T-14264

Regular		RF	A	T-14264
Name_SUN-Kay Harms <u>PO_DOX 100</u> Address_ <u>INCPENDENCE</u> , OR 97351 Change in <u>SW (GW</u> Date Filed <u>Le/09/2023</u> Initial notice date <u>Le/20/2023</u>	DESCRIPTION OF WATER RIGHT(S) Name of Stream Will a metter River Trib. of COLOMBICI River Use SUPPLOMENT Quantity of water (CFS)	CountyQurlon,Qurlo	Date 6-9-23 6-9-23 10-9-23 10-20-23	FEES PAID Amount Receipt # <u>#3060.00</u> 140 898 <u>\$125.00</u> 140 898 <u>\$125.00</u> 140897 <u>\$2,533.54</u> 140943
DPD issued date PD issued date PD notice date 3/5/2024 Date of FO 4/26/2024 Vol 29 Page 1252-1258 C-Date COBU due date COBU Received date Certificate issued Assignments:	Name of ditch App#_S_46_553 Per #_S34_7749 App#_S_55312 Per #_S41803 App#Per # Per # App#Per # Per # App#Per # Per #	Cert # 83391 PR Cert # 85864 PR Cert # PR	Date <u>11-21-1969</u> Date <u>(e-16-1987</u> Date <u>2-28-</u> M Date Date Date	FEES REFUNDED Amount Receipt #
Irrigation District Agent_Will Mcgill Surveying LLC. CWRE CC's list Manan County				

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14264	,	Transfer Specialist:
Transfer Type: Regular Transfer	Reimbursement Authority? 🔽	kin F.
Applicant: SUN RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351	Agent: WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392	Receiving Landowner:
Current Landowner if other than Applicant:	<u>CWRE</u> :	Irrigation District:
Affected Local Gov'ts: Marion Countyplanning Dept	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
	S46553	\$34779	44215	Yes No	
	S69136	\$50043	83391	Yes No	
	\$55372	S41803	85864	Yes No	

Key Dates & Initial Actions (Support Staff)

Rec'd: June 9, 2023	Proposed Action(s): POINT OF DIVE GROUND WATER	ERSION, SURFACE WATER TO
Fees Pd: 3060.00	Acknowledgement Letter Sent	Basin: 2 Willamette
Initial Public Notice:	County sent cc: of Ack Letter	County: MARION, POLK
WM District: 16 Gregory J. Wacker	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed:	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 1-17-23 Initials: 155	Date: $1-19-23$ Initials: $\theta 2$	Date: ? Initials: <u>SH</u>	Date: ? Initials: <u>KF</u>	CW Sent: WM Sheet ODFW Sheet:	N/A
PD	Date: <u> </u>	Date: Initials:	Date: <u>7-3-</u> 2 Initials: <u>P</u> [<u>\$</u>	Date: 22-23-24 Initials: 27-23-24 Data Review Date: 2-23-24	Date: <u>3-5-24</u>	Date:
FO	Date: 4-23-24 Initials: A	Date: Initials:	Date: 4-24-24 Initials: <u>PISS</u>	Date: <u>4-25-21</u> Initials: <u>4</u>	Date: <u>4-15-2</u> 4 No. of docs for sig: <u>1</u>	Date: <u>4/26/</u> 2

Special Issues: ____

Special Order Volume: Vol. 129 Pages 1252-1258

4/2012





Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904

April 29, 2024

Sun Ray Farms PO Box 100 Independence, OR 97351

REFERENCE: Transfer Application T-14264

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 <u>only</u> 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,

Elype Richman

Elyse D. Richman Water Rights Services Support Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email) William E. McGill, Agent Marion County Planning Department, Local Government Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14264, Marion County FINAL ORDER APPROVING A CHANGE FROM SURFACE WATER POINTS OF DIVERSION TO A GROUNDWATER POINT OF APPROPRIATION

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

SUN-RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351

Findings of Fact

- On June 9, 2023, SUN RAY FARMS filed an application to change surface water points of diversion to a groundwater point of appropriation under Certificates 44215, 83391 and 85864. The Department assigned the application number T-14264.
- Notice of the application for transfer was published on June 13, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. On February 7, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14264 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 8, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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 March 1, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14264 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on March 5, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 5. The first right to be transferred is as follows:

Certificate:	44215 in the name of H S K INCORPORATED (perfected under Permit
	S-34779)
Use:	IRRIGATION OF 69.8 ACRES
Priority Date:	NOVEMBER 21, 1969
Rate:	0.87 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 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.
Sourcos	WILLANAETTE PIVER tributany of COLLINARIA DIVER

Source: WILLAMETTE RIVER, tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
85	4 W	.WM	28	NE NE	7	POD 1 - 620 FEET SOUTH AND 2610 FEET WEST FROM THE NE CORNER OF THE NW1/4 NW1/4 IN SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
85	4 W	WM	27	NW NW		40.0
85	4 W	WM	28	NE NE	7	29.8

6. Transfer Application T-14264 proposes to change from a surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

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

Certificate:	83391 in the name of SUN RAY FARMS (perfected under Permit S-50043)
Use:	IRRIGATION OF 6.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 34.9 ACRES
Priority Date:	JUNE 16, 1987
Rate:	0.51 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that although declared herein to be for supplemental water supplies, be exercised at times when water is available in the ground water supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. WILLAMETTE RIVER, tributary to COLUMBIA RIVER Source:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	4 W	WM	28	NE NE	7	POD 2 - 620 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	4 W	WM	21	NE SE	63	1.8
85	4 W	WM	22	NW SW	63	4.3

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
85	4 W	WM	21	NE SE	63	6.3
85	4 W	WM	22	NW SW	63	23.0
85	4 W	WM	22	SW SW	63	5.6
					TOTAL	34.9

8. Transfer Application T-14264 proposes to change the surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
85	4 W	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

9. The third right to be transferred is as follows:

Certificate: Use:	85864 in the name of SUN RAY FARMS (perfected under Permit S-41803) SUPPLEMENTAL IRRIGATION of 160.0 ACRES
Priority Date:	FEBRUARY 28, 1977
Rate:	1.50 CUBIC FOOT PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the

irrigation season of each year from direct flow and storage from reservoirs constructed under Permits R-1625 and R-5363, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of contract No. 7-07-10-W0026, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file with the records of Water Resources Department.

Source:

WILLAMETTE RIVER and WILLAMETTE BASIN PROJECT RESERVOIRS, constructed under PERMITS R-1625 and R-5363, tributaries to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
85	4 W	WM	28	NE NE	7	POD 2 - 620 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	4 W	WM	21	NE SE		63	4.0
8 S	4 W	WM	21	SE SE		63	23.0
8 S	4 W	WM	22	NE SW		63	0.5
8 S	4 W	WM	22	NW SW		63	11.0
8 S	4 W	WM	22	SW SW		63	34.4
85	4 W	WM	27	NWNW			10.0
8 S	4 W	WM	27	SW NW			40.0
85	4 W	WM	28	NE NE	7		29.8
85	4 W	WM	28	SE NE	6	6 1 1	7.3
		10000				TOTAL	160.0

10. Transfer Application T-14264 proposes to change from a surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	4 W	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-2130 and 690-380-4010(2)]

- 11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 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-14264.

- The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 14. The proposed point of appropriation meets the requirements of ORS 540.531 and OAR 690-380-2130(2).
- 15. The proposed changes, as conditioned, would not result in enlargement of the rights.
- The proposed changes, as conditioned, would not result in injury to other existing water rights.
- 17. All other application requirements are met.

Conclusion of Law

The change from surface water points of diversion to a groundwater point of appropriation proposed in Transfer Application T-14264 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

Now, therefore, it is ORDERED:

- 1. The change from surface water points of diversion to a groundwater point of appropriation proposed in Transfer Application T-14264 is approved.
- 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 44215, 83391 and 85864 and any related decree.
- 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 point of appropriation.
- 4. Water right Certificates 44215, 83391 and 85864 are cancelled.
- 5. The quantity of water diverted at the new point of appropriation (Well A) shall not exceed the quantity of water lawfully available at the original points of diversion (POD 1 and POD 2).
- 6. The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized points of diversion.
- The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original points of diversion.

- 8. All applicable restrictions that existed at the original points of diversion shall apply to the proposed well.
- 9. The original date of priority shall be retained. However, if within 5 years after approving this transfer, the Department finds that the transfer results in substantial or undue interference with an existing groundwater right due to use of the well, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.
- 10. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.
- 11. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
- 12. 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.

13. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on APR 2 6 2024 CI

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

Mailing Date: APR 2 9 2024



March 1 , 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

SUN RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351

SUBJECT: Water Right Transfer Application T-14264

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14264. 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, 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.

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

cc: T-14264

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

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14264, Marion County PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE FROM SURFACE WATER POINTS OF DIVERSION TO A GROUNDWATER POINT OF APPROPRIATION

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

SUN-RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351

Findings of Fact

- On June 9, 2023, SUN RAY FARMS filed an application to change surface water points of diversion to a groundwater point of appropriation under Certificates 44215, 83391 and 85864. The Department assigned the application number T-14264.
- Notice of the application for transfer was published on June 13, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. On February 7, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14264 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 8, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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.

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

Certificate:	44215 in the name of H S K INCORPORATED (perfected under Permit S-34779)
Use:	IRRIGATION OF 69.8 ACRES
Priority Date:	NOVEMBER 21, 1969
Rate:	0.87 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 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:	WILLAMETTE RIVER, tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	4 W	WM	28	NE NE	7	POD 1 - 620 FEET SOUTH AND 2610 FEET WEST FROM THE NE CORNER OF THE NW1/4 NW1/4 IN SECTION 27

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
8 S	4 W	WM	27	NW NW		40.0
85	4 W	WM	28	NE NE	7	29.8

 Transfer Application T-14264 proposes to change from a surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
85	4 W	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

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

Certificate:83391 in the name of SUN RAY FARMS (perfected under Permit S-50043)Use:IRRIGATION OF 6.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 34.9 ACRESPriority Date:JUNE 16, 1987

Rate: 0.51 CUBIC FOOT PER SECOND

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

supplemental water supplies, be exercised at times when water is available in the ground water supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. WILLAMETTE RIVER, tributary to COLUMBIA RIVER

Source:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
85	4 W	WM	28	NE NE	7	POD 2 - 620 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
85	4 W	WM	21	NE SE	63	1.8
8 S	4 W	WM	22	NW SW	63	4.3

Twp ·	Rng	Mer	Sec	Q-Q	DLC	Acres
85.	4 W	WM	21	NE SE	63	6.3
85	4 W	WM	22	NW SW	63	23.0
8 S	4 W	WM	22	SW SW	63	5.6
	-				TOTAL	34.9

 Transfer Application T-14264 proposes to change the surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
85	4 W	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

8. The third right to be transferred is as follows:

Certificate:	85864 in the name of SUN RAY FARMS (perfected under Permit S-41803)
Use:	SUPPLEMENTAL IRRIGATION of 160.0 ACRES
Priority Date:	FEBRUARY 28, 1977
Rate:	1.50 CUBIC FOOT PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secure

under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under Permits R-1625 and R-5363, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of contract No. 7-07-10-W0026, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file with the records of Water Resources Department.

Source: WILLAMETTE RIVER and WILLAMETTE BASIN PROJECT RESERVOIRS, constructed under PERMITS R-1625 and R-5363, tributaries to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
8 S	4 W	WM	28	NE NE	7	POD 2 - 620 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 28

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	4 W	WM	21	NE SE		63	4.0
8 S	4 W .	WM	21	SE SE		63	23.0
8 S	4 W	WM	22	NE SW		63	0.5
8 S	4 W	WM	22	NW SW		63	11.0
8 S	4 W	WM	22	SW SW		63	34.4
8 S	4 W	WM	27	NW NW			10.0
8 S	4 W	WM	27	SW NW			40.0
85	4 W	WM	28	NE NE	7		29.8
85	4 W	WM	28	SE NE	6		7.3
						TOTAL	160.0

9. Transfer Application T-14264 proposes to change from a surface water point of diversion to a groundwater point of appropriation approximately 350.0 feet east as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
85	4 W .	WM	28	NE NE	WELL A - 530 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 28

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-2130 and 690-380-4010(2)]

- 10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 11. 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-14264.
- The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- The proposed point of appropriation meets the requirements of ORS 540.531 and OAR 690-380-2130(2).
- 14. The proposed changes, as conditioned, would not result in enlargement of the rights.

