

Temporary

Name Aaron & Kati BishopAddress 110024 aisea highway
aisea Oregon 97324
aaron B34@gmail.comChange in POD POUDate Filed 11/1/2023Initial notice date 11/7/2023

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 4/15/2024 Vol 129 Page 109-112

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream aisea riverTrib. of Pacific OceanUse Irrigation/livestock County Benton

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

Name of ditch _____

App# S27955 Per # S28109 Cert # 27254 PR Date _____

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>11-1-2023</u>	<u>\$960.80</u>	<u>141842</u>

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments: _____

Irrigation District _____

Agent John Short water right services

CWRE _____

CC's list Benton County community development☐ - Oversized map - Location _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April 15, 2024

Aaron and Katie Bishop
16024 Alsea Highway
Alsea, OR 97324

REFERENCE: District Temporary Transfer Application T-14345

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

The temporary change shall be effective at the **beginning of the 2024 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2028 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at @water.oregon.gov.

Sincerely,

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

cc: Nikki M. Hendricks, Watermaster Dist. # 1 (via email)
John A. Short, Agent
Benton County Community Development Department, Local Government
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14345, Benton County)	CHANGE IN PLACE OF USE AND POINT OF
)	DIVERSION

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

AARON L. BISHOP AND KATI L. BISHOP
16024 ALSEA HIGHWAY
ALSEA, OR 97324

Findings of Fact

1. On November 1, 2023, AARON L. BISHOP AND KATI L. BISHOP filed an application to temporarily change the place of use and to change the point of diversion to serve the proposed place of use under Certificate 27254 for a period of 5 years. The Department assigned the application number T-14345.
2. Notice of the application for transfer was published on November 7, 2023, pursuant to OAR 690-380-4000.
3. The portion of the right to be temporarily transferred is as follows:

Certificate:	27254 in the name of BERYL O. TOM (perfected under Permit S-22109)
Use:	IRRIGATION of 4.0 ACRES
Priority Date:	DECEMBER 24, 1952
Rate:	0.03 CUBIC FOOT PER SECOND

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

Source: ALSEA RIVER, a tributary of PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	8 W	WM	10	NW NE	40	NONE GIVEN

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	8 W	WM	10	NE NE	40	4.0

4. Temporary Transfer Application T-14345 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	8 W	WM	6	NE SW	3.2
14 S	8 W	WM	6	NW SW	0.8
				Total	4.0

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14345 proposes to move the authorized point of diversion approximately 3.2 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	8 W	WM	6	NE SW	760 FEET SOUTH AND 2110 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 6

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).

9. The proposed changes, as conditioned, would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14345 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

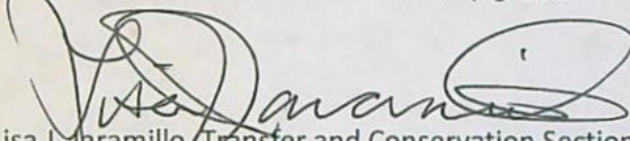
1. The temporary change in place of use and change in point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14345 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2024, 2025, 2026, 2027 and 2028 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2028 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted at the proposed temporary point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
6. A subsequent application for permanent transfer of Certificate 27254 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 27254.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

9. Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing) 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.

10. The use of the remaining water right described by Certificate 27254 shall continue to be in accordance with the terms and conditions of Certificate 27254.

Dated in Salem, Oregon on **APR 15 2024**



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

Mailing Date: **APR 16 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14345

Transfer Specialist: *Scott*

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: AARON BISHOP 16024 ALSEA HIGHWAY ALSEA, OR 97324	Agent: JOHN A. SHORT PO BOX 1830 BEND, OR 97709	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Benton County Community Development Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Key Dates & Initial Actions (Support Staff)

