	WM	24	SW NW	79	0.4
TOTAL						32.9

14. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2110(2), and OAR 690-380-2200]

15. Water has been used within the five-year period prior to submittal of Transfer Application T-13854 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13854.
17. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
18. The proposed points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
19. The proposed changes, as conditioned, would not result in enlargement of the right.

20. The proposed changes, as conditioned, would not result in injury to other existing water rights.
21. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and the change in points of diversion and places of use proposed in Transfer Application T-13854 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

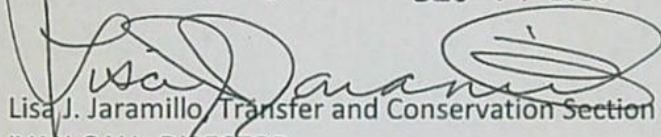
If Transfer Application T-13854 is approved, the final order will include the following:

1. *The additional point of diversion and the change in points of diversion and change in places of use proposed in Transfer Application T-13854 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 53093 and 97356 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of diversion or the new places of use.*
4. *Water right Certificates 53093 and 97356 are cancelled. A new certificate will be issued describing that portion of Certificate 97526 not affected by this transfer.*
5. *Under Certificate 53093, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (NORTH POD).*
6. *Under Certificate 97536, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original points of diversion (MIDDLE POD).*
7. *Water shall be acquired from the same source of surface water as the original points of diversion.*
8. *The former place of use of the transferred rights shall no longer receive water under the rights.*
9. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **DEC 11 2024**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503 979-9607 or Kim.R.French@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition or approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and

- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 971-355-4420, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **136700**

INVOICE # _____

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$3,060.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

\$3,060.00

RECORD FEE

\$

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LANDOWNER'S PERMIT

0220

LICENSE FEE

\$

\$

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: **136700**

DATED: 10-25-2021

BY: [Signature]

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. Check enclosed in amount of \$3,060
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 2 List them here: 53093, 66607 (Attachment A)
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.
Attachments:
 - ☒ Completed Transfer Application Map. (Attachment B)
 - ☒ Completed Evidence of Use Affidavit and supporting documentation. (Attachment C)
 - ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
 - ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
 - ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. (Attachment D)
 - ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
 - ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

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

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Sarbanand Enterprises			PHONE NO. 661-725-6458	ADDITIONAL CONTACT NO.
ADDRESS 786 Road 188				FAX NO.
CITY Delano	STATE CA	ZIP 93215	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 GSI Water Solutions, Attn: Kimberly Grigsby			PHONE NO. 541-257-9004	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Blvd, Suite 240				FAX NO.
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL kgrigsby@gsiws.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
The Applicant is proposing to change the place of use of Certificate 53093 (43.1 acres) and a portion of Certificate 66607 (32.9 acres). The Applicant is also proposing to change the authorized point of diversion and add an additional point of diversion to Certificate 53093 and a portion of Certificate 66607. The changes will enable the Applicant to irrigate a different farm.

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; OR
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: McMinnville News Register.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Cliff Woolley, Chief Administrative Officer
Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

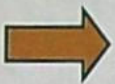
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.) N/A

IRRIGATION 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. N/A

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME	ADDRESS	
Yamhill County, Planning and Development	525 NE 4th St.	
CITY	STATE	ZIP
McMinnville	OR	97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 53093

Description of Water Delivery System

System capacity: 0.54 cubic feet per second (cfs) (under this water right) 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. A 100 hp centrifugal pump with a capacity of 1,000 gpm pumps water into a 10" main line that is 2,000 feet long and an 8" main line that is 6,000 feet long.

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)
North POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		5 S	5 W	35	SE NW	DLC 37	2,360 feet South and 2,950 feet West from the NE corner of Section 35
POD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	4 W	14	SW SE	DLC 79	2400 feet North and 2,360 feet West from the SE Corner of DLC 79
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4 S	4 W	14	NW NE	DLC 79	1,100 feet South and 2,130 feet West from the NE corner of Section 14

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 53093

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	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	Acre	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		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
											4	S	4	W 14 NW NE	3500	DLC 79	1.0	Irrigation	POD 1, POD 2	12/14/ 1981		
											4	S	4	W 14 SE NE	3500	DLC 79	0.1					
											4	S	4	W 14 SW NE	3500	DLC 79	10.4					
											4	S	4	W 14 NW SE	3500	DLC 79	2.8					
											4	S	4	W 14 NE SE	3500	DLC 79	6.8					
											4	S	4	W 14 SE SE	3500	DLC 79	11.9					
											4	S	4	W 13 NW SW	3500	DLC 79	0.1					
											4	S	4	W 13 SW SW	3500	DLC 79	8.0					
											4	S	4	W 13 SW SW	3602	DLC 79	2.0					
TOTAL ACRES:											TOTAL ACRES:						43.1					

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation) N/A

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation: N/A

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Part 5 of 5 – Water Right Information

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CERTIFICATE # 66607

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Description of Water Delivery System

System capacity: 0.41 cubic feet per second (cfs) (under this portion of the water right) 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. A 100 hp centrifugal pump with a capacity of 1,000 gpm pumps water into a 10" main line that is 2,000 feet long and an 8" main line that is 6,000 feet long.

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)
Middle POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		5	S	5	W	35	SW	SW	DLC 37	1,050 feet North and 300 feet East from the SW corner of Section 35
POD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	S	4	W	14	SW	SE	DLC 79	2400 feet North and 2360 feet West from the SE Corner of DLC 79
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	S	4	W	14	NW	NE	DLC 79	1,100 feet South and 2,130 feet West from the NE corner of Section 14

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 66607

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	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		
5	S	5	W	35	NE	NE	200	DLC 70	0.2	Irrigation	Middle POD	7/23/ 1945	POU/POD/ APOD	4	S	4	W	14	SE	SE	3500	DLC 79	0.2	Irrigation	POD 1, 2	7/23/ 1945		
5	S	5	W	35	NE	NE	200	Gvt 6	1.6	Irrigation	Middle POD	7/23/ 1945	POU/POD/ APOD	4	S	4	W	23	NE	NE	3500	DLC 79	18.0					
5	S	5	W	36	SW	NW	200	DLC 68	0.9	Irrigation	Middle POD	7/23/ 1945	POU/POD/ APOD	4	S	4	W	23	SE	NE	3500	DLC 79	0.5					
5	S	5	W	36	NW	NW	200	Gvt 4	17.0	Irrigation	Middle POD	7/23/ 1945	POU/POD/ APOD	4	S	4	W	24	NW	NW	3500	DLC 79	13.8					
5	S	5	W	36	NW	NW	200	DLC 70	13.2	Irrigation	Middle POD	7/23/ 1945	POU/POD/ APOD	4	S	4	W	24	SW	NW	3500	DLC 79	0.4					
TOTAL ACRES									32.9	TOTAL ACRES														32.9				

Additional remarks: _____.

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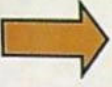
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For Place of Use or Character of Use Changes

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

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

 Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation) N/A

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation: N/A

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

STATE OF OREGON

COUNTY OF

YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

R. L. WALKER FARMS, INC.
by DON L. WALKER, PRESIDENT

of Route 1, Box 41, Amity, State of Oregon 97101, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
South Yamhill River

a tributary of Willamette River for the purpose of
irrigation of 43.1 acres

under Permit No. 46660 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
December 14, 1981
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
0.54 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE 1/4 NW 1/4 as projected within J.
Comegy DLC 37, Section 35, T5S, R5W, WM; 2360 feet South and 2950 feet West
from NE Corner, Section 35.

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

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

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

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2.7 acres Lot 6 (SE 1/4 SW 1/4)
3.4 acres SE 1/4 SW 1/4 as projected within W. Culberson DLC 70
4.9 acres SW 1/4 SE 1/4 as projected within W. Culberson DLC 70
Section 26

3.5 acres NW 1/4 NE 1/4 as projected within W. Culberson DLC 70
5.3 acres Lot 4 (NW 1/4 NE 1/4)
2.1 acres Lot 5 (SW 1/4 NE 1/4)
5.2 acres SW 1/4 NE 1/4 as projected within J. Comegy DLC 37
3.0 acres NE 1/4 NW 1/4 as projected within W. Culberson DLC 70
7.5 acres Lot 3 (NE 1/4 NW 1/4)
2.1 acres Lot 2 (SE 1/4 NW 1/4)
3.4 acres SE 1/4 NW 1/4 as projected within J. Comegy DLC 37
Section 35
Township 5 South, Range 5 West, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. May 7, 1985

...../s/ William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 , page 53093

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

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OCT 25 2021

THIS CERTIFICATE ISSUED TO

R.L. WALKER FARMS, INC.
11955 BALLSTON ROAD
AMITY, OREGON 97101

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confirms the right to use the waters of the SOUTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for the purpose of IRRIGATING 302.0 ACRES.

The right has been perfected under Permit 18862. The date of priority is JULY 23, 1945. The right is limited to not more than 3.78 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SW 1/4, SECTION 35, T 5 S, R 5 W, W.M.; 1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35.

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.

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

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

NW 1/4 NE 1/4 7.1 ACRES
SW 1/4 NE 1/4 2.6 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SW 1/4 NE 1/4 0.4 ACRE
AS PROJECTED WITHIN DLC 67
NE 1/4 NW 1/4 20.6 ACRES
SE 1/4 NW 1/4 18.3 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SE 1/4 NW 1/4 5.3 ACRES
NE 1/4 SW 1/4 20.0 ACRES
NW 1/4 SW 1/4 30.0 ACRES
SW 1/4 SW 1/4 32.7 ACRES
SE 1/4 SW 1/4 4.6 ACRES
ALL AS PROJECTED WITHIN DLC 67
SECTION 2

NE 1/4 SE 1/4 3.8 ACRES
AS PROJECTED WITHIN DLC 67
SECTION 3

NW 1/4 NW 1/4 1.7 ACRES
AS PROJECTED WITHIN DLC 67
SECTION 11
TOWNSHIP 6 SOUTH, RANGE 5 WEST, W.M.

SEE NEXT PAGE

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SE 1/4 SW 1/4 1.0 ACRE
SW 1/4 SW 1/4 18.5 ACRES
BOTH AS PROJECTED WITHIN DLC 70
SECTION 25

NE 1/4 NE 1/4 0.2 ACRE
AS PROJECTED WITHIN DLC 70
LOT 6 (NE 1/4 NE 1/4) 1.6 ACRES
SW 1/4 SE 1/4 1.0 ACRE
AS PROJECTED WITHIN DLC 37
SECTION 35

NE 1/4 NW 1/4 7.7 ACRES
AS PROJECTED WITHIN DLC 70
NE 1/4 NW 1/4 18.2 ACRES
NW 1/4 NW 1/4 1.5 ACRES
BOTH AS PROJECTED WITHIN DLC 68
NW 1/4 NW 1/4 18.8 ACRES
AS PROJECTED WITHIN DLC 70
LOT 4 (NW 1/4 NW 1/4) 22.2 ACRES
SW 1/4 NW 1/4 20.0 ACRES
SW 1/4 NW 1/4 2.6 ACRES
SE 1/4 NW 1/4 28.2 ACRES
NE 1/4 SW 1/4 8.8 ACRES
NW 1/4 SW 1/4 1.0 ACRE
ALL AS PROJECTED WITHIN DLC 68
LOT 3 (NW 1/4 SW 1/4) 3.6 ACRES
SECTION 36
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

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This certificate describes that portion of the water right confirmed by certificate 23198, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered MAY 18, 1977 and APRIL 3, 1979, approving transfer applications 3625 and 4137 and is issued to confirm a change in PLACE OF USE approved by the same orders and supersedes certificate 23198.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed AUGUST 12, 1991.

/s/ WILLIAM H. YOUNG
William H. Young

Recorded in State Record of Water Right Certificates numbered 66607.

T-3625.TES

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 YAMHILL)

I, Cliff Woolley, in my capacity as Chief Administrative Officer,

mailing address 786 ROAD 188, DELANO, CA, 93215

telephone number (661) 565-6421, 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 # 53093; OR

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

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

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

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

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

(continues on reverse side)

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

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

OWRD

Cliff Wally
Signature of Affiant

3-4-21
Date

Signed and sworn to (or affirmed) before me this _____ day of _____, 20____.