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

Determination and Proposed Action

The change from surface water points of diversion to a groundwater point of appropriation proposed in Transfer Application T-14264 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 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-14264 is approved, the final order will include the following:

- 1. The change from surface water points of diversion to a groundwater point of appropriation proposed in Transfer Application T-14264 is 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 44215, 83391 and 85864 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 point of appropriation.
- 4. Water right Certificates 44215, 83391 and 85864 are cancelled.
- 5. The quantity of water diverted at the new point of appropriation (Well A) shall not exceed the quantity of water lawfully available at the original points of diversion (POD 1 and POD 2).
- 6. The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized points of diversion.
- 7. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original points of diversion.
- 8. All applicable restrictions that existed at the original points of diversion shall apply to the proposed well.
- 9. The original date of priority shall be retained. However, if within 5 years after approving this transfer, the Department finds that the transfer results in substantial or undue interference with an existing groundwater right due to use of the well, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.

- 10. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.
- 11. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
- 12. 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.
- 13. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on MAR 1-2024

Lisa Y. Jaramillo, Transfer and Conservation Section Manager, for DOUGLAS E. WOODCOCK, ACTING 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.

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 of 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 690-380-5030 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. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military

Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil.

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.







Property Profile Report

Client Name:

Todays Date: 02/08/2024

Owner Name:

Sun-Ray Farms C/O Brian Krebs

Property Address: 7425 Riverside Dr S Salem OR 97306 9739

Reference Number: 084W270000900

Account Number:

Seven Ticor Mid-Valley locations to serve you:

220 SW 6th Ave Albany, OR 97321 541.926.2111	400 SW 4th St Ste 100 Corvallis, OR 97330 541.757.1466	52 E Airport Rd Lebanon, OR 97355 541.258.2813	1215 NE Baker St McMinnville, OR 97128 503.472.6101	315 Commercial St SE, Ste 150 Salem, OR 97301 503.585.1881	115 N College St STE 200 Newberg, OR 97132 503.542.1400	206 N 1st St Silverton, OR 97381 503.873.5305
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This title information has been furnished, without charge, in conformance with guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions that indiscriminate use only benefiting intermediaries will not be permitted. No liability is assumed for any errors in this record.

The information compiled in this report(s) was imported from a vendor-provided database source. Although the information is deemed reliable and every effort has been taken to correct data imperfections, Ticor Title cannot be held responsible for any inaccuracies.

TITLE AND ESCROW SERVICES

www.TicorMidValley.com

For all your customer service needs:MVCS@TicorTitle.com

Marion County Parcel Information



Parcel Information

Parcel #: 533776 Tax Lot: 084W270000900 Site Address: 7425 Riverside Dr S Salem OR 97306 - 9739 **Owner: Sun-Ray Farms** Owner2: C/O Brian Krebs Owner Address: PO Box 100 Independence OR 97351 Twn/Range/Section: 08S / 04W / 27 Parcel Size: 284.69 Acres (12,401,096 SqFt) Plat/Subdivision: Lot: Block: Census Tract/Block: 002400 / 2007

Waterfront:

Assessment Information

Market Value Land: \$1,518,960.00 Market Value Impr: \$494,250.00 Market Value Total: \$2,013,210.00 Assessed Value: \$728,822.00

Land

Zoning: EFU - Exclusive Farm Use

Cnty Land Use: 551 - Specially assessed farm land, improved, zoned EFU, SA, FT or UTF Std Land Use: RSFR - Single Family Residence

School District: 13J - Central Middle School: Talmadge Middle School

Improvement

Year Built: 1930 Bedrooms: 7 **Basement Fin:**

Transfer Information

Rec. Date: 04/04/1987 **Owner: Sun-Ray Farms** Orig. Loan Amt: Finance Type:

Sale Price: \$522,176.00

Loan Type:

Doc Num: 05380043 Grantor: HUYCK, W C Title Co: Lender:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or

completeness of information contained in this report.



Tax Information

Levy Code Area: 55460 Levy Rate: 14.7591 Tax Year: 2023 Annual Tax: \$10,756.76 Exempt Desc: N/A

Legal

ACRES 284.69

Cnty Bldg Use: 121 - Farm Homesite 2bdss Two Bench Dry South Special - One Story and they Neighborhood:

Recreation:

Primary School: Independence Elementary School High School: Central High School

Stories: 2 Bathrooms: 5.5 Finished Area: 6,548 Garage:

Doc Type: Deed

REEL PAGE 538 43

WARRANTY DEED

- Carbo

Pression - -----

W. C. HUYCK, hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by SUN-RAY FARMS, an Oregon partnership consisting of Ronald W. Krebs, Marlene Krebs, Kenneth J. Krebs, Audrey K. Krebs, Caroline E. Krebs, Brian W. Krebs, and Paul K. Krebs, hereinafter called the Grantees, does hereby grant, bargsin, sell, and convey unto the said Grantees and Grantees' heirs, successors, and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the county of Marion, and state of Oregon, described as follows, to wit:

An undivided one-half interest in the real property described on Exhibit A attached hereto and by reference incorporated herein.

To Have and to Hold the same unto the said Grantees and Grantees' heirs, successors, and assigns forever.

And said Grantor hereby covenants to and with said Grantees and Grantees' heirs, successors, and assigns that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as follows:

- (1) As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes and interest.
- (2) Rights of the public in and to that portion lying within streets, roads, and highways.
- (3) Easement, including the terms and provisions thereof, in favor of Mountain States Power Company, a Delaware corporation, recorded December 31, 1934, in Volume 220, page 331, Deed Records for Marion County, Oregon.
- (4) Essement, including the terms and provisions thereof, in favor of Mountain States Power Company, a Delaware corporation, recorded July 23, 1949, in Volume 406, page 368, Deed Records for Marion County, Oregon.

MAIL TAX STATEMENTS TO:

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1.2.15

AFTER RECORDING RETURN TO:

No change

Ronald W. Krebs 624 Salem Heights South Salem, OR 97302

Page 1 - Warranty Deed Huyck - Sun Ray Farms (5) Mortgage, including the terms and provisions thereof, executed by HSK, Inc., an Oregon corporation, to The Prudential Insurance Company of America, a corporation, dated November 20, 1967, recorded December 27, 1967, as Fice No. 823188, Mortgage Records for Marion County, Oregon, given to secure the payment of a note for \$150,000.00 (covers additional land).

(6) Any lien or encumbrance suffered or permitted by Grantees after January 1, 1981.

and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer. stated in terms of dollars, is \$522,176.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

WITNESS 1987.	Grantor's	hand	this	4	day	of _	Aprie	
1707.							/	
				ws	5	6h	mes	

C. W. Luyck

County of 1:10114

On this & day of <u>[4][4].</u>, 1987, personally appeared the above named C. W. HUYCK and acknowledged the foregoing instrument to be his voluntary act and deed.

SS.

Before me: 11: (. Hund

littuca Hillaul Notary Public for Arizona

My commission expires: 9-1-87

PATRIC, A LESSANDEZ

Page 2 - Warranty Deed Huyck - Sun Ray Farms

Exhibit A

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LEGAL DESCRIPTION

Beginning at the quarter section corner on line between Sections 22 and 27 in Township 8 South. Range 4 West of the Willamette Meridian, Marion County, Oregon; thence South 89°38' West 131.84 feet; thence South 0°21' East 2629.80 feet to an iron pipe at the Southest corner of the West one-half of the Northwest quarter of Section 27; thence North 89°52' West along the South line of the West one-half of the Northwest quarter 533.86 feet to the Northeast corner of that certain tract of land described in Book 92, page 133 of Deed Records, Marion County, Oregon; thence along the West line of said described tract South 0°06'30" West 546.57 feet to the North right-of-way of Market Road No. 53; thence along said North right-of-way of Market Road No. 53; thence along said North right-of-way of Market Road No. 53; statist, the chord of which bears North 88°40'40" West 86.29 feet; North 2°01'30" East 24.75 feet to a point 50 feet North 2°01'30" East from a county monumer' at the centerline point of intersection of said curve; North 87°58'30" West 797.04 feet; North 5°24' West 77.65 feet; North 82°58'30" West 797.04 feet; North 4°50'45" West 259.87 feet; thence North 21°53'00" West 632.36 feet; thence North 12°41'46" West 593.10 feet; thence North 4°50'45" West 259.87 feet; thence North 01°02'40" West 632.36 feet; thence North 32°03'33" East 432.03 feet; thence North 10°28'55" West 770.95 feet; thence North 01°02'40" West 632.36 feet; thence North 32°03'34" East 734.07 feet; thence North 19°05'47" East 303.03 feet; thence North 01°02'40" West 632.36 feet; thence North 05°06'40" West 401.06 feet; thence North 19°05'47" East 303.03 feet; thence North 01°02'40" Kest 632.36 feet; thence North 05°06'40" West 401.66 feet; thence North 19°05'47" East 303.03 feet; thence North 02°53'14" East 669.82 feet; thence North 05°06'40" West 401.66 feet; thence North 19°05'47" East 303.03 feet; thence North 30°53'14" East 669.82 feet; thence North 05°06'40" Kest 401.66 feet; thence North 71°01'05" East 227.08 feet; thence North 30°53'14

SUBJECT TO AN EASEMENT for roadway and utility purposes over and across a strip of land 30 feet in width when measured at right angles to and lying Southerly and Easterly of the following described line: Beginning at a point 1784.00 feet North and 1365.83 feet South 79°06'00" West of the quarter corner between Sections 22 and 27 in said township and range; thence along said line the following courses: North 00°21' West 788.79 feet; North 51°39' West 227.08 feet; North 29°21'15" West 146.18 feet; South 88°34'26" West 561.75 feet; South 71°01'05" West 358.08 feet; South 60°53'44" West 734.07 feet; South 09°53'14" West 669.82 feet; South 19°05'47" West 303.03 feet; South 05°06'40" East 401.06 feet; South 04°57'55" West 211.05 feet; South 27°03'23"

Page 1 - Exhibit A - Legal Decription

West 320.14 feet; South 32°03'33" West 432.03 feet; South 01°02'40" East 632.36 feet; South 10°28'55" East 770.95 feet; South 12°43'46" East 593.10 feet; South 21°53' East 628.85 feet; South 04°50'45" East 259.87 feet to the Northerly right-of-way line of Market Road No. 53.

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ALSO AN EASEMENT for roadway, utility, and irrigation purposes over and across a strip of land 30 feet in width, 15 feet on each side of the following described centerline: Beginning at a point 123.89 feet South and 3708.58 feet West of the quarter corner between Sections 22 and 27 of said township and range; thence North 59° West 603.42 feet to the low water line of the Willamette River.

ALSO AN EASEMENT for roadway, urility, and irrigation purposes over and across a strip of land J feet in width, 15 feet on each side of the following described centerline: Beginning at a point 601.21 feet South and 3696.45 feet West of the quarter corner between Sections 22 and 27 of said township and range; thence South 89°44' West 400.45 feet to the low water line of the Willamette River.

ALSO AN EASEMENT for roadway, utility, and irrigation purposes over and across a strip of land 30 feet in width when measured at right angles lying West of the following described line: Begin-ning at a point 1784.00 feet North of the quarter corner between Sections 22 and 27 in said township and range; thence North 810.10 feet to the low water line of the Willamette River.