Rec'd: November 1, 2023	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 960.80	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 18 Middle Coast
Initial Public Notice: 11/7/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: BENTON
WM District: 1 Nikki M. Hendricks	WM Review request sent:	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>3/28/24</u> Initials: <u>Scott</u>	Date: <u>4/3/24</u> Initials: <u>Joan</u>	Date: <u>4/5/24</u> Initials: <u>SARAH</u>	Date: <u>4-11-24</u> Initials: <u>Scott</u>	Date: <u>4-11-24</u> No. of docs for sig: <u>1</u> WM Sheet <input checked="" type="checkbox"/>	Date: <u>4/15/24</u>

Special Issues: _____

Special Order Volume: Vol. 129 Pages 1109-1112

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14345

Review Due Date: 12/06/2023

Applicant Name: Aaron/Kati Bishop

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

Reviewer(s): Nikki Hendricks

Date of Review: 11/14/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
ISWR for the Alsea river are junior to the transfer Cert 27254
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☒ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
the POD is moving downstream approximately 11.5 river miles.
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☒ N/A

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

☒ N/A

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

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

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

Likely that the 4 transferred acres off of a 100.1 acre field will still receive some water from over spray and runoff.

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☒ Yes ☐ No If "Yes", explain:

transferring 4 acres off 100.1 and going from irrigating grass field to a cannabis operation. the transferred amount of water being transferred calculates to 17,303 gpd. Depending on the operation and watering system, this may not meet the needs.

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:

Potentially the character of use. They may be using this water for cannabis in greenhouses and should consider transfer to nursery use.

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

Meters on all old and new intakes.

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14345



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: Nikki Hendricks

District: 1

Address: 4000 Blimp Blvd ste 400

City/State/Zip: Tillamook, OR 97141

Phone: 503-457-8989

Email: nikki.m.hendricks@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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 6, 2023

AARON BISHOP
16024 ALSEA HIGHWAY
ALSEA, OR 97324

Reference: Application T-14345

On November 1, 2023, the Department received your water right Temporary Transfer Application. The application was accompanied by \$960.80. Receipt number 141842 is enclosed.

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

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #1, Nikki M. Hendricks (via email)
Benton County Community Development
John A. Short, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **141842**

INVOICE # _____

RECEIVED FROM: North West Roofing LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14345</u>

CASH: ☐ CHECK: # 2418 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 960.⁸⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 960.⁸⁰

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT:

141842

DATED:

11/1/2023

BY:

[Signature]

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 27254**
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2028.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

RECEIVED

TACS

NOV 01 2023

OWRD

14345 -

Part 2 of 5 – Temporary Transfer Application Map Checklist

RECEIVED

NOV 01 2023

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

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

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

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS					
1	Base Fee (includes temporary change to one water right for up to 1 cfs)		1	\$950.00	
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »		2	\$0	
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3		3	\$0	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>4.0 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »		4	\$10.80	
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:		5	\$960.80	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »		6		
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:		7	\$960.80	

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME AARON L. BISHOP & KATI L. BISHOP		PHONE NO. 541-609-8325	ADDITIONAL CONTACT NO.
ADDRESS 16024 Alsea Hwy		FAX NO.	
CITY Alsea	STATE OR	ZIP 97324	E-MAIL aaronb34@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

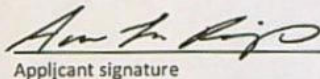
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why:
Temporarily transfer a 4.0 acre portion of C-27254 to a new place of use and point of diversion.

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

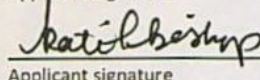
I (we) affirm that the information contained in this application is true and accurate.



Applicant signature

Aaron L. Bishop
Print Name (and Title if applicable)

10/26/23
Date



Applicant signature

Kati L Bishop
Print Name (and Title if applicable)

10/26/23
Date

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

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

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

DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Benton County Community Development Dept.	ADDRESS 4500 SW RESEARCH WAY	
CITY CORVALLIS	STATE OR	ZIP 97333-1139

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 27254

Description of Water Delivery System

System capacity: 0.68 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. **PIPED FROM POD TO HANDLINES**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14	S	8	W	10	NW	NE	DLC 40	NOT ON CERTIFICATE
POD "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14	S	8	W	6	NE	SW	TL 300	760' S, 2110' E OF W ¼ COR SEC 6