Notary Public for Oregon

My Commission Expires: _____

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

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

Subscribed and sworn to (or affirmed) before me on this 4th
day of March, 2021, by Cliff Woolley

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Nidia Garcia

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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 YAMHILL)

I, Cliff Woolley, in my capacity as Chief Administrative Officer,

mailing address 786 ROAD 188, DELANO, CA, 93215

telephone number (661)565-6421, 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 the portion of Certificate 66607 included in this transfer

; OR

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)

OR

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

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

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

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

(continues on reverse side)

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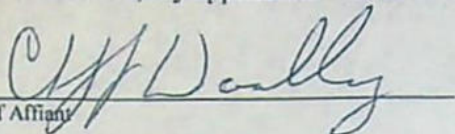
OCT 25 2021

OWRD

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

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

Signature of Affiant



3-4-21
Date

Signed and sworn to (or affirmed) before me this _____ day of _____, 20____.

Notary Public for Oregon

My Commission Expires: _____

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

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kern

Subscribed and sworn to (or affirmed) before me on this 4th
day of March, 2021, by Cliff Woolley

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Nidia Garcia

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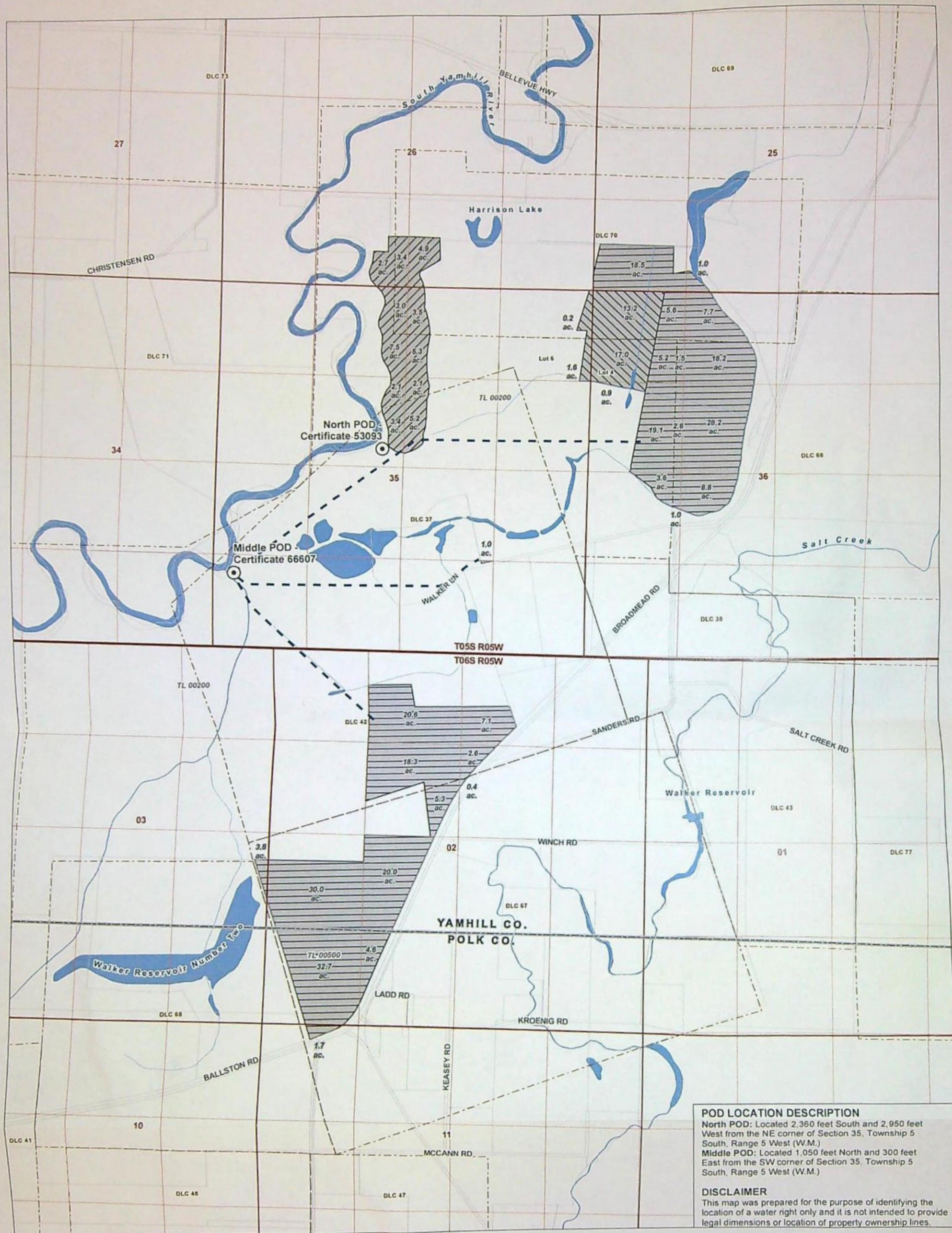
Portions of Certificate 66607 proposed to be transferred – Aerial Imagery April, 2020.



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POD LOCATION DESCRIPTION

North POD: Located 2,360 feet South and 2,950 feet West from the NE corner of Section 35, Township 5 South, Range 5 West (W.M.)
Middle POD: Located 1,050 feet North and 300 feet East from the SW corner of Section 35, Township 5 South, Range 5 West (W.M.)

DISCLAIMER

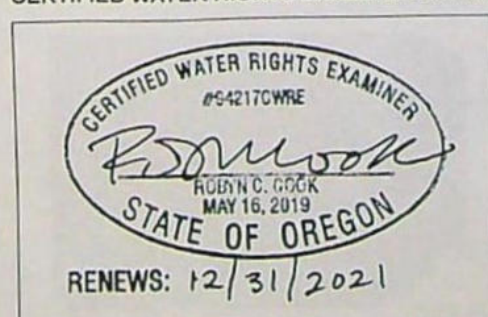
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

LEGEND

- ⊙ Authorized Point of Diversion (POD)
- - - Conveyance Line
- Place of Use (POU)
- From Lands, 45.1 acres - Certificate 53093
- From Lands, 32.9 acres - Certificate 66607
- Remaining Lands, 269.1 acres - Certificate 66607
- All Other Features
 - Tax Lot
 - Donation Land Claim (DLC)
 - Government Lot (GL)
 - County Line
 - Watercourse
 - Waterbody

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CERTIFIED WATER RIGHTS EXAMINER STAMP

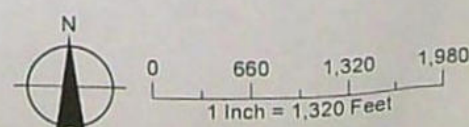


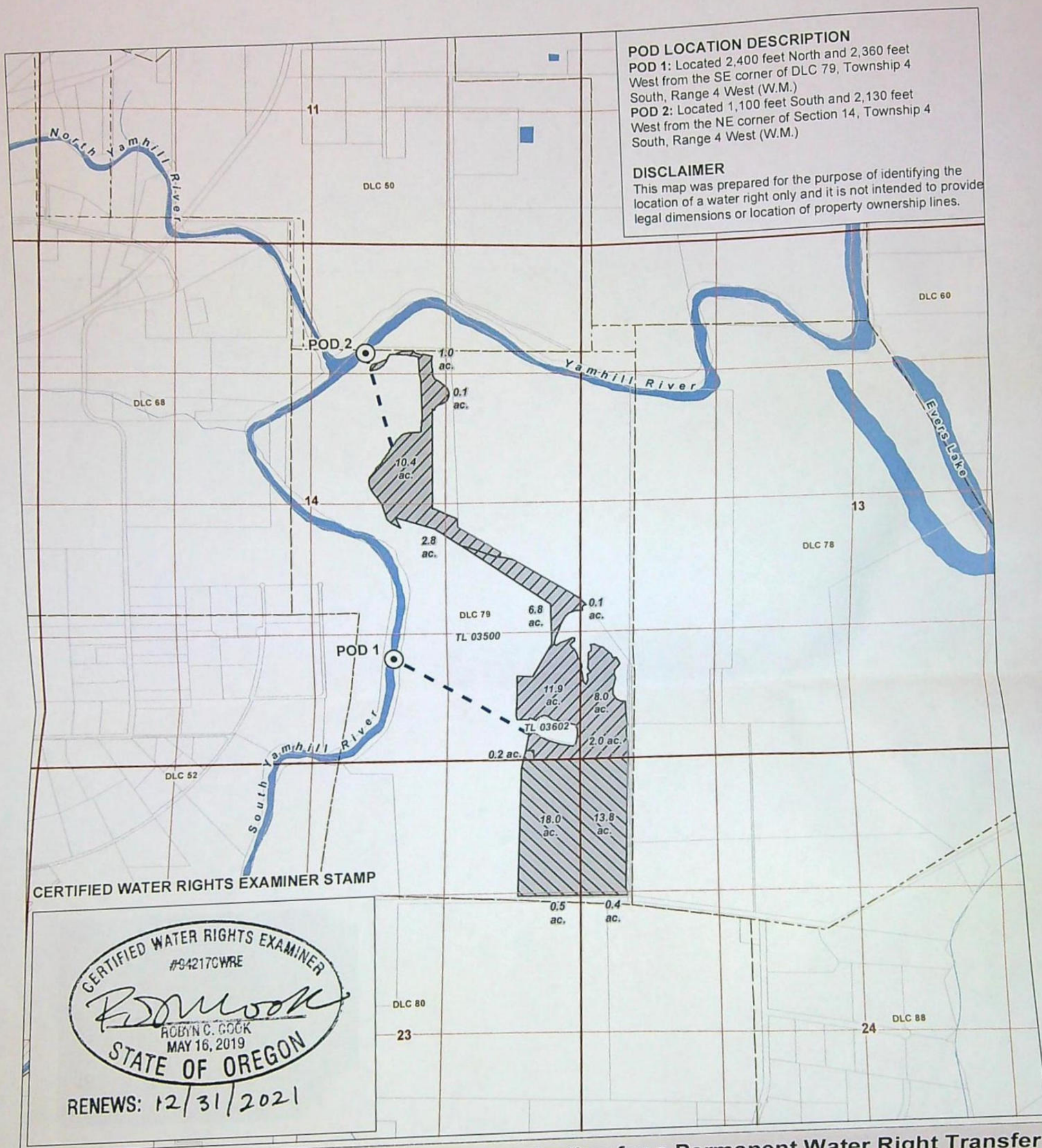
Application for a Permanent Water Right Transfer
in the Name of Sarbanand Enterprises;
From Lands, Remaining Lands,
and Authorized Points of Diversion Map
Township 5 & 6 South, Range 5 West (W.M.)

MAP NOTES

Date: July 28, 2021

Data Sources: BLM, ESRI, Yamhill Co., Polk Co., USGS





LEGEND

Proposed Point of Diversion (POD)
 (Certificate 53093 and Certificate 66607)

Conveyance Line

Place of Use (POU)

To Lands, 43.1 acres
 - Certificate 53093

To Lands, 32.9 acres
 - Certificate 66607

Date: August 3, 2021
 Data Sources: BLM, ESRI, Yamhill Co., Polk Co., USGS

All Other Features

Tax Lot
 Donation Land Claim (DLC)
 Watercourse
 Waterbody

Application for a Permanent Water Right Transfer
 in the Name of Sarbanand Enterprises;
 To Lands and Proposed Points of Diversion Map
 Township 4 South, Range 4 West (W.M.)

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 OWRD



0 660 1,320
 1 Inch = 1,320 Feet



Document Path: Y:\0562_Munger_Farms\Source_Figures\01_Amity_Farm\WR_Temp_Transfer_TO.mxd, WKimmon

13054

Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form



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

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Applicant(s): Sarbanand Enterprises, ATTN: Cliff Wooley

Mailing Address: 786 Road 188

City: Delano

State: CA

Zip Code: 93215

Daytime Phone: 661-565-6421

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	4W	14	NWNE	3500	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	SENE	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	SWNE	3500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	NWSE	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	NESE	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	SESE	3500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	14	SWSE	3500	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
4S	4W	13	NWSW	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	13	SWSW	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	13	SWSW	3602	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	23	NENE	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	23	SENE	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	24	NWNW	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
4S	4W	24	SWNW	3500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

Yamhill 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) South Yamhill River

Estimated quantity of water needed: 0.95 ☒ 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:

The Applicant is proposing to change the place of use and points of diversion for Certificate 53093 and a portion of Certificate 66607 (32.9 acres). The proposed points of diversion are currently in existence and used under existing water rights.