STATE OF OREGON

County of Marion 1 hereby certify that the within was	REEL PAGE
received and duly recorded by me in Marion County	APR 9 1 28 PH '87
records: 2700 Fee S_2700 Hand Returned	ALAN H. DAVIDSON MARION COUNTY CLERK BY SMB CEPUTY

Page 2 - Exhibit A - Legal Decription

Marion County Parcel Information



Parcel Information

Parcel #: 533657 Tax Lot: 084W220000400 Site Address: Salem OR 97302 **Owner: Sun-Ray Farms** Owner2: C/O Brian Krebs **Owner Address:** PO Box 100 Independence OR 97351 Twn/Range/Section: 08S / 04W / 22 Parcel Size: 3.48 Acres (151,589 SgFt) Plat/Subdivision: Lot: Block: Census Tract/Block: 002400 / 2007 Waterfront: Assessment Information

> Market Value Land: \$18,010.00 Market Value Impr: \$0.00 Market Value Total: \$18,010.00 Assessed Value: \$5,093.00

Land

Zoning: EFU - Exclusive Farm Use Cnty Land Use: 550 - Specially assessed farm land, land only, zoned EFU, SA, FT or UTF Std Land Use: AMSC - Agricultural Misc

School District: 13J - Central Middle School: Talmadge Middle School

Improvement

Year Built: Bedrooms: Basement Fin:

Transfer Information

Sale Date: 04/30/1987

Sale Price: \$3,540.00

Doc Num: 05460500

Doc Type: DEED

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

Tax Information

Levy Code Area: 55460 Levy Rate: 14.7591 Tax Year: 2023 Annual Tax: \$75.17 Exempt Desc: N/A

Legal

ACRES 3.48

Cnty Bldg Use: Farm Use - Efu 2biss Two Bench Irr South Special Neighborhood:

Recreation: Primary School: Independence Elementary School

High School: Central High School

Stories: Bathrooms: Finished Area: Garage:

REEL PAGE 546 500

WARRANTY DEED AND RELEASE OF EASEMENT

AND PROPERTY OF

W. C. HUYCK, RONALD W. KREBS and KENNETH J. KREBS, doing business as Huyck-Krebs Properties, an Oregon co-partnership, hereinafter called the Grantor, for the consideration hereinafter state1, to Grantor paid by RONALD W. KREBS, MARLENE KREBS, KENNETH J. KREBS, AUDREY K. KREBS, CAROLINE E. KREBS, BRIAN W. KKEBS and PAUL K. KREBS, doing business as Sun-Ray Farms, an Oregon co-partnership, hereinafter called the Grantee, does hereby grant, bargain, sell, and convey unto the said Grantee and Grantee's heirs, auccessors, and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the county of Marion, and state of Oregon, described as follows, to wit:

Beginning at a point 1784.00 feet North, 1365.83 feet South 79°00' West, 1068.81 feet North 00°21' West, 1372.00 feet South 89°39' West from the quarter section corner betw. Section 22 and 27 in Township 8 South, Range 4 West of the Willamette Meridian, Marion County. Oregon; thence South 00°21'00" East 257.48 feet; thence South 60°53'44" West 479.77 feet; thence South 09°53'14" West 669.83 feet; thence South 19°05'47" West 303.03 feet; thence North 00°21'00" West 1004.88 feet; thence North 89°39'00" East 266.87 feet; thence North 60°53'44" East 397.72 feet; thence North 00°21'00" West 236.97 feet; thence North 89°39'00" East 25.00 feet to the point of beginning any containing 3.54 acres more or less.

SUBJECT TO an easement for roadway and utility purposes over and across a strip of land 30 feet in width described as follows; beginning at the most Northerly Northwest corner of the above described parcel; thence North 89°39'00" East 30.00 feet; thence South 00°21'00" East 254.73 feet; thence South 60°53'44" West 415.47 feet; thence South 89°39'00" West 251.30 feet; thence South 00°21'00" East 977.33 feet; thence South 05°06'40" East 5.19 feet; thence North 83°00'16" West 30.68 feet; thence North 00°21'00" West 1004.88 feet; thence North 89°39'00" East 266.87 feet; thence North 60°53'44" East 397.72 feet; thence North 00°21'00" West 236.97 feet to the point of beginning.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors, and assigns forever.

MAIL TAX STATEMENTS TO:AFTER RECORDING RETURN TO:Sun-Ray FarmsSun-Ray Farms624 Salem Heights South624 Salem Heights SouthSalem, OR 97302Salem, OR 97302

Page 1 - Warranty Deed and Release of Easement

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And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors, and assigns that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

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The true and actual consideration paid for this transfer, stated in terms of dollars, is \$3,540.00.

In consideration of the mutual covenants set forth herein, Grantor hereby releases that certain easement described as:

Beginning at a point 1784.00 feet North, 1365.83 feet South 79°06' West, 1068.81 feet North 00°21' West, 1372.00 feet South 89°39' West from the quarter section corner between Section 22 and 27 in Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence North 89°39'00" East 30.00 feet; thence South 00°21'00" East 275.23 feet; thence South 60°53'44" West 483.22 feet; thence South 09°53'14" West 657.92 feet; thence South 19°05'47" West 299.02 feet; thence North 83°00'16" West 30.68 feet; thence North 19°05'47" East 303.03 feet; thence North 09°53'14" East 669.82 feet; thence North 60°53'44" East 479.77 feet; thence North 00°21'00" West 257.47 feet to the point of beginning.

The following is the notice as required by Oregon law: "THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT. THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 30 day of april 1987 1987. HUYCK-KREBS PROPERTIES

By: U. C. Huyck By: Ronald W. Krebs By: Renneth frebs

Page 2 - Warranty Deed and Release of Easement

STATE OF ARIZONA 88. County of Maricopa On this $15T^{\#}$ day of 1000, 1987, personally appeared the above named W. C. HUYCK and acknowledged the fore-going instrument to be his voluntary act and deed. Before me: OFFICIAL SEN Notary Public for Arizona the My commission expires: Ot BARBARA RAMATT IL Notary Part References Consult: 1000 .21,1129 My Count th STATE OF OREGON County of Parts 55. On this <u>4</u> day of <u>Mary</u>. 1987, personally appeared the above named RONALD W! KREBS and acknowledged the foregoing instrument to be his voluntary act and deed. Before me: 5386 2.00 Notary Public for Oregon My commission expires: 2

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STATE OF OREGON

County of Polk

A CONTRACTOR OF A CONTRACTOR OFONO OFONO OFONO OFONO OFONO OFO

On this 300 day of Qoil, 1987, personally appeared the above named KENNETH J.. KREBS and acknowledged the foregoing instrument to be his voluntary act and deed.

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Before me:

11/24/82

Notary Public for Oregon My commission expires: 1/21/89

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Page 3 - Warranty Deed and Release of Easement

STATE OF OREGON

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County of Marion
I hereby certify
that the within was
received and duly
recorded by me in
Marion County
records: 1 20
Fee \$_10
Hand Returned

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Parcel Information

Parcel #: 533658 Tax Lot: 084W220000300 Site Address: Salem OR 97302 **Owner: Sun-Ray Farms** Owner2: C/O Brian Krebs Owner Address: PO Box 100 Independence OR 97351 Twn/Range/Section: 08S / 04W / 22 Parcel Size: 2.70 Acres (117,612 SqFt) Plat/Subdivision: Lot: Block: Census Tract/Block: 002400 / 2007 Waterfront: Assessment Information

> Market Value Land: \$13,970.00 Market Value Impr: \$0.00 Market Value Total: \$13,970.00 Assessed Value: \$3,951.00

Land

Zoning: EFU - Exclusive Farm Use Cnty Land Use: 550 - Specially assessed farm land, land only, zoned EFU, SA, FT or UTF Std Land Use: AMSC - Agricultural Misc School District: 13J - Central

Middle School: Talmadge Middle School

Improvement

Year Built: Bedrooms: **Basement Fin:**

Transfer Information

Sale Date: 05/20/1985

Sale Price: \$2,780.00

Doc Num: 03940187

Doc Type: DEED

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

Tax Information

Levy Code Area: 55000 Levy Rate: 12.9534 Tax Year: 2023 Annual Tax: \$51.17 Exempt Desc: N/A

Legal

ACRES 2.7

Cnty Bldg Use: Farm Use - Efu 2biss Two	Bench Irr South Special
Neighborhood:	

Recreation:

Primary School: Independence Elementary School High School: Central High School

Bathrooms:

Finished Area: Garage:

Stories:

PAGE REEL 187 394

MAY 29

1985

WARRANTY DEED

W. C. HUYCK, RONALD W. KREBS, and KENNETH J. KREBS, doing business as Huyck-Krebs Properties, an Oregon co-partnership, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto RONALD W. KREBS, MARLENE KREBS, KENNETH J. KREBS, AUDREY K. KKEBS, CAROLINE E. KREBS, BRIAN W. KREBS, and PAUL K. KREBS, doing business as Sun-Ray Farms, an Oregon co-partnership, hereinafter called Grantee and Grantee's successors and assigns, that certain real property, with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, situated in the county of Marion, and state of Oregon, described as follows, to wit:

Beginning at a point 1784.00 feet North, 1365.83 feet South 79° 06' West and 788.79 feet North 00° 21' West from the quarter section corner between Sections 22 and 27 in Township & South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence North 00° 21' 00' West 280.02 feet; thence South 89° 39' 00" West 1372.00 feet; thence South 00° 21' 00" East 257.47 feet; thence North 60° 53' 44" East 254.30 feet; thence North 71° 01' 05" East 358.08 feet; thence North 88° 34' 26" East 561.75 feet; thence South 29° 21' 15" East 146.18 feet; thence South 51° 39' 00" East 227.08 feet to the point of beginning. beginning.

SUBJECT TO AN EASEMENT for roadway and utility purposes over and across a strip of land 30 feet in width and described as follows: Beginning at a point 1784.00 feet North, 1365.83 feet South 79°06' West and 788.79 feet North 00°21' West from the quarter section corner between Sections 22 and 27 in Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence South 64°00'00' West 33.28 feet; thence North 51°39'00" West 218.59 feet; thence North 29°21'15' West 137.99 feet; thence South 88°34'26' West 526.12 feet; thence South 71°01'05'' West 362.42 feet; thence South 60°53'44'' West 233.88 feet; thence North 59°43'38'' West 34.86 feet; thence North 60°53'44'' East 254.30 feet; thence North 71°01'05'' East 358.08 feet; thence North 88°34'26'' East 561.75 feet; thence South 29°21'15'' East 146.18 feet; thence South 51°39'00'' East 227.08 feet to the point of beginning.

RETURNED SAME DAY AFTER RECORDING RETURN TO:

Kris Jon Gorsuch P.O. Box 470 Salem, OR 97308

MAIL TAX STATEMENTS TO:

Ronald W. Krebs 624 Salem Heights South Salem, OK 97302

Page 1 - Warranty Deed Huyck-Krebs Properties/Sun-Ray Farms

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To Have and to Hold the same unto the said Grantee and Grantee's successors and assigns forever.

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And said Grantor hereby covenants to and with said Grantee and Grantee's successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as follows:

 The rights of the public in and to that portion of the herein described premises lying within the boundaries of roads and roadways.

MAY

29 1985

- (2) An easement including the terms and provisions thereof, conveyed to Mountain States Power Company, a Delaware corporation, dated May 5, 1949, and recorded July 23, 1949, in Vol. 406, Page 368, Deed Records for Marion County, Oregon.
- (3) A mortgage, including the terms and provisions thereof, executed by HSK, Inc., an Oregon corporation, to the Prudential Insurance Company of America, a corporation, dated December 20, 1967, recorded December 27, 1967, in Book 618, Page 727, Mortgage Records for Marion County, Oregon, given to secure the payment of a Note for \$150,000.00, with interest thereon. Grantees, by accepting this deed, do hereby agree to assume and pay such mortgage and the note secured thereby.

and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $\frac{2,780.00}{2}$.

The following is the notice as required by Oregon law: "THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

In construing this deed and where the context so requires, the singular includes the plural.

Page 2 - Warranty Deed Huyck-Krebs Properties/Sun-Ray Farms

WITNESS Grantor's hand this 20 day of May 1985. HUYCK-KREBS PROPERTIES W. C. Huyck By: 19 Ronald W. Krebs By: : MAY By: Kenneth J. Krebs 29 1985 STATE OF arigona On this 20th day of many, 1985, before me person-ally appeared the above named W. C. HUYCK, a partner of Huyck-Krebs Properties, an Oregon co-partnership, and acknowledged the foregoing instrument to be his voluntary act and deed. 100 A Clevelitte Schonberg Notary Public for: 2010001 189 STATE OF OREGON SS. County of Murion Mint-5 -----C Notary Public for Oregon My commission expires: Julier PUDLIC D ORECON 11-3-11 ss. County of Marion VLIK On this 10 day of 100, 1985, before me person-ally appeared the above named KKNNETH J. KREBS, a partner of Huyck-Krebs Properties, an Oregon co-partnership, and acknow-ledged the foregoing instrument to be his voluntary act and deed. Lieftair Notary Public for Oregon My commission expires: 3 11.56 RUTH TRINE NOTARY FUBLIC OFEGON w.c.P.R. 13.,- Warton ty Uded Huyck Kirbs Properties/Sun-Ray Farms . . 1457 1




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natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.