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

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

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

- | | |
|--|---|
| <input type="checkbox"/> Yes | Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes. |
| <input checked="" type="checkbox"/> No | Complete all of Table 2 to describe the portion of the water right to be changed. |

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 27254

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
14	S	8	W	10	NE	NE	301	DLC 40	4.0	IR	POD "OFF"	1952	POU & POD	14	S	8	W	6	NE	SW	300		3.2	IR	POD "ON"	1952
													"	"	"	"	"	NW	SW	"		0.8	"	"	"	
TOTAL ACRES									4.0	TOTAL ACRES														4.0		

Additional remarks: _____

For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of BENTON) ss

I, KETA K. TOM, in my capacity as OWNER,

mailing address 2650 NE ASBAHR AVE CORVALLIS, OR 97330

telephone number (541) 908-0366, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
27254	14	S	8	W	WM	10	NE	NE	DLC 40	4.0

OR

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

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

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

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

(continues on reverse side)

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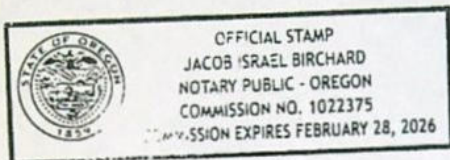
3. The water right was used for: (e.g., crops, pasture, etc.): GRASS PASTURE

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

[Signature]
Signature of Affiant

19 September 2023
Date

Signed and sworn to (or affirmed) before me this 19th day of September, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: February 28th, 2023

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

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Legend

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DC 40

DC 40

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DC 39

DC 39

R08W

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NWSW

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of BENTON)

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I KETA K. TOM in my capacity as OWNER,

mailing address 2650 NE ASBAHR AVE, CORVALLIS, OR 97330

telephone number 541-908-0366, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 27254

described in a Water Right Transfer Application (T-TBD),

(transfer number, if known)

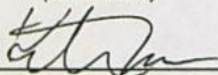
submitted by AARON & KATI BISHOP

on the property in tax lot number(s) 301,

Section 10 Township 14 South Range 8 West, W.M.,

located at 27253 HAYDEN RD ALSEA, OR 97324

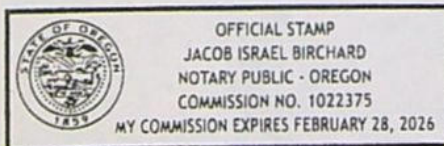
(site address)

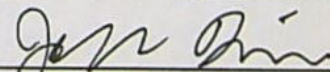


Signature of Affiant

9-19-2023
Date

Subscribed and Sworn to before me this 19th day of September, 2023.





Notary Public for Oregon

My commission expires February 28th, 2026



STATUTORY WARRANTY DEED

Grantor's Name and Address:

Keta K. Tom, Trustee of the
The Teddy B. Tom
Trust dated April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Grantee's Name and Address:

Keta K. Tom, Trustee of the
Teddy B. Tom Disclaimer Trust
u/a/d April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

After recording return to:

Evashevski, Elliott, Cihak & Hediger, PC
Attorneys at Law
PO Box 983
Albany OR 97321-0369

**The true and actual
consideration for this
conveyance is \$ NONE**

**Until a change is requested
all tax statements shall be
sent to:**

Keta K. Tom, Trustee
Trustees of The Teddy B. Tom
Trust Disclaimer Trust u/a/d April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Keta K. Tom, Trustee of the
Keta K. Tom Trust dated April 27, 2010
2650 NE Asbahr
Corvallis OR 97330

Tax Account Information:

Account No. _____

Conveyance

Keta K. Tom, Trustee of The Teddy B. Tom Trust dated April 27, 2010, Grantor, conveys and warrants to Keta K. Tom, Trustee of the Teddy B. Tom Disclaimer Trust u/a/d April 27, 2010, Grantee, the following described real property located in Benton County, Oregon, free of encumbrances except as specifically set forth herein:

Parcel I - M248242-98:

Beginning at a point 378.79 feet S. 89° 54' E. of the East line of the Albany-Corvallis State Highway, the intersection with said East line of said Highway is N 20° 01' E., along the East line of said Highway, 1038.16 feet from a 1-inch iron pipe, 2,286.8 feet S., 0° 58' E., along the claim line and 148.9 feet N. 89° 02' E., at right angles to said claim line from the Northwest corner of the Jehiel S. Kendall D.L.C. No. 48 T 11 S., R. 4 W., in Benton County, Oregon; and running thence N. 0° 06' E. 187.25 feet to a ¾-inch iron pipe 40.0 feet at right angles, from the South line extended, of the Children's Farm Home Land described in Book 89, Page 103, Benton County Deed Records, thence S. 89° 54' E., parallel to and 40 feet from the South line of said land 153.31 feet to a 1-inch iron pipe, thence S. 20° 01' W., parallel to said Highway 200 feet to a ¾-inch iron pipe thence N. 89° 54' W., 84.52 feet to a ¾-inch iron pipe, the point of beginning, containing .51 acre.

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Parcel II – M248246-98:

Beginning at a point marked by a 5/8" iron rod 751.5 feet North 00° 06' East and 1,420.8 feet North 89° 50' West of the Southeast corner of the Emerson Rednours Donation Land Claim No. 40, in Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence South 1,825.9 feet to a point marked by a 3/4" iron pipe; thence South 80° 36' West 710.7 feet to a point marked by a 1/2" iron pipe; thence South 12° 54' West 300.0 feet more or less to the West bank of the Alsea River; thence Northerly along the West bank of the Alsea River to a point North 89° 50' West 600.0 feet more or less from the above described point of beginning; thence South 89° 50' East 600.0 feet more or less to the point of beginning and containing 32.0 acres more or less, all lying in said Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon, and being a portion of Parcel VI in Donation Land Claim No. 40 and a portion of Parcel VII in Donation Land Claim No. 39 as described on Page 3 of Pioneer National Title Insurance Company Policy No. 2-40-509.

Parcel III – M248250-98:

Parcel A. Beginning at a point on the center of the Alsea River 2,166.0 feet N. 00° 09' E., more or less, from the section corner between Sections 9, 10, 15 and 16, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence S. 00° 09' W. 270.00 feet, more or less, thence S. 48° 37' E. 425.0 feet, more or less; thence S. 56° 00' E. 480.4 feet, to an iron rod; thence S. 77° 48' E. 653.0 feet to an iron rod, thence N. 89° 42' E. 1,039.4 feet to an iron rod to a point South of the Southwest corner of the A. E. Ellis D.L.C. No. 39; thence N. 03° 29' E. 1,431.4 feet to an iron rod; thence N. 03° 29' E. 290.0 feet, more or less, to a point in the center of the Alsea River; thence Westerly following the centerline of the Alsea River to the point of beginning. SAVE AND EXCEPT that portion in County Roads.

Parcel B. Beginning at an iron rod 135.0 feet N. 00° 16' W. of the Southeast corner of the Emerson Rednours D.L.C. No. 40, Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence N. 00° 16' W. 616.7 feet to an iron pipe; thence N. 89° 50' W. 1,420.8 feet to an iron rod; thence South 616.7 feet to an iron rod; thence S. 89° 52' E. 1,424.5 feet to the point of beginning.

Parcel C. Beginning at a point 2,177.9 feet West and 998.8 feet South of the Southeast corner of the Emerson Rednours Donation Land Claim Number 40, Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon, and being on the North edge of Benton County Road No. 4-01 right of way; thence N. 12° 54' W. to the centerline of the Alsea River; thence southwesterly along the centerline of the Alsea River to a point 2,555.9 feet East and 2,880.0 feet North, more or less, of the Southwest corner of Section 10, Township 14 South, Range 8 West, Willamette Meridian, Benton County, Oregon; thence S 03° 29' W. 250.0 feet, more or less, to a point on the North edge of the Benton County Road No. 4-01 right of way; thence northeasterly along the North edge of Benton County Road No. 4-01 right of way to the point of beginning.