For Local Government Use Only

OWRD

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

Please check the appropriate box below and provide the requested information

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

☐ 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.

Name: Desiree S. Lundeen Title: Associate Planner

Signature: [Signature] Phone: (503) 434-7516 Date: 8/4/21

Government Entity: Yamhill County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

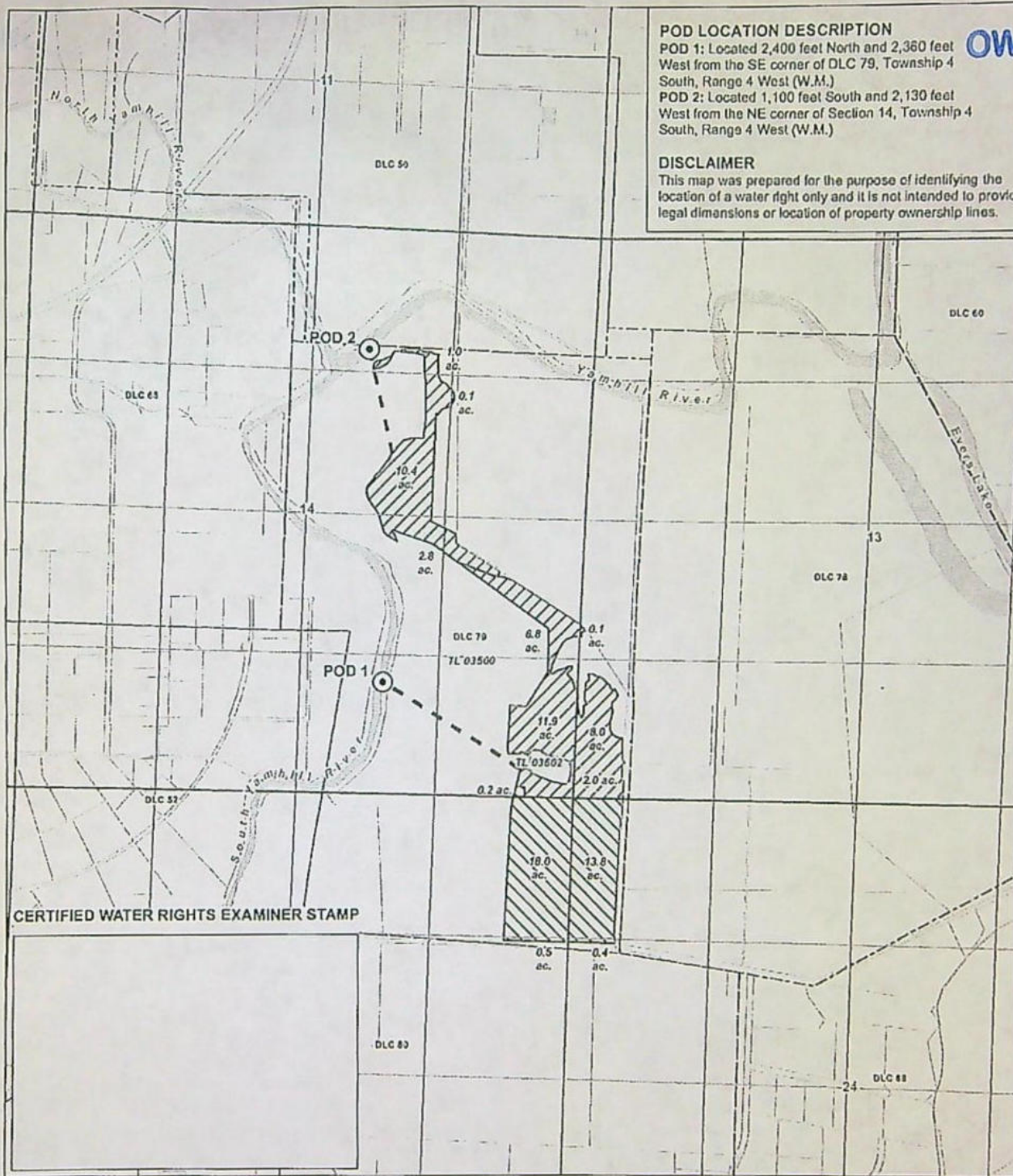
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

OWRD



LEGEND

Proposed Point of Diversion (POD)

Conveyance Line

Place of Use (POU)

To Lands, 43.1 acres
 - Certificate 53093

To Lands, 32.9 acres
 - Certificate 66607

All Other Features

Tax Lot

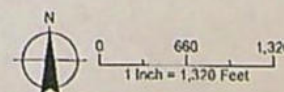
Donation Land Claim (DLC)

Watercourse

Waterbody

Application for a Permanent Water Right Transfer

In the Name of Sarbanand Enterprises;
 To Lands and Proposed Points of Diversion Map
 Township 4 South, Range 4 West (W.M.)



Date: 2/26/2021
 Data Source: BLM, ES&A, Yuma Co, P&A Co, USGS

Document Path: Y:\552\Manager_Farms Source_Figures\01_Army_Farm_WR_transfer_10.mxd, w:\mman



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OCT 25 2021

OWRD

October 21, 2021

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Permanent Water Right Transfer Application - Sarbanand Enterprises, LLC

Dear Kelly:

GSI Water Solutions, Inc. (GSI) is submitting the enclosed Application for a Permanent Water Right Transfer on behalf of Sarbanand Enterprises, LLC (Sarbanand). Sarbanand is proposing to change the place of use of Certificate 53093 and a 32.9 acre portion of Certificate 66607. Sarbanand is also proposing to change the authorized point of diversion and add an additional point of diversion to Certificate 53093 and a portion of Certificate 66607.

Also enclosed is the required application fee of \$3,060.

Please contact me if you have questions or concerns. My phone number is 541-257-9004.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kimberly Grigsby", written in a cursive style.

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Application for a Permanent Water Right Transfer
Check in the amount of \$3,060

Oregon Water Resources Department

Transfer Fee Calculation for Permanent (Non-District) Transfer

Main

Help

Return

Contact Us

Today's Date: Wednesday, October 27, 2021

Fee Calculation

Base Fee (includes one type of change to one water right for up to 1 cfs)

\$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

☒ Place of Use☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD☐ Character of Use

\$1,090.00

Enter total number of water rights included in transfer.

\$610.00

☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.Enter total number of groundwater wells (POAs) included in transfer.

\$0.00

☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.☒ Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
53093	43.1	43.1	0.54		0.54
66609	302	32.9	3.78		0.411795

Total Transfer CFS(rounded up to the next whole cfs): 1.00

Subtotal:

\$3,060.00

Check each box that applies.

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee:

\$3,060.00

Return to Edit

Clear

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13854

Checked by: <u>Joan</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input checked="" type="checkbox"/> POD	<input checked="" type="checkbox"/> APOD
Date: <u>10/27/21</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received: <u>3060.00</u>						
Calculated Fee:			How many rights to be Transferred?			
			Certificate # <u>53093</u>			
Additional Observations:			<u>66607</u>			

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☒ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No APOA For Both Same
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☒ Yes ☐ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☒ N/A.
- ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application.
Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **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.

Actions taken: _____ Date: 10/27/21

Permanent Transfer Application Intake Completion Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0. 2 Multiply line 2b by \$1,090 and enter »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0. 3 Multiply line 3b by \$610 and enter »	3	0
	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d) 4 Add lines 4a and 4d and enter »	4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » 5	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » » » 7 If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8	



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

November 18, 2024

SARBANAND ENTERPRISES LLC
786 RD 188
DELANO, CA 93215

SUBJECT: Water Right Transfer Application T-13854

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

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$438.65 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-13854 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, no later than December 18, 2024.

What happens next...

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

If we do not receive payment for newspaper notice by December 18, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French
Transfer Specialist
Transfer and Conservation Section

SENT VIA EMAIL
11/18/24

X-----
Attached is a check in the amount of \$438.65 (PCA #46118) for Newspaper Notice for Transfer T-13854 made out to Oregon Water Resources Department (or WRD)

- "for T- 13854 NOTICE" written on front of check

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

Caseworker: Kim French

T-13854

FIRST AMERICAN TITLE

Property Research Report

SUBJECT PROPERTY

23700 SW Walker Ln

Parcel #: 236809

Map & Taxlot #: R553500200

County: Yamhill

OWNER

Sarbanand Enterprises LLC

DATE PREPARED

Date: 08/14/2024

PREPARED BY

jalexander@firstam.com



First American Title

Customer Service Department

503-476-8735

csfirst@firstam.com

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First American Title™

Customer Service Department
503-476-8735
csfirst@firstam.com
Date: 08/14/2024

OWNERSHIP INFORMATION

Owner: Sarbanand Enterprises LLC
CoOwner:
Site: 23700 SW Walker Ln Amity OR 97101
Mail: 786 Road 188 Delano CA 93215

Parcel #: 236809
Ref Parcel #: R553500200
TRS: 05S / 05W / 35
County: Yamhill

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 031000 Block: 2081
Neighborhood: Industrial Farm East
School Dist: 4J Amity
Impr Type: 18 - 1 Story with Attic
Subdiv/Plat:
Land Use: 551 - Farm - Exclusive Farm Use (EFU) -
Improved (typical of class)
Std Land Use: AFAR - Farms And Crops
Zoning: EF-80 - Exclusive Farm Use
Lat/Lon: 45.096702 / -123.259115
Watershed: Deep Creek-South Yamhill River
Legal: Township 5S Range 5W Section 35 TaxLot 00200

ASSESSMENT AND TAXATION

Market Land: \$11,655,093.00
Market Impr: \$186,276.00
Market Total: \$11,841,369.00 (2023)
% Improved: 2.00%
Assessed Total: \$923,827.00 (2023)
Levy Code: 04.3
Tax: \$12,648.95 (2023)
Millage Rate: 13.8909
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms: 3	Total SqFt: 2,155 SqFt	Year Built: 1920
Baths, Total: 1	First Floor: 1,560 SqFt	Eff Year Built:
Baths, Full: 1	Second Floor:	Lot Size Ac: 1,277.17 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 55,633,525 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories: 1	Basement Total:	Lot Depth:
# Fireplaces: 1	Attic Fin: 595 SqFt	Roof Material: Composition Shingle
Cooling:	Attic Unfin:	Roof Shape: Gable
Heating:	Attic Total: 595 SqFt	Ext Walls: WSS - Wood Shake/Shingle
Building Style:	Garage: 264 SqFt	Const Type:

SALES AND LOAN INFORMATION

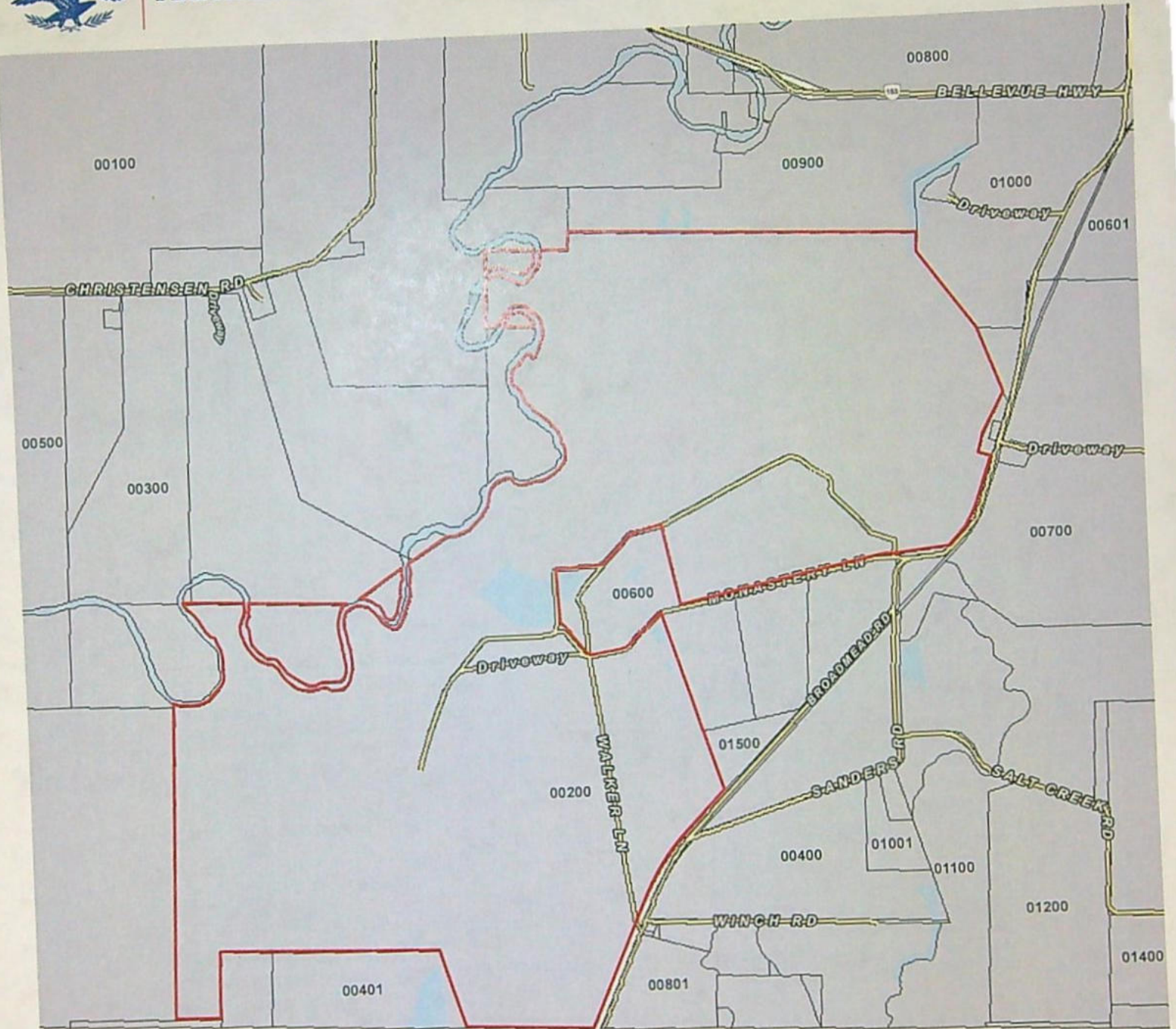
Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
SARBANAND ENTS LLC	05/01/2015	2015-05874		Multi Cnty/St Or Open-End- 0 mtg	\$16,390,000.0	Conventional
SARBANAND ENTS LLC	11/27/2013	2013-18001	\$1.00	Deed	\$32,150,000.0	Conventional 0
EVERGREEN AGRICULTURAL ENTS IN	05/02/2013	2013-06666		Multi Cnty/St Or Open-End- 0 mtg	\$39,775,261.0	Conventional
EVERGREEN AGRICULTURAL ENTS IN	05/02/2013	2013-06667		Multi Cnty/St Or Open-End- 0 mtg	\$84,100,000.0	Conventional
EVERGREEN INTL AVIATION INC	06/30/2011	2011-08045		Multi Cnty/St Or Open-End- 00 mtg	\$200,000,000.	Conventional
EVERGREEN AGRICULTURAL ENTS IN	09/02/2004	2004-18316		Deed Of Trust	\$1,000,000.00	Conv/Unk
EVERGREEN AGRICULTUR	01/01/2003	2003-11230		Deed		Conv/Unk
SARBANAND ENTERPRISES LLC	01/31/1987	1987-01012	\$881,000.00	Deed		Conv/Unk

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First American Title

R5535 00200
23700 SW Walker Ln
Amity, OR 97101



Taxlot



Subject



Taxlot

8/14/2024

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First American Title

R5535 00200
23700 SW Walker Ln
Amity, OR 97101



Aerial



Subject



Taxlot

8/14/2024

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First American Title

R5535 00200
23700 SW Walker Ln
Amity, OR 97101



Aerial



Subject



Taxlot

8/14/2024

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Aerial Map



First American Title™

Parcel ID: 236809

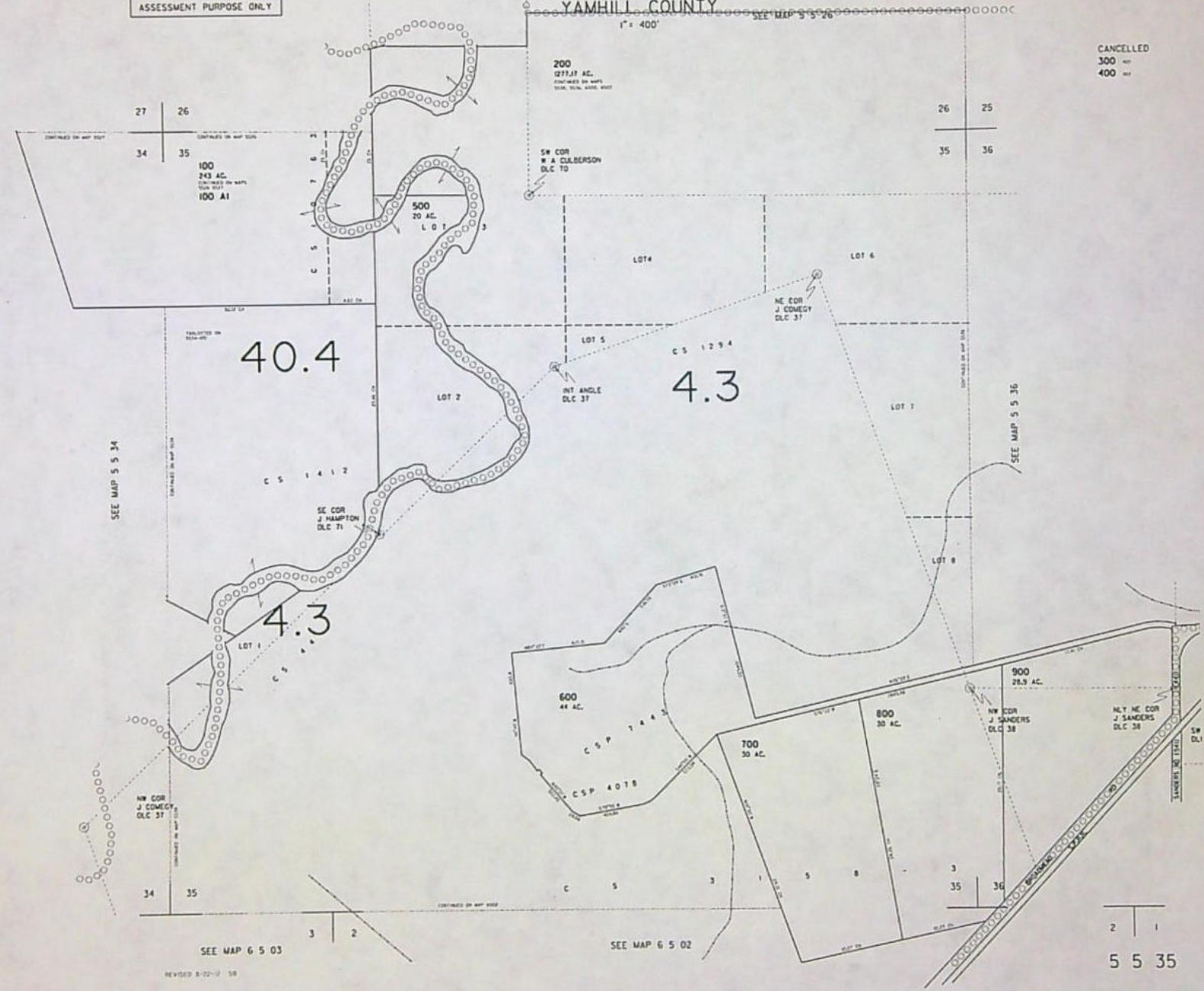
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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 35 T5S R5W W.M.
YAMHILL COUNTY

5 5 35

CANCELLED
300
400



5 5 35

RECORDING REQUESTED BY:

GRANTOR:

Evergreen Agricultural Enterprises, Inc.
3850 Three Mile Lane
McMinnville, OR 97128

GRANTEE:

Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215

SEND TAX STATEMENTS TO:

Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215

AFTER RECORDING RETURN TO:

Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215

Escrow No: 471813029191-TTMIDWIL36

Yamhill County Official Records

201318001

DMR-DDMR

11/27/2013 02:57:08 PM

Str=4 MILLSA

\$50.00 \$11.00 \$5.00 \$15.00

\$81.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Brian Van Bergen - County Clerk

RECORDED IN POLK COUNTY

2013-012365

Valerie Unger, County Clerk

11/27/2013 01:56:54 PM

REC-WD

Cnt=1 Str=1 K. WILLIAMS

\$45.00 \$11.00 \$10.00 \$5.00 \$15.00

\$86.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Evergreen Agricultural Enterprises, Inc., an Oregon Corporation, Grantor, conveys and warrants to Sarbanand Enterprises, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill and the County of Polk, State of Oregon:

See Attached Exhibit "A"

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$1.00 and other consideration (See ORS 93.030)

Subject only to encumbrances of record at the time of conveyance.

Further subject to and including the water rights appurtenant to the following described real property as referenced in exhibit "A".

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

DATED: 11/26/13

Evergreen Agricultural Enterprises, Inc., an Oregon Corporation

Brian Crowe, President

State of OREGON, COUNTY of YAMHILL

This instrument was acknowledged before me on November 26, 2013 by Brian Crowe, President for Evergreen Agricultural Enterprises, Inc., an Oregon Corporation.

Notary Public - State of Oregon

My commission expires: June 14, 2017

471813029191-TTMIDWIL36
Deed (Warranty-Statutory)



TIGOR TITLE COMPANY 471813029191

RECORDING REQUESTED BY:
GRANTOR:
Evergreen Agricultural Enterprises, Inc.
3850 Three Mile Lane
McMinnville, OR 97128
GRANTEE:
Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215
SEND TAX STATEMENTS TO:
Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215
AFTER RECORDING RETURN TO:
Sarbanand Enterprises, LLC
786 Road 188
Delano, CA 93215
Escrow No: 471813029191-TTMIDWL36

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Evergreen Agricultural Enterprises, Inc., an Oregon Corporation, Grantor, conveys and warrants to Sarbanand Enterprises, LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill and the County of Polk, State of Oregon:

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DATED: 4/26/13

Evergreen Agricultural Enterprises, Inc., an
Oregon Corporation

Brian Crowe
Brian Crowe, President

State of OREGON, COUNTY of YAMHILL

This instrument was acknowledged before me on November 26, 2013 by Brian Crowe, President for Evergreen Agricultural Enterprises, Inc., an Oregon Corporation.