TICOR TITLE COMPANY

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



T-14264

REC'D JB/24

Property Profile Report

Client Name:

Todays Date: 02/08/2024

Owner Name: Baljac Krebs Properties C/O Ron Krebs

Property Address:

Salem OR 97302

Reference Number: 084W270001000

Account Number:

Seven Ticor Mid-Valley locations to serve you:											
220 SW 6th Ave Albany, OR 97321 541.926.2111	400 SW 4th St Ste 100 Corvallis, OR 97330 541.757.1466	52 E Airport Rd Lebanon, OR 97355 541.258.2813	1215 NE Baker St McMinnville, OR 97128 503.472.6101	315 Commercial St SE, Ste 150 Salem, OR 97301 503.585.1881	115 N College St STE 200 Newberg, OR 97132 503,542,1400	206 N 1st St Silverton, OR 97381 503.873.5305					

This title information has been furnished, without charge, in conformance with guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions that indiscriminate use only benefiting intermediaries will not be permitted. No liability is assumed for any errors in this record.

The information compiled in this report(s) was imported from a vendor-provided database source. Although the information is deemed reliable and every effort has been taken to correct data imperfections, Ticor Title cannot be held responsible for any inaccuracies.

TITLE AND ESCROW SERVICES

www.TicorMidValley.com

For all your customer service needs:MVCS@TicorTitle.com

Marion County Parcel Information



Parcel Information

Parcel #: 533774 Tax Lot: 084W270001000 Site Address: Salem OR 97302 Owner: Baljac Krebs Properties Owner2: C/O Ron Krebs Owner Address: PO Box 100 Independence OR 97351 Twn/Range/Section: 08S / 04W / 27 Parcel Size: 18.70 Acres (814,572 SqFt) Plat/Subdivision: Lot: Block: Census Tract/Block: 002400 / 2007 Waterfront: Willamette River

Assessment Information

Market Value Land: \$115,120.00 Market Value Impr: \$0.00 Market Value Total: \$115,120.00 Assessed Value: \$11,710.00

Land

Zoning: EFU - Exclusive Farm Use Cnty Land Use: 500 - Rural land only, outside city and urban growth boundary, over 20 acres, not specially assessed Std Land Use: RSFR - Single Family Residence School District: 13J - Central Middle School: Talmadge Middle School

Improvement

Year Built: Bedrooms: Basement Fin:

Tax Information

Levy Code Area: 55460 Levy Rate: 14.7591 Tax Year: 2023 Annual Tax: \$172.84 Exempt Desc: N/A

Legal

ACRES 5.00

Cnty Bldg Use: Rural Restrictive Neight

Recreation:

Primary School: Independence Elementary School High School: Central High School

Stories: Bathrooms: Finished Area: Garage:

Iranster Information			
Rec. Date: 07/01/1998	Sale Price:	Doc Num: E05460500RD	Doc Type: Deed
Owner: Baljac Krebs P	roperties	Grantor:	
Orig. Loan Amt:		Title Co:	
Finance Type:	Loan Type:	Lender:	

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

Transfer Record(s) Found For: 533774 null, Salem OR 97302

Recording Date	07/01/1998	Sale Amount		Mtg 1 Amount		
Grantee Name	Baljac Krebs Properties	Title Co		Mtg 1 Loan Type	9	
Grantor Name Lender		Doc #	E05460500RD	Doc Туре	G / Deed	

•.:

TICOR TITLE COMPANY

Parcel ID: 533774

Site Address:

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



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BARGAIN AND SALE DEED

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KNOW ALL MEN BY THESE FRESENTS, that H S K, INC., a corpora-tion duly organized and existing under the laws of the State of Oregon, hereinafter called grantor, for the consideration herein-after stated, does hereby grant, bargain, sell and convey unto w. C. HUYCK, RONALD W. KREB5, and KENNETH J. KREB5, dba HUYCK-KREBS PROFERTIES, a co-partnership, hereinafter called grantee, and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise apportaining, situated in the Counties of Marion and Polk, and State of Oregon, described as follows, to-wit:

ntics of Marion and Polk, and State of Oregon, described as lows, to-wit: Beginning at the quarter section corner online between Sections 22 and 27 in Township 6 South, Range 4 West of the Willamette Moridian, Marion and Polk Counties, Oregon; thence South 89*38' West 1331.84 feet to an iron pipe set in place of a maple tree corner as established in 1884 by the County Surveyor, thence South 0*21' Exat 2623.80 feet to an iron pipe at the Southeast corner of the West on-half of the Northwest quarter of Soction 27 in said Town-ship and Range; thence North 89*52' West along the South line of the West one-half of the Northwest quarter of said Section 27, 1325.14 feet to the quarter section corner between Sections 27 and 28 in said Township and Range; thence North 89*52' West along the South line of the South 89*52' Hest along the South line of lot Six (6) in Section 28, 660.80 feet to the center of a slough that accomplishes the Western boundary of the main land in Section 28, thence along the center line of said slough as follows: North 31*12' West 292.70 feet; thence North 59*21' West 292.70 feet; thence North 29*21' West 292.70 feet; to the Northerly end of said slough; which point is also on the low water mark on the right bank of the Willamette River; thence following the low water mark on the right bank of the Willamette River as follows: North 13*12' West 205.00 feet; North 7*36' East 151.33 feet; North 14*02' West 577.20 feet; North 14*04' West 570.10 feet; North 5*52' West 733.84 feet; North 1*00' East 570.10 feet; North 5*52' East 298.70 feet; South 6*43' East 297.50 feet; South 75*49' East 298.70 feet; South 6*322' East 392.10 feet; South 55*28' East 48.20 feet; South 5*24' East 466.30 feet to the intersection of said low water mark with the North and South center line of Section 22 in said rowship and Range; thence South along said center line of Section 22, 2594.10 feet to the place of beginning. SXVE AND EXCEFT that portion lying below the mean low water mark of the Willamette River.

SAVE AND EXCEPT that portion lying below the mean low water mark of the Willamette River.

Also, beginning at the quarter section between Section 27 and 28, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon, thence North 89°55' West 860.80 feet to a point on the Easterly line of that cortain tract of land described in a deed recorded on Page 361 of Book 416, Deed Records for said County and State; thence

Property Lines - Automatic

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Southerly along said Eastorly line and along the center of a slough, now there, as follows: South 23*00' East 515.14 feet to the Northerly right of way line of the Highway, as the same is described in that certain deed to Marion County, Oregon, dated May 7, 1954 and recorded Jame 1, 1554 in Volume 453, Page 369, Deed Records for Marion County, Oregon, thence along said Northerly right of way line as follows: South P3*00' East 32.24 feet; thence North 11*35' East 225.51 feet; thence South 73*52' Zast 99.00 feet; thence South 71*14' East 77.65 feet; thence South 80*00' East 51.02 feet; thence South 62* 24' East 107.40 feet; thence South 51*24' East 77.65 feet; thence South 80*00' East 777.12 feet; thence South 62* 20' Mast 50.50 feet to the center of Marion County Market Road right of way as follows: Along the center line of said right of way as follows: Along the arc of a 0*30' curve to the left (the long chord of whick curve bears North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; a distance of 86.40 feet; thence North 89*35' East 86.40 feet; bence leaving said corner of that cortain tract of 1 and described in a deed marion County, Oregon; thence North 89*52' Mest 791.28 feet to the place of beginning. SUBJECT TO:

SUBJECT TO:

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Rights of the public in and to that portion of the above described property lying within public roads and roadways.

Easement, including the terms and porivisons thereof, granted to Mountain States Power Company, a Delaware corporation, dated July 18, 1934 and recorded December 31, 1934 in Volume 220, Page 331, Deed Records for Marion County, Oregon.

 Easement, including the terms and provisions thereof, granted to Mountain States Power Company, a Delaware corporation, dated Nay 5, 1949 and recorded July 23, 1949, in Volume 406, Page 368, Deed Records for Marion County, Orecon. Oregon.

4. Mortgage, including the terms and provisions thereof, executed by HSK, Inc., an Oregon corporation to The Prudential Insurance Company of America, a corporation, dated December 20, 1967 and recorded December 27, 1967 as Fee Number 821388, Mortgage Records for Marion County, Oregon, given to secure the payment of a Note for \$150,000.00, with interest thereon. Grantees, by accepting this deed, do hereby agree to assume and pay such mortgage and the note secured thereby.

Financing Statement between HSK, Inc., an Oregon corpor-ation, Debtor, and The Prudential Insurance Company of America, Secured Party, filed Decamber 27, 1967 for record, Filing Number E 6527, affecting real property and fixtures.

TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever.

Page 2 - Bargain and Sale Deed H S K, INC. - HUYCK-KREBS PROPERTIES

Η - tellerin 38871 REEL 148 PICE 1352 NIN I This deed is executed and delivered unto grantees as part of a corporate liquidation and no consideration in terms of dollars has been paid from grantees to grantor. In construing this deed, the singular includes the plural as the circumstances may require. DONE by order of the crantor's board of directors with its corporate seal affixed, this <u>30</u> day of <u>November</u>, 1978. 1978 H S K, INC. wa DEC By W. C. HUYCK By Kenneth J. Brechs. STATE OF OREGON 85 county of Marion On this <u>30th</u> day of <u>Novewback</u>, 1978, personally appeared W. C. HUYCK and KENNETH J. KREBS, who being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of H S K, NC., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed. 111 ""Before me: 新日子/ であしにC Public for pregon 18/382 ARANTOR ; 485 Second Street Hubbard, Oregon 97032 GRANTEE : HUYCK-KREBS PROPERTIES 485 Second Street Hubbard, Oregon 97032 SALEM AFTER RECORDING RETURN TO: SEND ALL TAX STATEMENTS TO: Huyck-Krebs Properties 485 Second Street Hubbard, Oregon 97032 Huyck-Krebs Properties 485 Second Street Hubbard, Oregon 97032 Page 3 - Bargain and Sale Deed H S K, INC. - HUYCK-KREBS PROPERTIES







Parcel ID: 533774

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







Parcel ID: 533774

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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

February 7, 2023

VIA E-MAIL

Applicant

SUN-RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351

Reference: Water Right Transfer Application T-14264

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-14264. 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 March 8, 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 March 8, 2024, with acknowledgement that you agree to the proposed action and conditions.
- 3. If you find any errors, please let me know.
- REQUIRED: You must submit a Report of Ownership for the lands where the water rights 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
 - Be prepared within 3 months of the date the water right conveyance agreement was recorded; OR
 - 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 <u>not</u> already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at: <u>https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf</u>

Conditions of your water right...

The Watermaster has required a water measurement device at the new point of appropriation prior to use of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

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. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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

- 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 March 8, 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,

Am Sund

Kim French Transfer Specialist Transfer and Conservation Section

cc: Transfer Application file T-14264 Gregory J. Wacker, District 16 Watermaster (via e-mail) William E. McGill, Agent for the applicant (via e-mail)

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Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14264



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



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

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

Watermaster name: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

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

Approval of an Alternate Measurement Device T-(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14264 (RA)

GW Reviewer Travis Brown Date Review Completed: 11/3/2023

Summary of Same Source Review:

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

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

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

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

O R E G O N WATER RESOURCES DEPARTMENT	Oregon Water Resou 725 Summer Street N Salem, Oregon 97301 (503) 986-0900 www.wrd.state.or.us	E, Suite A	Ground Water Review Form: Water Right Transfer Permit Amendment GR Modification Other			
Application: T-1	4264		Applica	nt Name: Sun-Ray	/ Farms	
Proposed Change	es:	□ APOA □ POU	⊠ SW→GW □ OTHER	🛛 RA		
Reviewer(s): <u>T</u>	ravis Brown		Da	ate of Review: 11	/3/2023	
			Date Return	ned to WRSD: 11	6/2023	
The information	provided in the ar	oplication is ins	ufficient to evaluate	whether the propo	sed	

transfer may be approved because:

The water well reports provided with the application do not correspond to the water rights affected by the transfer.

The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

- Other ____
- Basic description of the changes proposed in this transfer: <u>Applicant proposes to transfer 2</u> surface water points of diversion, "POD 1" authorized under Certificate 44215 and "POD 2" <u>authorized under Certificates 83391 and 85864, to a groundwater POA, "Well A" (MARI</u> 70799).
- 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

 Yes
 No
 Comments: The existing POD are surface water points of diversion

 which divert water from the Willamette River. The proposed groundwater POA ("Well A" / MARI 70799) is a well which produces groundwater from Holocene floodplain deposits of the Willamette River and underlying Pleistocene sand and gravel (O'Connor et al., 2001). These coarse-grained deposits have a very efficient hydraulic connection to the Willamette River, which is typically gaining (i.e. receiving groundwater discharge) at this location (Woodward et al. 1998; Herrera et al., 2014).