SUBJECT TO the right of way easements, terms and provisions as granted to the United States of America as recorded in Book 164, Page 605, Deed Records of Benton County, Oregon.

Parcel IV - M248244-98:

Lot 5, Block 13, DIXONS SECOND ADDITION to the City of Corvallis, Benton County, Oregon.

The premises are located within the boundaries of the Redevelopment Plan for the Corvallis Downtown Redevelopment Project and is subject to the terms and provisions of said plan and resolution of the City Council of Corvallis pertaining thereto, recorded as Instrument No. 89178, M-90439, Microfilm Records.

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THIS TRANSACTION IS NOT INTENDED TO CONSOLIDATE ANY OF THE INDIVIDUALLY DESCRIBED PARCELS OR TAX LOTS FOR LAND USE, TAX LOTS, OR ANY OTHER PURPOSE.

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

Dated this 17 day of December, 2010.

The Teddy B. Tom Trust dated
April 27, 2010

By: [Signature]
Keta K. Tom, Trustee

STATE OF OREGON)
) ss.
County of Benton)

Date: Dec 17, 2010

Personally appeared Keta K. Tom who, being duly sworn did say that she is the trustee of the Teddy B. Tom Trust dated April 27, 2010, and that said instrument was signed in behalf of said trust; and she acknowledged said instrument to be her voluntary act and deed.

[Signature]
Notary Public for Oregon



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Land Use Information Form



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

Applicant(s): AARON & KATI BISHOP

Mailing Address: 16024 ALSEA HWY

City: ALSEA

State: OR

Zip Code: 97324

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>14S</u>	<u>8W</u>	<u>6</u>	<u>NESW & NWSW</u>	<u>300</u> Taxlot: 148060000300	<u>MPA (MULTI-PURPOSE AGRICULTURE)</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

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

BENTON COUNTY.

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water Right Transfer ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) ALSEA RIVER

Estimated quantity of water needed: 0.027 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

TEMPORARY 5 YEAR TRANSFER OF A 4.0 ACRE PORTION OF A WATER RIGHT TO A NEW PLACE OF AND USE AND POINT OF DIVERSION DOWNSTREAM ON THE ALSEA RIVER FOR IRRIGATION USE.

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.

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

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

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

None

Name: Inga Williams Title: Associate Planner
Signature: Inga R Williams Phone: 541-766-6027 Date: 9/26/23
Government Entity: Benton County

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

Receipt for Request for Land Use Information

Applicant name: _____
City or County: _____ Staff contact: _____
Signature: _____ Phone: _____ Date: _____

STATE OF OREGON
COUNTY OF BENTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **BERYL O. TOM**

of Alsea, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Alsea River, a tributary of Pacific Ocean, for the purpose of irrigation of 100.1 acres & stock

under Permit No. 22109 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 24, 1952,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.68 cubic feet per second; being 0.67 cubic feet per second for irrigation & 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40, Section 10, Township 14 South, Range 8 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year.

and shall

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

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

22.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40
3.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
1.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
stock, 14.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within E. Rednor DLC 40
19.6 acres S $\frac{1}{2}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
stock, 26.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
5.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
7.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within A. E. Ellis DLC 39
Section 10
Township 14 South, Range 8 West, W.M.

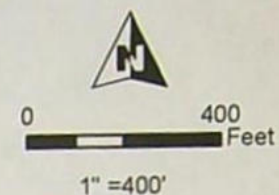
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. July 11, 1960

14345 LEWIS A. STANLEY
State Engineer

**T14S R8W, WM
BENTON COUNTY, OR**



- POD "ON"
- Creek
- River Bank
- Pipeline
- POU IR "ON" C-27254
- Township
- Section
- Quarter Quarter
- Tax Lot