[Signature] Notary Public - State of Oregon

My commission expires: June 14, 2017
471813029191-TTMIDWL36
Deed (Warranty-Statutory)



EXHIBIT "A"

TRACT A ("AMITY"):

PARCEL 1:

Beginning at a point in the County Road, which point is 8.88 chains West of the Southeast corner of the William A. Culberson Donation Land Claim, said point being West 44.45 chains and South 9.00 chains from the Northeast corner of Section 36, Township 5 South, Range 5 West of the Willamette Meridian, Yamhill County, Oregon; thence South 22° East 15.53 chains to a rock set in the County Road; thence South 17° West 27.80 chains to a rock in the County Road; thence South 82° West 14.25 chains to post with bearing trees; thence South 44 links to post with bearing trees; thence South 0°32' West along the center of County Road to its intersection with the Northerly right of way line of the Southern Pacific Railroad; thence Southwesterly along the Northerly railroad right of way line to its intersection with the county line between Yamhill and Polk Counties; thence West along said county line to its intersection with the East line of the M. B. Burke Donation Land Claim; thence Northwesterly, along the Easterly line of said Burke Claim to the Northeast corner thereof; thence West along the North line of said Burke Claim to the Northwest corner thereof; thence South along the West line of said Burke Claim 12.63 chains to a point which is 20 chains North of the Southern boundary line of Section 3, Township 6 South, Range 5 West of the Willamette Meridian; thence West 8.06 chains to the East line of the Guilford F. Worden Donation Land Claim; thence North along the East line of said Worden Claim, 60 chains to the Northeast corner thereof; thence West along the North line of said Worden Claim 21.08 chains to the most Northerly Southwest corner of the Alanson Wing Certificate Claim; thence North along the West line of said Wing Claim, 21.20 chains to the Northwest corner thereof, also being the Southwest corner of the Jacob Hampton Donation Land Claim at a stake on the left bank of the Yamhill River from which an alder 8 inches in diameter half way down the bank, bears South 70° East 22 links distant; thence East along the North line of said Wing Claim 60.42 chains to a post in the Section line between Sections 34 and 35, Township 5 South, Range 5 West of the Willamette Meridian; thence South along the Section line 3.19 chains to a post on the North line of the Jacob Comegy Donation Land Claim South of the River; thence North 45° East along the North line of said Comegy Claim 2160.0 feet to the centerline of a private road; thence North 45° East along the North line of said Comegy Claim 808 feet to the center of the Yamhill River; thence Northerly along the center line of the Yamhill River to a point which is West 8.75 chains and South 1711.98 feet from the Northwest corner of the William A. Culberson Donation Land Claim; thence East 8.75 chains to the West line of said Culberson Claim; thence North along the West line of said Culberson Claim 3.33 chains to a post from which a white fir 20 inches in diameter bears East 23 links distant; thence East 67.08 chains to a corner in a lake (set at a stone 12 x 12 x 8) on the West bank of pond 120 links West from the true corner as witness to the corner; thence South 3.67 chains to a post on the South bank of the pond from which an ash 8 inches in diameter bears North 6° East 6 links distant, an ash 8 inches in diameter bears North 80° East 21 links distant; thence South 39° East 19.00 chains to the place of beginning.

ALSO:

A part of the Jacob Comegy Donation Land Claim, the Robert J. Hendricks Donation Land Claim, and the Joseph Sander Donation Land Claim in Township 5 South, Range 5 West of the Willamette Meridian, and Township 6 South, Range 5 West of the Willamette Meridian, in Yamhill County, Oregon, more particularly described as follows:

Beginning at a stone in the center of the County Road at a point South 70°30' West 32.28 chains from the Northeast corner of the Edwin T. Stone Donation Land Claim in Township 6 South of Range 5 West of the Willamette Meridian; thence North 19°30' West 18.41 chains to the true point of beginning; thence North 19°30' West 24.15 chains; thence North 76°15' East 46.37 chains; thence South 00°32' West 11.40 chains; thence South 42°34' West 24.33 chains; thence South 89°52' West 42 links to an iron pipe on the North boundary of the railroad right of way; thence South 77°25' West 20.54 chains to the true point of beginning.

ALSO:

Beginning at a stone in the center of the County Road South 70°30' West 32.28 chains from the Northeast corner of the E.T. Stone Donation Land Claim, Notice No. 1929, Claim 67, in Section 1, Township 6 South, Range 5 West of the Willamette Meridian, Yamhill County, Oregon; thence North 19°30' West to the point of intersection with the Northerly line of the railroad right of way and the true point of beginning of the tract to be described; thence continuing North 19°30' West to a point, which point is South 77°25' West 20.54 chains from a point on the Northerly line of said railroad right of way; thence North 77°25' East 20.54 chains to the intersection with said railroad right of way; thence Southwesterly, along said railroad right of way, to the true point of beginning.

EXCEPT THEREFROM the following:

A strip of land 50 feet in width, being 25 feet either side of the center line, described as follows:

Beginning at a stone in the center of the County Road, South 70°30' West 32.28 chains from the Northeast corner of the E.T. Stone Donation Land Claim, Notice No. 1929, Claim 67 aforesaid; thence North 19°30' West to a stake on the fence line between the properties of Hawkins and Robertson, which stake is at the point of intersection of said line between the properties of Hawkins and Robertson and a line 25 feet long running at right angles to the Northerly line of the railroad right of way; thence North 42°34' East, parallel with and 25 feet distant from the said Northerly boundary line of the railroad right of way, a distance of 3184.0 feet to a stake in the center of the County Road, on the line between the Dennis Harty and Joseph Sanders Claims, at a point approximately 280.0 feet North from the Southwest corner of the Dennis Harty Claim.

SAVE AND EXCEPTING therefrom the following described tract:

Beginning at an iron pipe in the center of the County Road at a point 953.6 feet South and 227.6 feet West of the Southeast corner of the William A. Culberson Donation Land Claim; thence North 18°38' West 156.6 feet to an iron pipe for the North corner of this tract; thence South 26°31' West 592.4 feet to an iron pipe; thence South 10°50' West 244.8 feet to an iron pipe; thence South 76°55' East 183.1 feet to an iron pipe in the center of the County Road; thence North 16°11' East along the center of the County Road 690.6 feet to the point of beginning.

ALSO SAVING AND EXCEPTING therefrom that portion conveyed to H. M. Hawkins et ux to Baylis M. Fanning et ux by deed recorded January 12, 1965 in Film Volume 42, Page 709, Deed and Mortgage Records.

ALSO SAVING AND EXCEPTING therefrom that portion conveyed by H. M. Hawkins et ux to Glen A. Christensen et ux by deed recorded January 14, 1965 in Film Volume 42, Page 767, Deed and Mortgage Records.

ALSO SAVING AND EXCEPTING therefrom that portion conveyed to Frank Adams et ux by deed recorded in Book 179, Page 690, Deed Records.

ALSO SAVING AND EXCEPTING all railroad rights of way.

ALSO SAVING AND EXCEPTING therefrom that portion conveyed to The Brigittine Monks, recorded July 16, 1986 in Film Volume 204, Page 2138, Deed and Mortgage Records.

(APN R5535 00200, R5535 00700, R5535 00800, R5535 00900 and R 6502 01500)

PARCEL 2:

That part of the following described tract of land lying in Polk County, Oregon:

Beginning at a stone at the Northeast corner of the M.B. Burke Donation Land Claim in Section 3, Township 6 South, Range 5 West of the Willamette Meridian, Oregon, said point being also South 20° East 4.16 chains from the Northwest corner of the Edwin T. Stone Donation Land Claim in said Section; thence on the boundary line between the Burke Claim and Alanson Wing Claim, West 42.88 chains to the Northwest corner of the Burke Claim; thence South 12.63 chains to a stake and a stone on the subdivision line 20 chains North of the Southern boundary of Section 3, Township 6 South, Range 5 West of the Willamette Meridian; thence West 8.06 chains to a post and stone on the Eastern boundary line of the Guilford W. Worden Claim; thence on the boundary line between the Worden and Wing claims North 60.00 chains to a post on the Township line between Townships 5 and 6 South, which post is also the Northeast corner of the Guilford W. Worden Claim and from which an ash 10 inches in diameter bears South 16° West 20 links distant; and an ash 10 inches in diameter bears North 35° West 22 links distant, both old bearing trees; thence on the Township line West 21.05 chains to a corner of the Wing Claim and the R. Gaunt Claim from which there are old bearing trees, viz.: a maple 24 inches in diameter bears North 53° West 58 links distant, a fir 24 inches in diameter bears South 15° East 21 links distant; thence North 21.20 chains to the Southwest corner of the Jacob Hampton Claim to a stake in the left bank of the Yamhill River from which an alder 8 inches in diameter halfway down the bank bears South 70° East 27 links distant; thence East 60.42 chains to a post in the Section line between Section 34 and 35, Township 5 South of Range 5 West of the Willamette Meridian; thence on the Section line South 3.19 chains to a post in the North boundary line of the Jacob Comegy's Claim South of the River; thence North 45° East 2160 feet; thence South 34 1/2° East 1720 feet to a point in the center line of private roadway between the house and barn on the Broadmead Farm; thence South 12° East following the center line of said private roadway approximately 4160 feet to the Northerly side of the Southern Pacific Railroad right of way; thence Southwesterly following the Northerly margin of said right of way, approximately 2,360 feet to the intersection of the Westerly line of the Edwin T. Stone Donation Land Claim with the Northerly margin

471813029101-TTMDWIL36
Deed (Warranty-Statutory)

of said right of way; thence North 19° 25' West along the line between the Stone and Burke Donation Land Claim approximately 2720 feet, to the true point of beginning.

(APN 290931)

TRACT B ("BELLVUE"):

PARCEL 1:

Part of the Jesse Yocom Donation Land Claim No. 45 in Township 5 South, Range 5 West of the Willamette Meridian, Yamhill County, Oregon, described as follows:

Beginning at the Southwest corner of said claim; thence North 1665 feet, more or less, to a point that is 810 feet South of the Northwest corner of Parcel 3 of the Eugene J. Wolf contract recorded September 14, 1970 in Film Volume 80, Page 1923, the true point of beginning herein; thence continuing North along said Donation Land Claim line for 810 feet to the North line of said Parcel 3, mentioned above; thence East, along the North line of said Parcel 3, for 545 feet; thence South, parallel to the West line of said Donation Land Claim, for 810 feet; thence West, parallel to the North line of said Parcel 3 for 545 feet to the true point of beginning herein.

EXCEPTING the North 60 feet thereof for road purposes.

PARCEL 2:

Part of the Jesse Yocom Donation Land Claim No. 45 in Township 5 South, Range 5 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows:

Beginning at the Southwest corner of said claim; thence East 40 chains to the center of the County Road; thence North, along the center of the road, 37.50 chains to a point; thence West, parallel with the South line of said Claim, 40 chains to the West line of said Claim; thence South 37.50 chains to the place of beginning.

EXCEPTING that part of the premises lying in the road.

AND FURTHER EXCEPTING THEREFROM that portion conveyed to Ted Reese, et ux, by Deed recorded in Film Volume 77, Page 434, Deed and Mortgage Records, Yamhill County, Oregon, on September 25, 1969.

ALSO EXCEPT part of the Jesse Yocom Donation Land Claim No. 45 in Township 5 South, Range 5 West of the Willamette Meridian, Yamhill County, Oregon, described as follows:

Beginning at the Southwest corner of said claim; thence North 1665 feet, more or less, to a point that is 810 feet South of the Northwest corner of Parcel 3 of the Eugene J. Wolf contract recorded September 14, 1970, in Film Volume 80, Page 1923, the true point of beginning herein; thence continuing North along said Donation Land Claim line for 810 feet to the North line of said Parcel 3, mentioned above; thence East, along the North line of said Parcel 3, for 545 feet; thence South, parallel to the West line of said Donation Land Claim, for 810 feet; thence West, parallel to the North line of said Parcel 3, for 545 feet to the true point of beginning herein.

ALSO EXCEPTING the North 60 feet thereof for road purposes.

PARCEL 3:

Beginning at a point 11.25 chains North of the Southeast corner of the Wellington Fletcher and Laura Ann Fletcher Claim, Certificate No. 515, Notification No. 6678 in Township 5 South, Range 5 West of the Willamette Meridian, in Yamhill County, Oregon; thence West, parallel with the South line of said Claim, 11.531 chains; thence North, parallel with the East line of said Claim, 27.75 chains; thence East, parallel with the South line of said Claim, 11.531 chains to the West line of the Jesse Yocom Donation Land Claim No. 45; thence South 27.75 chains to the place of beginning.

EXCEPTING THEREFROM that portion of the premises conveyed to Malinda S. Lambright and Isaac Lambright by deed recorded December 8, 1923, in Book 89, Page 171, Deed Records.

EXCEPT a 60-foot strip for road purposes over the Northeasterly portion of Parcel 3, described as follows:

Starting at a point 2475 feet North of the Southeast corner of the Jesse Yocom Donation Land Claim No. 45 in Township 5 South, Range 5 West, Willamette Meridian, in Yamhill County, Oregon; thence South 60 feet; thence West 2840 feet, more or less, to the West line of said Yocom Donation Land Claim, to the true point of beginning of the description herein; thence, continuing West, 250 feet; thence North 150 feet, more or less, to the North line of the Wolf tract, shown as Parcel 4 of Contract recorded September 14, 1970, in Film Volume 80, Page 1923, Deed and Mortgage Records, Yamhill County, Oregon; thence East 80 feet; thence South 90 feet; thence East 190 feet to the West line of said Yocom Donation Land Claim and the place of beginning, all in Section 17, Township 5 South, Range 5 West, Willamette Meridian.