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A

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Ground Water Review Form

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

Yes No Comments: Interference with nearby irrigation wells MARI 13290 will increase as a result of the proposed transfer, since the subject POD diverted directly from surface water and the proposed groundwater POA ("Well A" / MARI 70799) will produce groundwater near MARI 13289.

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

☐ Yes ⊠ No If yes, explain: <u>The proposed groundwater POA ("Well A" / MARI</u> 70799) produces groundwater from the alluvial aquifer system which has an efficient hydraulic connection with the Willamette River ~360 ft to the west. The efficient hydraulic connection with the Willamette River will substantially limit drawdown due to pumping the proposed groundwater POA. Therefore, the proposed change is unlikely to result in MARI 13289 not receiving water to which it is legally entitled.

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

Yes No Comments: <u>The proposed transfer is a surface water to groundwater</u> transfer. While the timing of depletion of the surface water source (the Willamette River) would be altered by the proposed change, no overall increase in interference with the surface water source is likely.

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

Provide context for minimal/significant impact:

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

No Comments: The Hunt (1999) model was used to assess whether the X Yes proposed groundwater POA would meet the definition of "similarly" per OAR 690-380-2130 (see attached Stream Depletion Analysis); this definition requires that greater than 50 percent of the groundwater POA pumping rate be derived from stream depletion within 10 days of continuous pumping. The Hunt (1999) model was selected due to the apparent unconfined nature of the aquifer tapped by the proposed groundwater POA. Parameters used in the Hunt (1999) model were derived from regional data and studies (Pumping Test Reports; Conlon et al., 2003; Herrera et al., 2014) or are within a typical range of values for the given parameter within the hydrogeologic regime (Johnson, 1967). The nearby reach of the Willamette River is anticipated to be gaining (i.e. receiving groundwater discharge) based on potentiometric mapping by Woodward et al. (1998) and numerical modeling by Herrera et al. (2014); as such, the "Kv drain bed" parameter estimates from Herrera at al. (2014) were used for the vertical conductivity ("Kva") of the Willamette River streambed in the Hunt (1999) model. Results of the analysis indicate that the proposed groundwater POA will likely derive greater than 50 percent of its pumping rate from stream depletion within 10 days of continuous pumping (see attached Stream Depletion Analysis #1). However, it should be noted that the Hunt (1999) model has only been assessed as valid where the pumping well is greater than one stream width away from the stream edge (Hunt, 2008); in this case, the groundwater POA is ~360 ft from the bank of the Willamette River, which is

Version: 20210204

Ground Water Review Form

Transfer Application: T-14264 RA

less than the stream width of ~570 ft at this location. Therefore, a second analysis was conducted supposing that the groundwater POA was one stream width (570 ft) from the bank of the Willamette River (see attached Stream Depletion Analysis #2); the second analysis indicated that after 10 days of continuous pumping at the hypothetical well location the anticipated stream depletion would be very close to if not greater than 50 percent of the pumping rate. Since stream depletion at a given time would be expected to increase with closer proximity to the surface water source, the second analysis supports the conclusion that the proposed change in point of diversion will likely affect the Willamette River "similarly" (per OAR 690-380-2130) to the authorized points of diversion in Certificates 44215, 83391, and 85864.

- What conditions or other changes in the application are necessary to address any potential issues identified above: _____
- 8. Any additional comments:

References

Application File: T-14264

Pumping Test Reports: MARI 13308, POLK 87, 2877, 2881, 3039, 3713, 3741, 3873

- Conlon, T.D., Wozniak, K.C., Woodcock, D., Herrera, N.B., Fisher, B.J., Morgan, D.S., Lee, K.K., and Hinkle, S.R., 2005, Ground-water hydrology of the Willamette Basin, Oregon, Scientific Investigations Report 2005-5168: U. S. Geological Survey, Reston, VA.
- Gannett, M.W. and Caldwell, R., 1998, Geologic framework of the Willamette Lowland aquifer system, Oregon and Washington, Professional Paper 1424-A, 32 p: U.S. Geological Survey, Reston, VA.
- Herrera, N. B., Burns, E. R., Conlon, T. D., 2014, Simulation of groundwater flow and the interaction of groundwater and surface water in the Willamette Basin and Central Willamette Subbasin, Oregon, Scientific Investigations Report 2014-5136: U. S. Geological Survey, Reston, VA.
- Hunt, B., 1999, Unsteady Stream Depletion from Ground Water Pumping: Ground Water, January-February, Vol 37, p 98-102.
- Hunt, B., 2008, Stream Depletion for Streams and Aquifers with Finite Widths: Journal of Hydrologic Engineering, Vol 13, p 80-89.
- Johnson, A.I., 1967, Specific yield-compilation of specific yields for various materials: U.S. Geological Survey Water-Supply Paper 1662-D.
- O'Connor, J. E., Sarna-Wojcicki, A., Wozniak, K. C., Polette, D. J., Fleck, R. J., 2001, Origin, <u>Extent, and Thickness of Quaternary Units in the Willamette Valley, Oregon, Professional</u> Paper 1620: U. S. Geological Survey, Reston, VA.

Woodward, D.G., Gannett, M.W., and Vaccaro, J.J., 1998, Hydrogeologic framework of the Willamette Lowland aquifer system, Oregon and Washington: U.S. Geological Survey Professional Paper 1424-B, 82 p.

Transfer Application: T-14264 RA

Ground Water Review Form

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Service Layer Credits: Sources: Esn. HERE, Gamin, Internas, Incerners: P. Corp., GEBCO, USSS, FAO, NPS, NRCAN, Geoßase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METL Est Orina (Hung Karg). (c) OpenSteetMos contributors, and the GIS User Community CosyrightC 2013 National Geographic Society, Louted

Version: 20210204

4

Ground Water Review Form

Stream Depletion Analysis #1

Application type:	T
Application number:	14264
Well number:	1
Stream Number:	1
Pumping rate (cfs):	0.5
Pumping duration (days):	245.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	360	360	360	ft
Aquifer transmissivity	T	1100.0	13000.0	67000.0	ft2/day
Aquifer storativity	S	0.3	0.2	0.1	-
Aquitard vertical hydraulic conductivity	Kva	0.02	0.2	0.6	ft/day
Not used		0.0	0.0	0.0	
Aquitard thickness below stream	babs	1.0	1.0	1.0	ft
Not used		0.0	0.0	0.0	
Stream width	ws	570.0	570.0	570.0	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	61	7	5	77	83	86	88	89	90	91	91	17	10
Depletion (cfs)	0.31	0.03	0.03	0.38	0.42	0.43	0.44	0.45	0.45	0.45	0.46	0.09	0.05



Ground Water Review Form

Stream Depletion Analysis #2

Application type:	T
Application number:	14264
Well number:	1
Stream Number:	1
Pumping rate (cfs):	0.5
Pumping duration (days):	245.0
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	а	570.0	570.0	570.0	ft
Aquifer transmissivity	Т	1100.0	13000.0	67000.0	ft2/day
Aquifer storativity	S	0.3	0.2	0.1	-
Aquitard vertical hydraulic conductivity	Kva	0.02	0.2	0.6	ft/day
Not used		0.0	0.0	0.0	
Aquitard thickness below stream	babs	1.0	1.0	1.0	ft
Not used		0.0	0.0	0.0	
Stream width	ws	570.0	570.0	570.0	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	49	9	7	69	77	81	84	85	87	88	88	23	13
Depletion (cfs)	0.25	0.05	0.03	0.34	0.39	0.41	0.42	0.43	0.43	0.44	0.44	0.11	0.07



Transfer Application

Watermaster Review Form

Watermaster Review Form: Water Right Transfer

Transfer Application: T-14264



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

Review Due Date: 07/13/2023

Applicant Name: Sun Ray Farms

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 07/26/2023

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

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



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



- 8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: ✓ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No
- ✓ N/A Is it likely the original place of use would continue to receive water 9. For POU changes: No If "Yes", explain: from the same source? Yes
- 10. For POU or USE changes: V/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?



No If "Yes", explain:

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

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



No If "Yes", explain:

Watermaster Review Form

1

1

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?
Yes No If "Yes", answer the following:
i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain:
ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:
iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:
iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe:
 v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:
c. To the best of your knowledge, if this transfer is approved, does it appear that:
i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:
ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain:

Page 3 of 5

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

Yes

✓ No If "Yes", explain:

- 13. What alternatives may be available for addressing any issues identified above:
- 14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No 🖌 Yes, as checked and provided below:
 - For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:



A Headgate should be required prior to diverting water.



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

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

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

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

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

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

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

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

Submerged Orifice

Flow Restrictor

Weir

Parshall Flume
Other:

Page 4 of 5

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14264



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



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

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

Watermaster name: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

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

Approval of an Alternate Measurement Device T-(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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

RECEIPT #	, wat 140943	ER RESOUR 725 Summer SALEM, O	F OREGON CES DEPARTM r St. N.E. Ste. A R 97301-4172 (503) 986-0904 (fax)	IENT INVOICE #	
RECEIVED FRO	M: Santia	mfarm	5, Inc.	APPLICATION	T-142(H
BY:				PERMIT	
CASH: CI	HECK:# C	THER: (IDENTIFY)		TRANSFER	
	× 36117 [TOTAL REC'D	\$2,533.54
1083	TREASURY		MISC CASH AC		
0407	COPIES PCA	47126	K 11,450-	13	S
0413	OTHER: (I	DENTIFY) Key	mburgen	rent	\$2,533.54
0243 I/S Le	ease 0244	Muni Water Mgmt.	Plan 0245	Cons. Water	
			OPERATING AC	CT	
	MISCELLANEOUS				
0407	COPY & TAPE FEE	S			\$
0410	RESEARCH FEES				\$
0408	MISC REVENUE:	(IDENTIFY)	-		S
TC162	DEPOSIT LIAB. (I	DENTIFY)			S
0240	EXTENSION OF T	ME			S
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER		\$	0202	S
0203	GROUND WATER		S	0204	S
0205	TRANSFER		S		
	WELL CONSTRUC	TION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONS	STRUCTOR	S	0219	S
	LANDOWNER'S PI	ERMIT		0220	S
	OTHER	(IDENTIFY)			
0536	TREASURY	0437 WELL	CONST. START	T FEE	
0211	WELL CONST STA	RT FEE	S	CARD	
0210	MONITORING WEI	LS	\$	CARD	
	OTHER	(IDENTIFY)			
0607	TREASURY	0467 HYDF	RO ACTIVITY	LIC NUMBER	
0233	POWER LICENSE	FEE (FW/WRD)			\$
0231	HYDRO LICENSE	FEE (FW/WRD)			\$
	HYDRO APPLICAT	ION			\$
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REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-450-23

RECEIVED

JUN 2 0 2023

OWRD

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Sun-Ray Farms, hereafter Applicant, hereafter known together as the parties.

OWRD Information		Applicant's Information		Applicant's Representative	
Contact:	Kelly Starnes	Name:	Sun-Ray Farms	Name:	Will McGill Surveying, LLC
Title:	Transfer Advisor	Contact:		Contact:	William McGill
Address:	725 Summer Street, NE, Suite A	Address:	PO Box 100	Address:	15333 Pletzer Rd SE
	Salem, OR 97301-1266		Independence, OR 97351		Turner, OR 97392
Phone:	503 979-3511	Phone:	(503) 580-8308	Phone:	(503) 931-0210
Fax:	503 986-0901	Fax:		Fax:	
Email:	patrick.k.starnes@water.oregon.gov	Email:	bk.sfi@yahoo.com	Email:	willmcgill.surveying@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14264)

- Authority. The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any
 applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In
 making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions. Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.

4. Consideration.

- a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$2,533.54. Applicant agrees to pay the full amount of \$2,533.54 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
- b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

- 7. Termination. Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
- 8. Funds Authorized and Available. By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 9. Duration of Estimate. The Estimate of Time to completion is approximately 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
- 10. Completion Date. OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 11. Captions. The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
- 12. Amendment and Merger. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
- 13. Signatures. All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

For OWRD:

Stacy Phillips

Mail signed Agreement to:

725 Summer Street NE, Suite A Salem, OR 97301-1266

Uwner

- Administrator ench

30-2023 Date

Oregon Water Resources Department

RECEIVED JUN 2 0 2023 OWRD

Page 2 of 2

RECEIPT #	WATER RESOURC 140897 725 Summer SALEM, OR	OREGON CES DEPARTIN St. N.E. Ste. A 97301-4172 503) 986-0904 (fax)	IENT INVOICE #	
RECEIVED FF	ROM: Will McGill Su	irveying.	APPLICATION	
BY:	440	01	PERMIT	
CASH:	CHECK:# OTHER: (IDENTIFY)		TRANSFER	T-14264
	X 2160 -		TOTAL REC'D	\$125.00
1083	TREASURY 4170 WRD N	AISC CASH AC	and and a balance of the second states and	
0407	COPIES 47124	R 11450	. 23	S
0412	OTHER: (IDENTIFY) /ran	sfer Rein	burdmen	\$ 125.00
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		PERATING AC	СТ	
	MISCELLANEOUS	in the second		
0407	COPY & TAPE FEES			S
0410	RESEARCH FEES			S
0408	MISC REVENUE: (IDENTIFY)			S
TC162	DEPOSIT LIAB. (IDENTIFY)			S
0240	EXTENSION OF TIME			\$
	WATER RIGHTS:	EXAM FEE	1	RECORD FEE
0201	SURFACE WATER	\$	0202	S
0203	GROUND WATER	\$	0204	S
0205	TRANSFER	\$		
	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	S	0219	\$
	LANDOWNER'S PERMIT		0220	\$
	_ OTHER (IDENTIFY)	S. S. Start	_	
0536	TREASURY 0437 WELL	CONST. STAR	T FEE	
0211	WELL CONST START FEE	S	CARD#	
0210	MONITORING WELLS	S	CARD#	
	OTHER (IDENTIFY)			
0607	TREASURY 0467 HYDR	ACTIVITY	LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)			S
0233	HYDRO LICENSE FEE (FW/WRD)			S
0201		_		S
	HYDRO APPLICATION			L
	_ TREASURY OTHER	R / RDX	RECEIVE	
FUND _	TITLE			
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RECEIPT:	140897 DATED:	Copy - Fiscal, Blue C	opy - File, Buff Co	py - Fiscal





ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

-	REQUEST	TYPE	FILE NUMBER
	X	Transfer Application	Transfer Number T-142104

	Applicant Information	Applicant's Representative/Contact
Name:	Sun-Ray Farms	Will McGill Surveying, LLC
Address:	PO Box 100	15333 Pletzer Rd. SE
	Independence, OR 97351	Turner, OR 97392
Phone:	(503) 580-8308	(503) 931-0210
Fax:		
E-Mail Address:	bk.sfi@yahoo.com	willmcgill.surveying@gmail.com

I understand the following:

- That upon receipt of my non-refundable application fee of <u>\$ 125.00</u>, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department Transfer Reimbursement Authority Program 725 Summer St. NE, Suite A Salem, OR 97301-1271

I certify that I am the (check one):

Applicant C Applicant's Representative C Other (Please specify)

Name: Brinn Kress

Signature: <u>/</u>

OWRD USE ONLY: Reimbursement Authority Number: R11-450 -23 Caseworker: T. Smith

Transfer Reimbursement Authority Estimate Application Form

RECEIVED

JUN 0 9 2023


Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904

June 14, 2023

SUN RAY FARMS PO BOX 100 INDEPENDENCE, OR 97351 Reference: Application T-14264

On June 9, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3060.00. Receipt number 140898 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 groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application <u>may</u> 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 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) 986-0935.

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email) William E. McGill, Agent Marion County

Enclosure

RECEIPT #	WATER RESC 725 Su 725 Su 725 Su SALL	TE OF OREGON DURCES DEPARTM Immer St. N.E. Ste. A EM, OR 97301-4172 1900 / (503) 986-0904 (fax)	IENT INVOICE #	
RECEIVED FRO	M: WH Mc Call S	Durdaying LLC	APPLICATION	
BY:		11	PERMIT	
CASH: C	HECK:# OTHER: (IDEN	ITIEV	TRANSFER	T-14264
	X 2159		TOTAL REC'D	\$ 3,060.00
1083	TREASURY 4170 W	RD MISC CASH AC	СТ	
0407	COPIES			\$
	OTHER: (IDENTIFY)			S
0243 I/S L	ease 0244 Muni Water M	Nomt. Plan 0245	Cons. Water	
		RD OPERATING AC		
	MISCELLANEOUS			
0407	COPY & TAPE FEES	46110		\$
0410	RESEARCH FEES			S
0408	MISC REVENUE: (IDENTIFY)			\$
TC162	DEPOSIT LIAB. (IDENTIFY)			S
0240	EXTENSION OF TIME			S
	WATER RIGHTS:	EXAM FEE		RECORD FEE
0201	SURFACE WATER	S	0202	S
0203	GROUND WATER	S	0204	S
0205	TRANSFER	\$3060.00		
	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	S	0219	\$
	LANDOWNER'S PERMIT		0220	S
	OTHER (IDENTIFY)			
0536	TREASURY 0437 W	ELL CONST. START	FEE	
0211	WELL CONST START FEE	S	CARD#	
0210	MONITORING WELLS	S	CARD#	
	OTHER (IDENTIFY)	States of the state of the state of the		
0607	TREASURY 0467 H	YDRO ACTIVITY	LIC NUMBER	
0233	POWER LICENSE FEE (FW/WR	D)		\$
0231	HYDRO LICENSE FEE (FW/WR	D)		\$
	HYDRO APPLICATION			\$
	TREASURY C	THER / RDX	RECEIVE	D
FUND	TITLE	OVE	R THE CO	UNTER
OBJ. COD				OTTER
DESCRIP				S
DESCHIP				
	40898 DATEE ribution - White Copy - Customer, N	: <u>6/9/2023</u> BY: /ellow Copy - Fiscal, Blue Co	py - File, Bull Cop	by - Fiscal

Application for Permanent Water Right Transfer



OREGON 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.

_			and the second
Chec	k all iter	ns included with this application. (N/A = Not Applicable)	RECEIVED
\boxtimes		Part 1 – Completed Minimum Requirements Checklist.	JUN 0 9 2023
\boxtimes		Part 2 – Completed Transfer Application Map Checklist.	
		Part 3 – Application Fee, payable by check to the Oregon Water Reso completed Fee Worksheet, page 3. Try the new online fee calculator http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.	ources Department, and at:
\boxtimes		Part 4 – Completed Applicant Information and Signature.	
		Part 5 – Information about Water Rights to be Transferred: How man be transferred? <u>3</u> List them here: <u>Certificates 44215, 83391, 85864</u> Please include a separate Part 5 for each water right. (See instruct NOTE: A separate transfer application is required for each water criteria in OAR 690-380-3220 are met.	ctions on page 6)
		Attachments:	
\boxtimes		Completed Transfer Application Map.	
\boxtimes		Completed Evidence of Use Affidavit and supporting documentation	
	N/A	Affidavit(s) of Consent from Landowner(s) (if the applicant does not right is on.)	own the land the water
	N/A	Supplemental Form D – For water rights served by or issued in the na district. Complete when the transfer applicant is not the irrigation di	
	□ N/A	Oregon Water Resources Department's Land Use Information Form v signature from each local land use authority in which water is to be of and/or used. Not required if water is to be diverted, conveyed, and/o lands or if <u>all</u> of the following apply: a) a change in place of use only, changes, c) the use of water is for irrigation only, and d) the use is low irrigation district or an exclusive farm use zone.	diverted, conveyed, or used only on federal b) no structural
	□ N/A	Water Well Report/Well Log for changes in point(s) of appropriation point(s) of appropriation.	(well(s)) or additional
	⊠ N/A	Geologist Report for a change from a surface water point of diversion point of appropriation (well), if the proposed well is more than 500' source and more than 1000' upstream or downstream from the point 690-380-2130 for requirements and applicability.	from the surface water
	Г	(For Staff Use Only)	
		WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):	
		Application fee not enclosed/insufficient Map not included or incomplete Evidence of Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Part is incomplete Other/Explanation Part is incomplete	
		Staff: 503- Date:	

Permanent Transfer Application Form - Page 1 of 15

Part 2 of 5 – Transfer Application Map

Yo	our trans	fer application <u>will be returned</u> if any of the map requirements li	sted below are not	met.
		sure that the transfer application map you submit includes all the ne existing water right map. Check all boxes that apply.	e required items and	
	N/A	Certified Water Right Examiner (CWRE) Stamp and Original Signat see <u>http://apps.wrd.state.or.us/apps/wr/cwre license view/</u> . CW are not required for substitutions.		
	X N/A	If more than three water rights are involved, separate maps are n	eeded for each wate	r right
\boxtimes		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. For 30 x 30 inch maps, one extra copy is required.	inches, or up to 30 >	30
\boxtimes		A north arrow, a legend, and scale.		
		The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet Proof/Claim of Beneficial Use Map (the map used when the permi scale of the county assessor map if the scale is not smaller than 1 is scale that has been pre-approved by the Department.	t was certificated), t	he
		Township, Range, Section, ¼¼, DLC, Government Lot, and other re survey lines.	ecognized public land	ł
		Tax lot boundaries (property lines) are required. Tax lot numbers a	are recommended.	
		Major physical features including rivers and creeks showing direct reservoirs, roads, and railroads.	ion of flow, lakes and	ł
		Major water delivery system features from the point(s) of diversion main pipelines, canals, and ditches.	n/appropriation suc	h as
		Existing place of use that includes separate hachuring for each war and use including number of acres in each quarter-quarter section each quarter-quarter section as projected within government lots, other recognized public land survey subdivisions. If less than the e is being changed, a separate hachuring is needed for lands left und	, government lot, or , donation land claim ntirety of the water	in is, or
	⊠ N/A	Proposed place of use that includes separate hachuring for each w and use including number of acres in each quarter-quarter section each quarter-quarter section as projected within government lots, other recognized public land survey subdivisions.	, government lot, or	in
		Existing point(s) of diversion or well(s) with distance and bearing or recognized survey corner. This information can be found in your w permit.		
	□ N/A	If you are proposing a change in point(s) of diversion or well(s), sh and label it clearly with distance and bearing or coordinates. If GP latitude-longitude coordinates may be expressed as either degree least one digit after the decimal (example – 42°32'15.5") or degree more digits after the decimal (example – 42.53764°).	S coordinates are use s-minutes-seconds w	ed, vith at
Rev	ised 7/7/20	Permanent Transfer Application Form – Page 2 of 15	JUN 0 9 2023	TACS

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Part 3 of 5 – Fee Worksheet

	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:		
	Place of Use Character of Use Point of Diversion/Appropriation		
	Number of above boxes checked = <u>1 (2a)</u>		
	Subtract 1 from the number in line $2a = 0(2b)$ If only one change, this will be 0		
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer 3 (3a)		
2	Subtract 1 from the number in 3a above: 2 (3b) If only one water right this will be 0		
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	3	1,220
	Do you propose to add or change a well, or change from a surface water POD to a well?		
	No: enter 0 Yes: enter \$480 for the 1 st well to be added or changed <u>480 (4a)</u>		
	Do you propose to add or change additional wells?		
	No: enter 0 Yes: multiply the number of additional wells by \$410 0 (4b)		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » » »	4	480
	Do you propose to change the place of use or character of use?		
	No: enter 0 on line 5		
	Yes: enter the cfs for the portions of the rights to be transferred (see 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		
5	5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » Subtotal:	_	3,060
	Is this transfer:		
	necessary to complete a project funded by the Oregon Watershed Enhancement Board		
	(OWEB) under ORS 541.932?		
	endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
	If one or more boxes is checked, multiply line 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 » » » » » » » » » » » » » » » » » »	8	\$3,060
*	Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres)	and	45.0 acres

of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land: 1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)

2. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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

Permanent Transfer Application Form – Page 3 of 15 14264 – OWRD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

FAX NO.
-MAIL bk.sfi@yahoo.com

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

AGENT/BUSINESS NAME Will McGill Surveying, L	rc		PHONE NO. (503) 931-0210	ADDITIONAL CONTACT NO. (503) 510-3026
ADDRESS 15333 Pletzer Rd. SE				FAX NO.
CITY Turner	STATE	ZIP 97392	E-MAIL willmcgill.surveying	g@gmail.com
BY PROVIDING AN E-MA			CEIVE 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: It is proposed to change the authorized point of diversion for Certificates 44215, 83391, and 85864 to hydraulically connected Well A (MARI 70799).

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: <u>Dallas, Polk County Itemizer-Observer.</u>
- 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

Brian Krebs/owner Print Name (and Title if applicable)

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OWRD

Applicant signature

Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? X 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.	
СІТҮ	STATE	ZIP	E-MAIL		
Describe any special ownership	circumsta	ances:			
The confirming Certificate shall	l be issued	in the name	of: Applicant Re	ceiving 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.)