EXCEPTING FROM Parcels I, II and III any portion lying within the following described parcel:

A tract of land in Sections 17 and 20, Township 5 South, Range 5 West, Yamhill County, Oregon, being part of Parcel 1 of that tract of land described in deed from Norman F. Harrison and Shirley Harrison to Harrison Properties, Inc. and recorded March 25, 1994, in Film Volume 305, Page 1938, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at an iron rod set in CSP-9367, at the Southwest corner of said Harrison tract; thence North 00°09'00" East 1656.88 feet to the Northwest corner of said Harrison tract; thence East 310.80 feet, along the North line of said tract; thence South 00°09'00" West 1656.88 feet to the South line of said tract; thence West 310.80 feet to the point of beginning.

(APN R5520 00100, R5520 00200, and R5517 00900)

TRACT C ("HAWMAN"):

PARCEL 1:

Being a part of the Donation Land Claim of Albert L. Alderman and wife, Claim No. 43, Notification No. 1023, Certificate No. 163 and being a part of Sections 9, 10 and 16, Township 4 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, more particularly described as follows:

Beginning at a point that is North 17°30' East 60.23 chains from the Southwest corner of the Albert L. Alderman Donation Land Claim, said point also being the Southwest corner of that tract of land conveyed to Keith F. Coburn, et ux, by Deed recorded February 8, 1956, in Book 179, Page 630, Deed Records; thence South 17°30' West, along the center of County Road No. 47, 34.56 chains to the Northwest corner of that tract of land in Deed recorded April 1, 1980, in Film Volume 149, Page 1124, Deed and Mortgage Records; thence South 65° East 39.20 chains to a set post on the bank of the Yamhill River, from which an oak 12 inches in diameter bears North 64° West 1.91 chains marked W.L. 23; thence, meandering down said River, North 27° East 1.00 chains; thence North 8° East 7.50 chains; thence North 27° East 18.68 chains; thence North 36° East 5.90 chains; thence North 24°30' East 7.35 chains, more or less, to the Southeast corner of the said Coburn tract; thence North 72°30' West, along the South line of the Coburn tract, 42.00 chains to the point of beginning.

PARCEL 2:

A part of the Donation Land Claim of Albert L. Alderman and part of Stewart Hanna Donation Land Claim, all in Township 4 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows:

Commencing on the East boundary line of the Donation Land Claim of Stewart Hanna and wife, Notification No. 795, Claim No. 44 in Township 4 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, 15.84 chains South 17°30' West from the Northeast corner of said Claim; thence, from said point of beginning, Westerly along the South line of the Southern Pacific Railroad right of way to the Division line of said Hanna Donation Land Claim; thence South 22°29' West, along said Division line, 24.61 chains; thence South 67°32' East 37.28 chains to the center of the County Road; thence North 17°30' East, along the center of County Road, 36.02 chains, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion lying within the County Road and State Highway.

ALSO EXCEPTING THEREFROM that portion of the premises lying in the railroad right of way.

PARCEL 3:

Part of the Albert L. Alderman Donation Land Claim No. 43 in Township 4 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, said part being situated in Sections 9 and 10 of said Township and Range, and being further described as follows:

471813029191-TTMDWIL36
Deed (Warranty-Statutory)

Beginning at a rock in the center of the County Road on the West line of said Claim, at a point North 17°30' East 66.68 chains from the Southwest corner of said Claim, said rock marking the Northwest corner of land conveyed to Sophia H. Sherman by Deed recorded January 5, 1945, in Book 127, Page 62, Yamhill County Deed Records; thence North 17°30' East, along the West line of said Claim, to a point on the Southerly margin of the Southern Pacific Railroad right of way; thence Northeasterly, along the Southerly line of said railroad right of way, to an iron pipe set on the Westerly line of land conveyed to Ruth Trunk by Deed recorded August 18, 1945, in Book 130, Page 266, Yamhill County Deed Records (said iron pipe being situated as follows: Beginning at the Northwest corner of the A.L. Alderman Donation Land Claim; thence North 89°15' East, along the North line of said Claim, 1446.54 feet to an iron shaft set at the Northwest corner of conveyance to Ruth Trunk; thence South 25°00' East 846.12 feet to the center of the Southern Pacific Railroad; thence South 34°27' East 30.4 feet to an iron pipe set on the Southerly margin of said railroad); thence, along the Westerly line of said conveyance to Ruth Trunk, as follows: South 34°27' East 893.60 feet to an iron pipe; thence South 28°04' East 205.26 feet to an iron pipe; thence South 40°54' East, along said Trunk boundary extended, 693.0 feet to the West bank of the Yamhill River; thence Southerly, along the West bank of said River, to the Southeast corner of the aforementioned Sophia H. Sherman tract; thence North 72°30'42" West 43.23 chains to the Southwest corner of the said Sherman tract; thence North 17°30' East, along the Westerly line of the Sherman tract, 6.4 chains to the true point of beginning.

EXCEPTING THEREFROM that portion lying in roads and highways.

ALSO EXCEPTING THEREFROM that portion of the premises lying in the railroad right of way.

PARCEL 4:

Beginning at the Southwest corner of the Donation Land Claim of Albert L. Alderman and wife, Claim No. 43, Notification No. 1023, Certificate No. 163, and being part of Sections 9, 10 and 16 in Township 4 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon; thence North 49-3/4° West to the center of the County Road leading from Dayton to Portland; thence North 40° East, along the center of said road, 22.40 chains to the West line of said Donation Land Claim; thence North 17°30' East 1.22 chains; thence South 65° East 39.26 chains to the bank of the Yamhill River; thence, following up the Yamhill River with its meanderings, to the point of beginning.

EXCEPTING portions thereof conveyed to the City of Dayton by Deeds recorded September 29, 1965, in Film Volume 48, Pages 283 and Page 285, Deed and Mortgage Records of Yamhill County, Oregon.

(APN R4316 00100, R4309 00700 and 00800, R4309 00601, and R431600700)

TRACT D ("REID") REVISED:

Parcel 1:

A tract of land located in Sections 13, 14, 23 and 24, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows:

Beginning at a brass disk located at the Southeast corner of the David M. Jesse and wife Donation Land Claim No. 79; thence along the Southerly line of said Jesse Donation Land Claim, North 88° 08' 27" West a distance of 2241.36 feet to the Southeast corner of that property conveyed to Clair L. Fisher and Alta L. Fisher by deed recorded November 16, 1938, in Book 114, Page 580, Deed Records of Yamhill County, Oregon; thence along the Easterly line of said Fisher property North 02° 17' 27" West a distance of 1232.22 feet to the Northeast corner thereof; thence along the Northerly boundary of said Fisher property North 87° 18' 27" West a distance of 413.16 feet to an angle point thereon; thence continuing along the Northerly boundary of said Fisher property North 37° 57' 27" West a distance of 244 feet, more or less, to the ordinary high water line on the right bank of the South Fork of the Yamhill River; thence along the ordinary high water line on said right bank in a Northerly direction a distance of 3644 feet, more or less, to its intersection with the most Westerly line of said Jesse Donation Land Claim; thence along the most Westerly line of said Jesse Donation Land Claim, North 02° 33' 55" East a distance of 775 feet, more or less, to its intersection with the ordinary high water line on the right bank of the South Fork of the Yamhill River; thence along the ordinary high water line on said right bank in a Northeasterly direction 1078 feet, more or less, to its intersection with the Northerly line of said Jesse Donation Land Claim; thence along the Northerly line of said Jesse Donation Land Claim, South 87° 03' 30" East a distance of 769 feet, more or less, to the Southwest corner of Tract C of Parcel 10 of that property described in deed to Evergreen Agricultural Enterprises, Inc., recorded May 15, 2003, as Document No. 2003-11230, Deed Records of Yamhill County, Oregon, said point bearing South 87° 03' 30" East a distance of 1338.78 feet from the Northwest corner of said Jesse Donation Land Claim; thence along the Westerly line of said Tract C, North 01° 58' 51" East a distance of 366 feet, more or less, to the ordinary high water line on the right bank of the Yamhill River; thence along the ordinary high water line on said right bank in a Southeasterly

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Deed (Warranty-Statutory)

direction 230 feet, more or less, to a point; thence South 01° 34' 54" West a distance of 2137 feet, more or less, to a point on the Northerly boundary of that tract of land conveyed to Norman C. Reid by quitclaim deed recorded August 3, 1954, in Book 174, Page 123, Deed Records of Yamhill County, Oregon, that bears South 57° 33' 29" East a distance of 490.16 feet from the most Westerly Southwest corner of the fourth tract quitclaimed to J.W. Fletcher, et al., by deed dated June 15, 1878, and recorded in Book R, Page 248, Deed Records of Yamhill County, Oregon; thence along the Northerly boundary of said Reid property South 57° 33' 29" East a distance of 1192.84 feet to an angle point thereon; thence continuing along said Northerly boundary South 02° 56' 31" West a distance of 973.50 feet to an angle point thereon; thence continuing along said Northerly boundary South 77° 03' 29" East a distance of 533.48 feet, more or less, to the most Easterly Northeast corner thereof, said point being on the Easterly line of said Jesse Donation Land Claim; thence along the Easterly line of said Jesse Donation Land Claim, South 02° 28' 20" West distance of 397.25 feet to a 5/8 inch iron rod located at the Northeast corner of that property conveyed to Brian and Andrea Bauer by warranty deed recorded August 26, 2004, as Document No. 2004-17664, Deed Records of Yamhill County, Oregon, said point bears North 02° 28' 20" East a distance of 1563.55 feet from the Southeast corner of said Jesse Donation Land Claim; thence along the Northerly line of said Bauer property, North 73° 29' 34" West a distance of 923.93 feet to a 5/8 inch iron rod located at the Northwest corner thereof; thence along the Westerly line of said Bauer property South 16° 30' 26" West a distance of 188.91 feet to a 5/8 inch iron rod located at the Southwest corner thereof; thence along the Southerly line of said Bauer property South 73° 29' 34" East a distance of 971.16 feet to a 5/8 inch iron rod located at the Southeast corner thereof, said point being also on the Easterly line of said Jesse Donation Land Claim; thence along the Easterly line of said Jesse Donation Land Claim, South 02° 28' 20" West a distance of 1368.83 feet to the point of beginning.

TOGETHER WITH any portion of the Yamhill River below the ordinary high water line, adjacent to the above described tract of land, contained within Tracts C, D and E of Parcel 10 of that property described in deed to Evergreen Agricultural Enterprises, Inc., recorded May 15, 2003, as Document No. 2003-11230, Deed Records of Yamhill County, Oregon.

SUBJECT TO any rights of the public in and to any portion of the herein described premises lying within the right of way of County Road No. 92 (Reid Lane).

SUBJECT TO any rights of public and of governmental bodies in and to that portion of the premises herein described lying below the ordinary high water line of the Yamhill River.

Parcel II G:

A tract of land located in Section 13 and Section 14, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows:

Commencing at a brass disk located at the Southeast corner of the David M. Jesse and wife Donation Land Claim No. 79; thence along the Easterly line of said Jesse Donation Land Claim, North 02° 28' 20" East a distance of 1960.80 feet, more or less, to the most Easterly Northeast corner of that tract of land conveyed to Norman C. Reid by quitclaim deed recorded August 3, 1954, in Book 174, Page 123, Deed Records of Yamhill County, Oregon, and the point of beginning; thence along the Northerly boundary of said Reid property, North 77° 03' 29" West a distance of 533.48 feet, more or less, to an angle point thereon; thence continuing along said Northerly boundary, North 02° 56' 31" East a distance of 973.50 feet to an angle point thereon; thence continuing along said Northerly boundary, North 57° 33' 29" West a distance of 1192.84 feet, more or less, to a point that bears South 57° 33' 29" East a distance of 490.16 feet from the most Westerly Southwest corner of the fourth tract quitclaimed to J.W. Fletcher, et al., by deed dated June 15, 1878, and recorded in Book R, Page 248, Deed Records of Yamhill County, Oregon; thence North 01° 34' 54" East a distance of 2137 feet, more or less, to the ordinary high water line on the right bank of the Yamhill River; thence along the ordinary high water line on said right bank in a Southeasterly direction a distance of 1735 feet, more or less, to its intersection with the Easterly line of said Jesse Donation Land Claim; thence along the Easterly line of said Jesse Donation Land Claim, South 02° 28' 20" West a distance of 3137 feet, more or less, to the point of beginning.