IRRIGATION DISTRICT NAME	ADDRESS	
СПУ	STATE	ZIP

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

ENTITY NAME	ADDRESS		
СПУ	STATE	ZIP	

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

ENTITY NAME Marion County	ADDRESS 5155 Silverton Rd.	NE	
СІТУ	STATE	ZIP	
Salem	OR	97305	

	ADDRESS	ADDRESS	
СПУ	STATE	ZIP	

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Part 5 of 5 – Water Right Information

CERTIFICATE # 44215

Description of Water Delivery System

System capacity: 2.7 cubic feet per second (cfs) OR

____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. <u>50 HP centrifugal pump delivers water to fields</u> through 8" buried PVC mainline.

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)	т	wp	F	Ing	Sec	34	х	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	Authorized Proposed		8	s	4	w	28	NE	NE	1000	620' S & 2610' W from NE cor. NW ¼ NW ¼ Sec. 27
Well A	Authorized	MARI 70799	8	s	4	w	28	NE	NE	900	530' S & 1030' W from NE cor. Sec. 28
	Authorized Proposed										
	Authorized Proposed										

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

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

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

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

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

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Permanent Transfer Application Form – Page 7 of 15

Table 2. Description of Changes to Water Right Certificate # 44215

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.

				at app	ears	s on th	e cer	tificate		is) DPOSED CHAI		Proposed Changes (see				The	listin			uld app		AFTER P	on" lands) PROPOSED	CHANGE	s
Twp	Rng	3	Sec	% %	4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from	T	vp	R	ng	Sec	%	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
												sw/gw	8	s	4	w	27	NW	NW	900		40.0	Irrigation	Well A	1969
												sw/gw	8	s	4	w	28	NE	NE	900	7	29.8	Irrigation	Well A	1969
					TOT	AL ACR	ES:												TO	TAL AC	RES:	69.8			

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Additional remarks: _____.



Revised 7/7/2022

Certificate # 44215

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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)

Ground water supplemental Permit or Certificate # _____; Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # ____

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

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

Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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



CERTIFICATE # 83391

Description of Water Delivery System

System capacity: 2.7 cubic feet per second (cfs) OR

gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. 50 HP centrifugal pump delivers water to fields through 8" buried PVC mainline.

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)	т	wp	F	lng	Sec	%	%	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 2	Authorized Proposed		8	s	4	w	28	NE	NE	1000	620' S & 1310' W from NE cor. Sec. 28
Well A	Authorized	MARI 70799	8	s	4	w	28	NE	NE	900	530' S & 1030' W from NE cor. Sec. 28
	Authorized Proposed										
	Authorized Proposed										

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

Place of Use (POU)	Supplemental Use to Primary Use (S to P)
Character of Use (USE)	Point of Appropriation/Well (POA)
Point of Diversion (POD)	Additional Point of Appropriation (APOA)

-				
	Additional	Point	of Diversion	(APOD
	Additional	I OIIIC	UI DIVEISION	IALOD

 \boxtimes Surface Water POD to Ground Water POA (SW/GW)

Government Action POD (GOV)

Substitution (SUB)

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

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

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

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Permanent Transfer Application Form – Page 10 of 15

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Table 2. Description of Changes to Water Right Certificate # 83391

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.

Т				at ap	opear	rs on th	e cer	tificate		s) POSED CHAI II be changed.		Proposed Changes (see				The	listin			uld app		AFTER F	on" lands) PROPOSED	CHANGES	5
Twp	Rnį	g	Sec	74	14	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	"CODES" from previous page)	Tv	vp	RI	ng	Sec	1/4	34	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
												sw/gw	8	s	4	w	21	NE	SE	300, 400	63	1.8	Irrigation	Well A	1987
												sw/gw	8	s	4	w	22	NW	sw	300, 900	63	4.3	Irrigation	Well A	1987
												sw/gw	8	s	4	w	21	NE	SE	900	63	6.3	Supplemental Irrigation	Well A	1987
												sw/gw	8	s	4	w	22	NW	sw	900	63	23.0	Supplemental Irrigation	Well A	1987
												sw/gw	8	s	4	w	22	sw	sw	900	63	5.6	Supplemental Irrigation	Well A	1987
-					-																				
					TO	TAL AC	RES:											6	TO	TAL ACF	RES:	41.0			

Additional remarks: ____.

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Certificate # 83391

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)

Ground water supplemental Permit or Certificate # ____; Surface water primary Certificate # ____. JUN 0 9 2023

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # ____

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

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

Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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CERTIFICATE # 85864

Description of Water Delivery System

System capacity: 2.7 cubic feet per second (cfs) OR

gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. <u>50 HP centrifugal pump delivers water to fields</u> through 8" buried PVC mainline.

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)	т	wp	F	Rng	Sec	74	X	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 2	Authorized		8	s	4	w	28	NE	NE	1000	620' S & 1310' W from NE cor. Sec. 28
Well A	Authorized	MARI 70799	8	s	4	w	28	NE	NE	900	530' S & 1030' W from NE cor. Sec. 28
	Authorized										
	Authorized										

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

	Place of Use (POU)		Supplemental Use to Primary Use (S to P)
	Character of Use (USE)		Point of Appropriation/Well (POA)
	Point of Diversion (POD)		Additional Point of Appropriation (APOA)
	Additional Point of Diversion (APOD)		Substitution (SUB)
	Surface Water POD to Ground Water POA (SW/GW)		Government Action POD (GOV)
Will all	of the proposed changes affect the entire	e 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 EIVED

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Permanent Transfer Application Form - Page 13 of 15

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 Table 2. Description of Changes to Water Right Certificate # 85864
 OWRD

 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.

т		AUTHORIZED (the "from" or "off" lands) he listing that appears on the certificate BEFORE PROPOSED CHANG List only that part or portion of the water right that will be changed.									Proposed Changes (see				The	listir			uld app		FTER F	on" lands) PROPOSED	CHANGES	5	
Twp	Rng		Sec	74	%	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	"CODES" from previous page)	T	vp	R	ng	Sec	%	74	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
												sw/gw	8	s	4	w	21	NE	SE	900	63	4.0	Supplemental Irrigation	Well A	1977
												sw/gw	8	s	4	w	21	SE	SE	900	63	23.0	Supplemental Irrigation	Well A	1977
												sw/gw	8	s	4	w	22	NE	sw	900, 1000	63	0.5	Supplemental Irrigation	Well A	1977
												sw/gw	8	s	4	w	22	NW	sw	900	63	11.0	Supplemental Irrigation	Well A	1977
												SW/GW	8	s	4	w	22	sw	sw	900	63	34.4	Supplemental Irrigation	Well A	1977
												SW/GW	8	s	4	w	27	NW	NW	900		10.0	Supplemental Irrigation	Well A	1977
												SW/GW	8	s	4	w	27	sw	NW	900		40.0	Supplemental Irrigation	Well A	1977
												SW/GW	8	s	4	w	28	NE	NE	900	7	29.8	Supplemental Irrigation	Well A	1977
												sw/gw	8	s	4	w	28	SE	NE	900	6	7.3	Supplemental Irrigation	Well A	1977
						TAL ACF																			

Additional remarks: _____.

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)

Ground water supplemental Permit or Certificate # _____; Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # ____

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

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

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
	-							BECEN	arem -	

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	Went
	Page 1 of WELL I.D. LABEL# L 149771
	NI 10133
WATER SUPPLY WELL REPORT	START CARD # 1060354
	1/2023 ORIGINAL LOG #
(1) LAND OWNER Owner Well I.D. First Name BRIAN Last Name KREBS	
First Name BRIAN Last Name KREBS Company SANTIAM FARMS	(9) LOCATION OF WELL (legal description)
Address PO BOX 100	County MARION Twp 8.00 S N/S Range 4.00 W E/W WM
City INDEPENDENCE State OR Zip 97315	Sec 28 NE 1/4 of the NE 1/4 Tax Lot 0900
2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot
Alteration (complete 2a & 10) Abandonment(complete 5a	Lat ° ' " or 44 85252791 DMS or DD
2a) PRE-ALTERATION	- Long Or -123.17780439 DMS of DD
Casing: Cauge Stl Plste Wid Thrd	C Street address of well Nearest address
	7425 RIVERSIDE DR S, SALEM, OR 97306
Material From To Amt sacks/lbs Seal:	
(3) DRILL METHOD	(10) STATIC WATER LEVEL
Rotary Air Rotary Mud Cable Auger Cable Mud	Date SWL(psi) + SWL(ft)
Reverse Rotary Other	Existing Well / Pre-Alteration
	Completed Well 3/21/2023 16
(4) PROPOSED USE Domestic Arrigation Community	Flowing Artesian? Dry Hole?
Industrial/Commericial Livestock Dewatering	WATER BEARING ZONES Depth water was first found 16.00
Thermal Injection Other	SWL Date From To Est Flow SWL(psi) + SWL(ft)
(5) BORE HOLE CONSTRUCTION Special Standard (Attach con	py) 3/21/2023 30 50 600 16
Depth of Completed Well 58.00 ft.	
BORE HOLE SEAL sack	
Dia From To Material From To Amt Ibs	
14.75 0 18 Bentonite Chips 0 18 18 S 10 18 58 Calculated 15	
	7
Calculated	(11) WELL LOG Ground Elevation
How was seal placed: Method A B C D E	Material From To
X Other POURED AND PROBED	Topsoil 0 2
Backfill placed from ft. to ft. Material	Clay brown soft 2 13
Filter pack from ft. to ft. Material Size	Gravel and Clay 13 18 Gravel and Sand Med/Course 18 49
Explosives used: Yes Type Amount	Clay Bluc Soft 49 58
(5a) ABANDONMENT USING UNHYDRATED BENTONITE	
Proposed Amount Actual Amount	
(6) CASING/LINER	
Casing Liner Dia + From To Gauge Stl Plste Wld Thr	
	11111 0 0 2000
	JUN 0 9 2023
Shoe Inside Outside Other Location of shoe(s) 58	UVVRD
Temp casing Yes Dia 14 From + To	
7) PERFORATIONS/SCREENS Perforations Method holte perforator	
Screens Type Material	Date Started 3/20/2023 Completed 3/21/2023
Perf/ Casing/Screen Scrn/slot Slot # of Tele/	
Screen Liner Dia From To width length slots pipe siz	
Perf Casing 10 30 50 .25 1.25 960	I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well
	construction standards. Materials used and information reported above are true to
	the best of my knowledge and belief.
	License Number 2090 Date 3/22/2023
8) WELL TESTS: Minimum testing time is 1 hour	
Pump Bailer Air Flowing Artesian	Signed JACK BOLLER (E-filed)
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	(bonded) Water Well Constructor Certification
300 55 2	I accept responsibility for the construction, deepening, alteration, or abandonmer
	work performed on this well during the construction dates reported above All wor
	performed during this time is in compliance with Oregon water supply we
Temperature 54 °F Lab analysis Yes By	 construction standards. This report is true to the best of my knowledge and belief.
Water quality concerns? Yes (describe below) TDS amount 98 ppm	License Number 1394 Date 3/31/2023
From To Description Amount Units	
	Signed EUGENE MACK (E-filed)
	Contact Info (optional) Mack Drilling Company Inc.
ORIGINAL - WATER RESOURCES	SDEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORL Am2/chord -

	Well A alteration
STATE OF OREGON MAR	Page 1 of 3 WELL I.D. LABEL# L 149771
WATER SUPPLY WELL REPORT	I 70814 WELL I.D. LABEL# 01497/1 START CARD # 217226
	/2023 ORIGINAL LOG #
(1) LAND OWNER Owner Well I.D.	
First Name BRIAN Last Name KREBS	(9) LOCATION OF WELL (legal description)
Company SANTIAM FARMS Address PO BOX 100	County MARION Twp 8.00 S N/S Range 4.00 W E/W WM
City INDEPENDENCE State OR Zip 97315	Scc <u>28</u> <u>NE</u> 1/4 of the <u>NE</u> 1/4 Tax Lot <u>900</u>
(2) TYPE OF WORK New Well Deepening Conversion	Tax Map Number Lot Lat ° " or 44.85260186 DMS or DD
(2a) PRE-ALTERATION Abandonment(complete 5a)	Long ", " or -123,17782801 DMS or DD
Dia + From To Gauge Stl Plstc Wld Thrd	Street address of well Nearest address
Casing:	7425 RIVERSIDE DR SOUTH, SALEM, OR 97306
Material From To Amt sacks/lbs Seal:	
(3) DRILL METHOD	(10) STATIC WATER LEVEL
Rotary Air Rotary Mud Cable Auger Cable Mud	Date SWL(psi) + SWL(ft) Existing Well / Pre-Alteration
Reverse Rotary Other	Completed Well
(4) PROPOSED USE Domestic Irrigation Community	Flowing Artesian? Dry Hole?
Industrial/ Commercial Livestock Dewatering	WATER BEARING ZONES Depth water was first found
Thermal Injection Other	SWL Date From To Est Flow SWL(psi) + SWL(ft)
(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy) Depth of Completed Well ft.	
BORE HOLE SEAL sacks/	
Dia From To Material From To Amt Ibs	
Calculated	
	(11) WELL LOG
How was seal placed: Method A B C D E	Ground Elevation
Other	Material From To
Backfill placed from ft. to ft. Material	
Filter pack from ft. to ft. Material Size	
Explosives used: Yes Type Amount	
(5a) ABANDONMENT USING UNHYDRATED BENTONITE	
Proposed Amount Actual Amount	
(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd	PECENIED
	00 2020
	OWRD
Shoe Inside Outside Other Location of shoe(s)	
Temp casing Yes Dia From + To	
(7) PERFORATIONS/SCREENS Perforations Method	
Screens Type Material	Date Started 4/6/2023 Completed 4/6/2023
Perf/ Casing/Screen Scrn/slot Slot # of Tele/ Screen Liner Dia From To width length slots pipe size	(unbonded) Water Well Constructor Certification
Select Ener Dis Floir To while relight stors pipe size	I certify that the work I performed on the construction, deepening, alteration, or
	abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to
	the best of my knowledge and belief.
	License Number 2090 Date 4/13/2023
(8) WELL TESTS: Minimum testing time is 1 hour	Signed JACK BOLLER (E-filed)
O Pump O Bailer O Air O Flowing Artesian	- Mick Bolder (E-Intel)
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)	(bonded) Water Well Constructor Certification
	I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work
	performed during this time is in compliance with Oregon water supply well
Temperature 53 °F Lab analysis Yes By	construction standards. This report is true to the best of my knowledge and belief.
Water quality concerns? Yes (describe below) TDS amount 98 ppm From To Description Amount Units	License Number 1394 Date 4/13/2023
	Signed EUGENE MACK (E-filed)
	Contact Info (optional) Mack Drilling Company Inc.
ORIGINAL - WATER RESOURCES D	FPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK FInder 2016 4 -

WATER SUPPLY WELL REPORT continuation page

Dia

Dia

+

Material

From

From

Screen Liner

Yield gal/min

MARI 70814

WELL I.D. LABEL# L 149771 START CARD # 217226

4/13/2023 **ORIGINAL LOG #** (2a) PRE-ALTERATION Water Quality Concerns Amount Units From To Gauge Stl Plste Wld Thrd From Description To Amt sacks/lbs From To (10) STATIC WATER LEVEL (5) BORE HOLE CONSTRUCTION SWL Date Est Flow SWL(psi) + SWL(ft) То From BORE HOLE SEAL sacks/ To From Material To Amt Ibs Calculated Calculated Calculated Calculated FILTER PACK (11) WELL LOG Material Size To Material From To (6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plste Wld Thrd F Ē Г Г RECEN (7) PERFORATIONS/SCREENS JUN 0 9 2023 Perf/ Casing/ Screen Scm/slot Slot #of Tele/ Dia To slots From width length pipe size **Comments/Remarks** An additional 3 feet of steel pipe was Welded on to bring the total height 5 feet (8) WELL TESTS: Minimum testing time is 1 hour above ground level. Flood plain area required. Drawdown Drill stem/Pump depth Duration (hr)

Application for Water Right Transfer Evidence of Use Affidavit



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

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CNRD

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

State of Oregon

SS

County of MARION)

I, BRIAN KREBS, in my capacity as OWNER,

mailing address PO Box 100, INDEPENDENCE, OR 97351

telephone number (503)580-8308, 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 # 44215, 83391, 85864; OR

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

Certificate #	Township	Township Range		Mer Sec		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)

Evidence of Use Affidavit - Page 1 of 2



TACS

- 3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
- 4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Signature of Affiant

6/7/23 Date

Signed and sworn to (or affirmed) before me this _7 day of _ June, 2023.



Notary Public for Oregon

My Commission Expires: 11/13/23

Supporting Documents	Examples	
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date	
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	 Power usage records for pumps associated with irrigation use Fertilizer or seed bills related to irrigated crops Farmers Co-op sales receipt 	
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	 District assessment records for water delivered Crop reports submitted under a federal loan agreement Beneficial use reports from district IRS Farm Usage Deduction Report Agricultural Stabilization Plan CREP Report 	CEIVE 0 9 202 VRC
Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com	
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number	

Land Use Information Form

WATER RESOURCES D E P A R T M E N T

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

Applicant(s): Sun-Ray Farms

Mailing Address: PO Box 100

City: Independence

State: OR

Zip Code: 97351

Daytime Phone: (503) 580-8308

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	X4 X4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>85</u>	<u>4W</u>	21	NESE	300	EFU	Diverted	Conveyed	Used Used	farming
<u>85</u>	<u>4W</u>	21	NESE	400	EFU	Diverted		🛛 Used	farming
<u>85</u>	<u>4W</u>	21	NESE SESE	900	<u>EFU</u>	Diverted		🛛 Used	farming
<u>85</u>	<u>4W</u>	22	NWSW	300	EFU	Diverted		🖾 Used	farming
<u>85</u>	<u>4W</u>	22	NWSW SWSW	<u>900</u>	EFU	Diverted	Conveyed	🛛 Used	farming
<u>85</u>	<u>4W</u>	22	NESW	1000	EFU	Diverted	Conveyed	🖾 Used	farming
<u>85</u>	<u>4W</u>	27	NWNW	900	EFU	Diverted	Conveyed	🖾 Used	farming
<u>85</u>	<u>4W</u>	27	SWNW NWSW	<u>900</u>	<u>EFU</u>	Diverted	Conveyed	🛛 Used	farming
<u>85</u>	<u>4W</u>	28	SENE	900	<u>EFU</u>	Diverted	Conveyed	🖾 Used	farming
<u>85</u>	<u>4W</u>	28	NENE	900	<u>EFU</u>	Diverted	Conveyed	🖾 Used	farming
<u>85</u>	<u>4W</u>	28	NESE	900	EFU	Diverted	Conveyed	Used Used	farming

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

Marion

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B. Description of Proposed Use

Type of application to be filed wit	h the Water Resources Depa	rtment:			
Permit to Use or Store Water	Water Right Transfer		mendment or Ground	Water Registration Modificati	on
Limited Water Use License	Allocation of Conserved W	/ater Exchange	e of Water		
Source of water: Reservoir/Pon	d 🛛 Ground Water	Surface Water (na	me)		
Estimated quantity of water need	ed: <u>912.125</u> Cubic fee	t per second	allons per minute	🛛 acre-feet	
Intended use of water: 🛛 Irrigati	on Commercial	Industrial	Domestic for	household(s)	
Munic	ipal Quasi-Municipal	Instream	Other		
Briefly describe:					
It is proposed transfer surface	ace to groundwater auth	norizing Well A fo	or Certificates 442	215, 83391, and 85864	
It is also proposed to modified as an additional point of ap		acres to South of	f property and au	thorizing Pump Well #	1
			NAME OF THE OWNER	0	_
		**********************		Territo	

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

See bottom of Page 4. \rightarrow

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Permitted avtright, form use Micc 17.136.020 (A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

sign the receipt, you will		e Water Resources Department's r nd use associated with the propos			
Note to local governme	nt representative: Ple	ase complete this form or sign the	e receipt be	low and return it	to the applicant. If you
Government Entity:	Marion (ounty Planning	Division		,
Signature: DANS	Good contend	phone: (S ounty Planning	03)588	503 g Date:	6/9/2023
Name: Daniel	Jansen		Title:	Assistan	t Planner

FS

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Transfer Application - Sun-Ray Farms Certificates 44215, 83391, 85864 Range 4W, W.M.







Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Sun Ray Faces p.O. Box 100 Independence OR 9.7351 Transaction Type: RA Fees Received: \$ 2533.54 Cash @PCheck; Check No. 36117

Name(s) on Check: Sunfirm Farms INC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (*i.e., the application or other document*).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- · Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

OREGON WATER RESOURCES DEPARTMENT



Date Received (Date Stamp Here)

14264

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: <u>Sun Kay Farms</u> <u>PO Box 100</u>, <u>Independence</u> <u>R</u> Transaction Type: <u>Transaction</u> Fees Received: \$ 3040.00

X Check;

Cash

Check No. Name(s) on Check: .

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (*i.e., the application or other document*).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.





Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address:

Transaction Type: _____

Fees Received: \$____

. Cash

Check;

Name(s) on Check: |. Nill

Check No.

000

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Name of OWRD staff

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

Permanent Transfer Application Intake Checklist

Checked by <u>Kim French</u> Date <u>6/12/23</u> Calculated Fee \$1840	Type of Change(s) Proposed: POU POD APOD POA Substitution Gov't Action Substitution Gov't Action				
Fee Received \$1840	Certificate(s): 44215,83391,85864				
	Check all Certs in WRIS to make sure they are	not cancelled			
If application involves multiple If no, why?	certificates, does it meet OAR 690-380-3220?				
Is the application complete?	YES NO If no, why?				
Notes:					

1.	YES			Have all the applicants signed? If not, whose signature is missing?
2.	YES			Evidence of Use included?
3.	YES		N/A	Land Use Form included?
4.	YES		⊠ N/A	Consent Form included
5.	YES			Part 5 of application: Has the applicant completed the entire page and does the information match the description of the explanation on Part 4 of the application?
6.	YES		N/A	Has the applicant indicated that the place of use is in <u>or</u> near an irrigation district? Name of the District
	YES	NO	N/A	If Yes, have they included a Form D?
7.	VES		□ N/A	For multiple certificates: Do each of the certificates listed on the Min Req Checklist Page 1 have their own separate completed Part 5, Tables 1 & 2? If no, which certificates are missing a separate Part 5, Tables 1 & 2?
8.	YES	□ NO	□ N/ A	If a change in point of appropriation, have the well logs been included?
9.	YES			Has the map been completed and signed by a CWRE?
10.	YES			Does the map meet the requirements? If not, what is missing?
11.	YES	NO NO	N/A	Map waiver included?
12.	YES		N/A	If a change in place of use is within Umatilla County, is there a Supplemental Form U included?

If there are no deficiencies identified, accept the application. Put this checklist in the transfer folder. If this application is deficient, it CANNOT be accepted. It should be returned with a letter explaining the deficiencies identified.

Application Returned Date:

Revised 4/2023

Permanent Transfer Application Intake Checklist

			and the second se
	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:		
	Place of Use		
	Character of Use		
	Point of Diversion/Appropriation		
	Number of above boxes checked = <u>1 (2a)</u>		
	Subtract 1 from the number in line $2a = 0(2b)$ If only one change, this will be 0		
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » »	2	\$0.00
	Number of water rights included in transfer <u>3 (3a)</u>		
	Subtract 1 from the number in 3a above: <u>2 (3b)</u> If only one water right this will be 0		
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » »	3	\$1,220.00
	Do you propose to add or change a well, or change from a surface water POD to a		
	well?		
	No: enter 0		
	Yes: enter \$480 for the 1st well to be added or changed $\frac{$480.00}{(4a)}$		
	Do you propose to add or change additional wells?		
	No: enter 0		
	Yes: multiply the number of additional wells by \$410 <u>\$0.00 (4b)</u>		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » » »	4	\$480.00
-	Do you propose to change the place of use or character of use?	1	
	No: enter 0 on line 5 » » » » » » » » » » » » » » » » » »		
4	Yes: enter the cfs for the portions of the rights to be transferred (see		
	example below*): <u>0 (5a)</u>		
	Subtract 1.0 from the number in 5a above: <u>-1.00 (5b)</u>	6 m (
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »		
-	If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u>	-	£0.00
5	Multiply 5c by \$410, then enter on line 5 » » » » » » » » » » » » »	5	\$0.00
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,060.00
	Is this transfer: necessary to complete a project funded by the Oregon Watershed		
	Enhancement Board (OWEB) under ORS 541.932?		
	endorsed in writing by ODFW as a change that will result in a net benefit to		
	fish and wildlife habitat?		
	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	7	
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »	8	\$3,060.00