TOGETHER WITH any portion of the Yamhill River below the ordinary high water line, adjacent to the above described tract of land, contained within Tracts A, B and C of Parcel 10 of that property described in deed to Evergreen Agricultural Enterprises, Inc., recorded May 15, 2003, as Document No. 2003-11230, Deed Records of Yamhill County, Oregon.

SUBJECT TO any rights of the public in and to any portion of the herein described premises lying with the right of way of County Road No. 92 (Reid Lane).

SUBJECT TO any rights of public and of governmental bodies in and to that portion of the premises herein described lying below the ordinary high water line of the Yamhill River.

(APN R4414 03500 and R03602)

TRACT E ("EAST AIRPORT"):

471813029191-TTMDWIL38
Deed (Warranty-Statutory)

PARCEL 1:

Beginning at the Southwest corner of the F. Holdridge Donation Land Claim; thence North 00°05' East 1292.21 feet; thence North 89°45' West 357.74 feet; thence South 30°19' West 1896.94 feet; thence South 7°2' West 2316.28 feet; thence North 88°59' East 1554.55 feet; thence North 00°27' West 2612.73 feet; thence North 87°51' East 63.4 feet to the point of beginning.

SAVE AND EXCEPT a tract of land in the A. Meredith Donation Land Claim No. 84 in the North one-half of Section 25, Township 4 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows:

Beginning 401.53 feet North 0°05' East from the Southwest corner of the Francis Holdridge Donation Land Claim in Section 25, Township 4 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, said point of beginning being on the East line of the A. Meredith Donation Land Claim No. 84; thence, continuing North 0°05' East on the East line of said A. Meredith Donation Land Claim, 890.95 feet to the Northeast corner thereof (in center of Three Mile Road); thence North 89°43'40" West, on the North line of said A. Meredith Claim and in said road, a distance of 213.12 feet; thence South 0°05' West, parallel with the East line of A. Meredith Claim No. 84, a distance of 473.67 feet; thence North 89°43'40" West, parallel with the North line of said claim, a distance of 82.24 feet; thence South 0°05' West, parallel with said East line, a distance of 417.28 feet; thence South 89°43'40" East 295.36 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that portion lying within the Railroad right of way in Book V, Page 185, Deed Records of Yamhill County, Oregon.

PARCEL 2:

Beginning at the Northwest corner of Francis Holdridge Donation Land Claim in Section 25, Township 4 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon; thence South 19.5 chains, along the West line of said Donation Land Claim; thence North 89° East 32.75 chains to center of County Road; thence Northeasterly, along center of said County Road, to intersection with County Road from Dayton to McMinnville, and on the North boundary of Francis Holdridge Donation Land Claim and South boundary of Darling Smith Donation Land Claim; thence West, along said boundary, 39.57 chains to the point of beginning.

EXCEPTING THEREFROM the tract described in Deed to Hannah Robbins recorded March 21, 1925, in Book 91, Page 578, Deed Records.

ALSO EXCEPTING THEREFROM the following:

Beginning at the Northwest corner of Francis Holdridge Donation Land Claim; thence East, along the North line of said Donation Land Claim, 125 feet; thence South, parallel with the West line of the Holdridge Donation Land Claim, 350 feet; thence West 125 feet to a point on the West line of said Donation Land Claim, 350 feet South of the point of beginning; thence North 350 feet to the point of beginning.

PARCEL 3:

A tract of land in Section 25, Township 4 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, and described as follows:

Beginning at a point that is North 00°5' East 1292.21 feet and North 89°45' West 357.74 feet of the Southwest corner of the F. Holdridge Donation Land Claim; thence North 89°45' West 1869.76 feet; thence South 6°35' West 3990.08 feet; thence North 88°59' East 1085.85 feet; thence North 07°02' East 2316.28 feet; thence North 30°19' East 1896.94 feet to the place of beginning.

SAVING AND EXCEPTING THEREFROM that portion conveyed to the City of McMinnville by deed recorded September 11, 1979, in Film Volume 143, Page 1899, Yamhill County Deed and Mortgage Records.

AND FURTHER EXCEPTING therefrom that portion conveyed to the City of McMinnville by deed recorded April 23, 1984, in Film Volume 185, Page 1189, Yamhill County Deed Records.

FURTHER EXCEPTING THEREFROM any portion of the above described property lying Northerly of the Southeasterly right of way line of Airport Road.

(APN R4425 00300, R4425 00100 and R4425 00400)

TRACT F ("SOUTH AIRPORT") REVISED

Parcel I:

Beginning at the Northeast corner of the C.B. Hawley Donation Land Claim No. 67 in Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; thence South 17°30' West 48.02 chains; thence North 72°30' West 58.73 chains; thence North 17°30' East .29 of a chain; thence West 4.29 chains to the re-entrant angle on the West line of said Claim; thence North 20°17' East 49.30 chains to the Northwest corner of said Hawley Donation Land Claim; thence South 72°16' East 60.43 chains to the point of beginning.

Parcel II:

United States Government Lots 1 and 2 of Section 36, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon.

EXCEPT that portion of the premises conveyed to Wallace Goodrich by Deed recorded January 27, 1910 in Book 56, Page 236, Deed Records.

(APN R4435 00100)



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

August 12, 2023

VIA E-MAIL

Applicant

SARBANAND ENTERPRISES LLC

786 ROAD 188

DELANO, CA 93215

Reference: Water Right Transfer Application T-13854

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13854. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by September 12, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by September 12, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

This transfer will require installation of a fish screen at the new diversion point prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW). You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: **October 1, 2025**. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there are intervening points of diversion between the new and the authorized points of diversion and because there is more than $\frac{1}{4}$ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

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

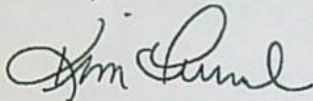
1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must

indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by September 12, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim French", written in a cursive style.

Kim French
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13854
Joel M. Plahn, District 22 Watermaster (*via e-mail*)
Kim Grigsby, Agent for the applicant (*via e-mail*)

encs

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-13854

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.

ODFW staff name: Hilary Doulos

Address: 3561 Klindt Dr

City/State/Zip: The Dalles/OR/97058

Phone: (541) 296-8026

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-13854, Yamhill County

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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF DIVERSION, A
CHANGE IN POINTS OF DIVERSION AND A
CHANGE IN PLACES OF USE

Authority

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

Applicant

SARBANAND ENTERPRISES
786 ROAD 188
DELANO, CA 93215

Findings of Fact

1. On October 25, 2021, SARBANAND ENTERPRISES LLC filed an application for an additional point of diversion, to change the points of diversion and to change the places of use under Certificates 53093 and 66607. The Department assigned the application number T-13854.
2. Notice of the application for transfer was published on November 9, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 20, 2023, the Department approved Allocation of Conserved Water Application CW-132, recorded under Special Order Volume 129, Pages 83-91. Certificate 66607 was cancelled, and the Department subsequently issued Certificate 97356. The Department will reference Certificate 97356 in this transfer.

4. The first right to be transferred is as follows:

Certificate: 53093 in the name of R. L. WALKER FARMS, INC. by DON L. WALKER,
PRESIDENT (perfected under Permit S-46660)
Use: IRRIGATION OF 43.1 ACRES
Priority Date: DECEMBER 14, 1981
Rate: 0.54 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	5 W	WM	35	SE NW	37	NORTH POD - 2360 FEET SOUTH AND 2950 FEET WEST FROM THE NE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	26	SE SW	6		2.7
5 S	5 W	WM	26	SE SW		70	3.4
5 S	5 W	WM	26	SW SE		70	4.9
5 S	5 W	WM	35	NW NE		70	3.5
5 S	5 W	WM	35	NW NE	4		5.3
5 S	5 W	WM	35	SW NE	5		2.1
5 S	5 W	WM	35	SW NE		37	5.2
5 S	5 W	WM	35	NE NW		70	3.0
5 S	5 W	WM	35	NE NW	3		7.5
5 S	5 W	WM	35	SE NW	2		2.1
5 S	5 W	WM	35	SE NW		37	3.4
TOTAL							43.1

5. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 10.6 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

6. Transfer Application T-13854 also proposes an additional point of diversion approximately 10.9 miles downstream at:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

7. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	13	NW SW	79	0.1
4 S	4 W	WM	13	SW SW	79	8.0
4 S	4 W	WM	13	SW SW	79	2.0

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	14	NW NE	79	1.0
4 S	4 W	WM	14	SW NE	79	10.4
4 S	4 W	WM	14	SE NE	79	0.1
4 S	4 W	WM	14	NE SE	79	6.8
4 S	4 W	WM	14	NW SE	79	2.8
4 S	4 W	WM	14	SE SE	79	11.9
TOTAL						43.1

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

Certificate: 97356 in the name of R. L. WALKER FARMS, INC. (perfected under Permit S-18862)

Use: IRRIGATION OF 32.9 ACRES

Priority Date: JULY 23, 1945

Rate: 0.41 CUBIC FOOT PER SECOND

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

Source: SOUTH YAMHILL RIVER, tributary of the YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	5 W	WM	35	SW SW	MIDDLE POD - 1050 FEET NORTH AND 300 FEET EAST FROM THE SW CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	35	NE NE		70	0.2
5 S	5 W	WM	35	NE NE	6		1.6
5 S	5 W	WM	36	NW NW		70	13.2
5 S	5 W	WM	36	NW NW	4		17.0
5 S	5 W	WM	36	SW NW		68	0.9
TOTAL							32.9

9. Transfer Application T-13854 proposes to move the authorized point of diversion approximately 11.1 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	SW SE	79	POD 1 - 2400 FEET NORTH AND 2360 FEET WEST FROM THE SE CORNER OF DLC 79

10. Transfer Application T-13854 also proposes an additional point of diversion approximately 11.5 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	14	NW NE	79	POD 2 - 1100 FEET SOUTH AND 2130 FEET WEST FROM THE NE CORNER OF SECTION 14

11. Transfer Application T-13854 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	14	SE SE	79	0.2
4 S	4 W	WM	23	NE NE	79	18.0
4 S	4 W	WM	23	SE NE	79	0.5
4 S	4 W	WM	24	NW NW	79	13.8
4 S	4 W	WM	24	SW NW	79	0.4
TOTAL						32.9

12. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2110(2), and OAR 690-380-2200]

13. Water has been used within the five-year period prior to submittal of Transfer Application T-13854 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13854.
15. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
16. The proposed points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
17. The proposed changes, as conditioned, would not result in enlargement of the right.
18. The proposed changes, as conditioned, would not result in injury to other existing water rights.
19. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and the change in points of diversion and places of use proposed in Transfer Application T-13854 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-13854 is approved, the final order will include the following:

- 1. The additional point of diversion and the change in points of diversion and change in places of use proposed in Transfer Application T-13854 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 53093 and 97356 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of diversion or the new places of use.*
- 4. Water right Certificates 53093 and 97356 are cancelled. A new certificate will be issued describing that portion of Certificate 97526 not affected by this transfer.*
- 5. Under Certificate 53093, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (NORTH POD).*
- 6. Under Certificate 97536, the quantity of water diverted at the new points of diversion (POD 1 and POD 2) shall not exceed the quantity of water lawfully available at the original points of diversion (MIDDLE POD).*
- 7. Water shall be acquired from the same source of surface water as the original points of diversion.*
- 8. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503 979-9607 or Kim.R.French@water.oregon.gov.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13854

Transfer Specialist:

Transfer Type: Regular Transfer

Applicant: SARBANAND ENTERPRISES LLC 786 RD 188 DELANO, CA 93215 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A KIM GRIGSBY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333 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 Yamhill County Planning Department 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"/>	S63113	S46660	53093	<input type="checkbox"/> Yes <input 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: October 25, 2021	Proposed Action(s): POINT OF DIVERSION; ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 3060.00	WM District: 22	ODFW District:
Initial Public Notice: UNAVAILABLE	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: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon
Kate Brown, Governor

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

November 3, 2021

SARBANAND ENTERPRISES LLC
786 RD 188
DELANO, CA 93215

Reference: Application T-13854

On October 25, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$3060.00. Our receipt number 136700 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion/appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

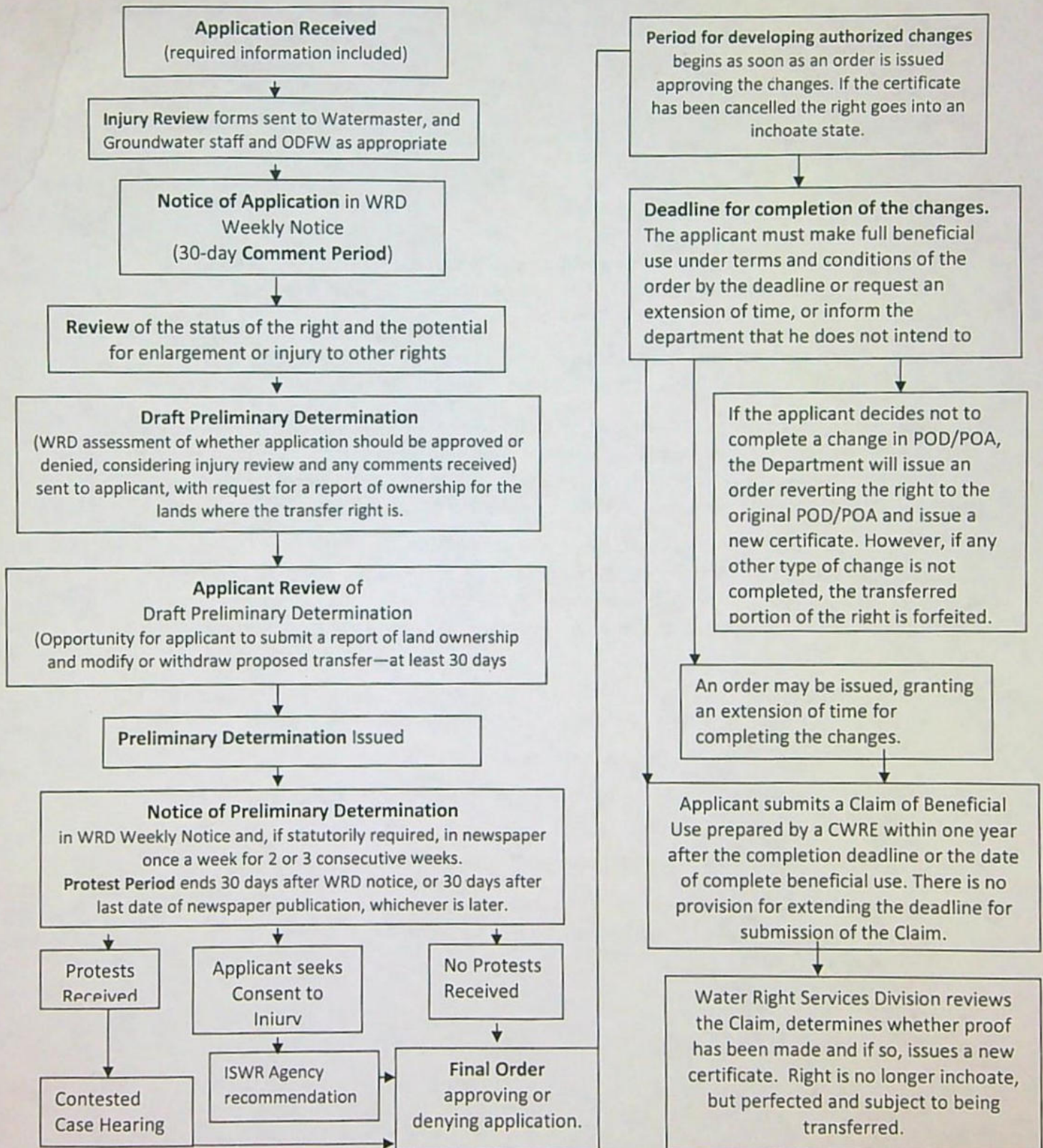
If you have any questions, please contact the Transfer Section at (503) 979-9931.

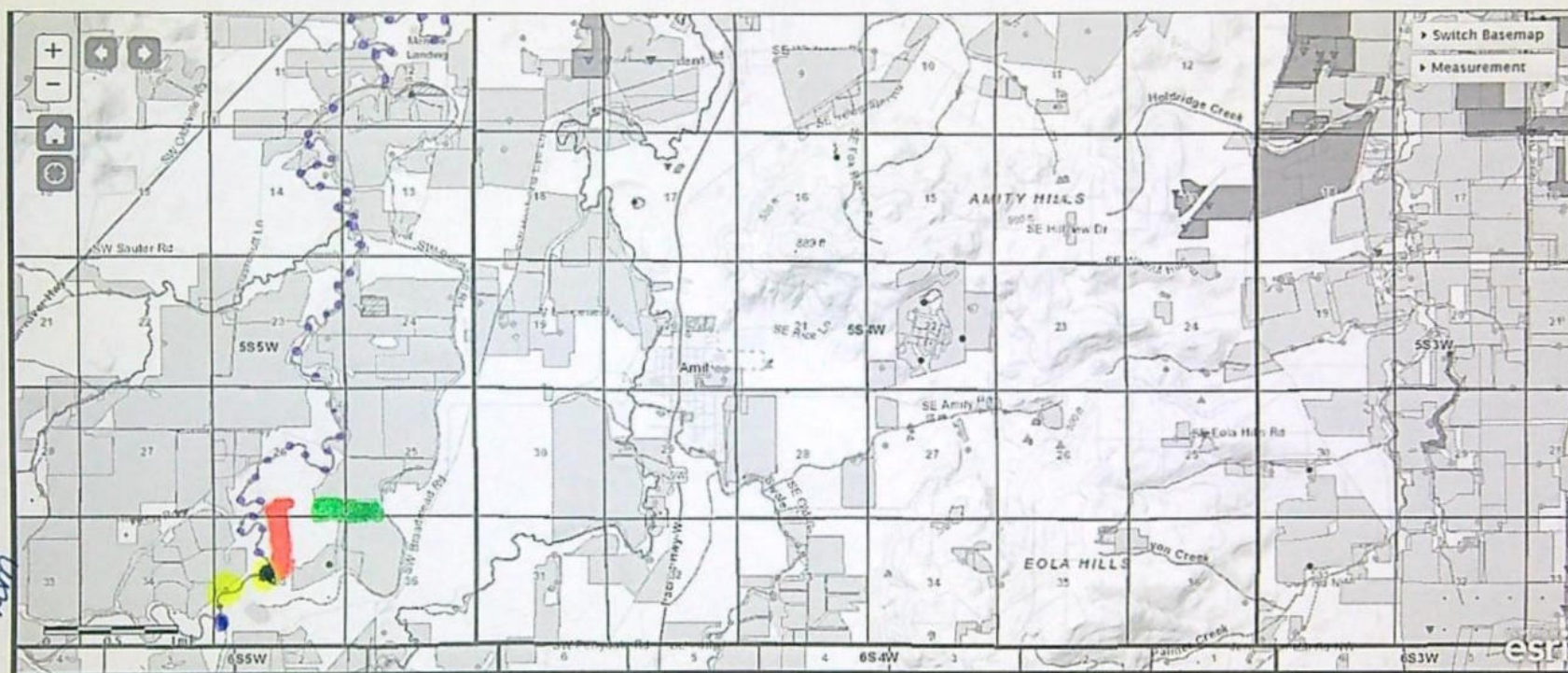
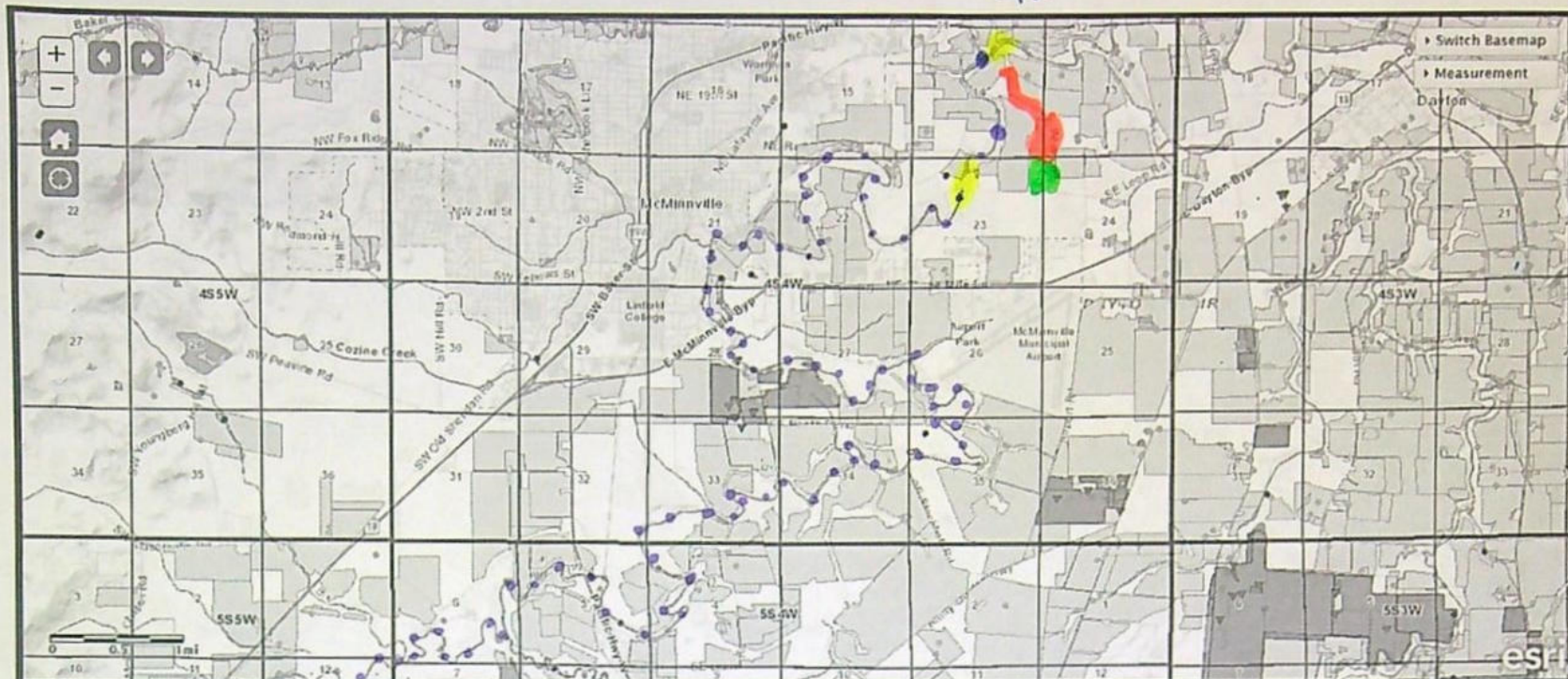
Cc: Watermaster Dist. #22, Joel M. Plahn (*via email*)
Yamhill County Planning Department
Kim Grigsby, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380





FAM

Oregon Water Resources Dept.

Date 10/19/2021
Type Bill
Reference Oct 19, 2021Original Amt.
3,060.00Balance Due
3,060.00

Check Amount

10/19/2021
DiscountPayment
3,060.00
3,060.00

5808

RECEIVED

OCT 25 2021

OWRD

FCW/CoBank # 6110 Permanent Transfer Application for Reid Farms

3,060.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # 136700

INVOICE #

RECEIVED FROM:

BY:

CASH:

CHECK #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$3,060.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$3,060.00

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT: 136700

DATED: 10-25-2021

BY: [Signature]

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