POD Location:
760' S, 2110' E of
W 1/4 Cor Sec 6

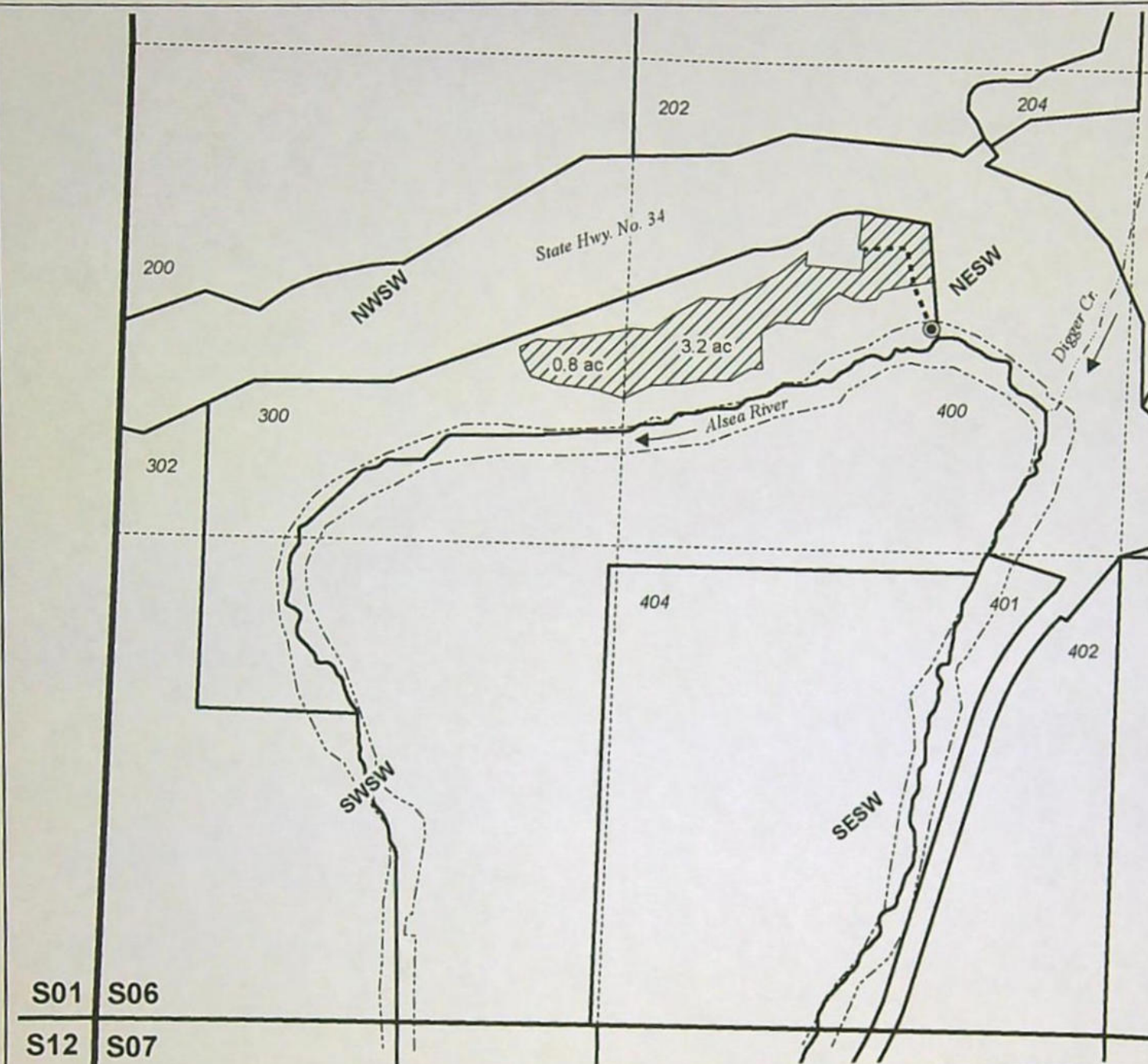
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14345



TEMPORARY TRANSFER "ON" MAP
Aaron Bishop

Date: 9/13/2023

Cert: 27254 12/24/1952 Priority

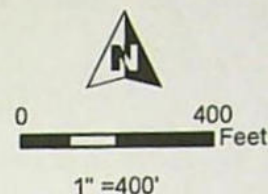
This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

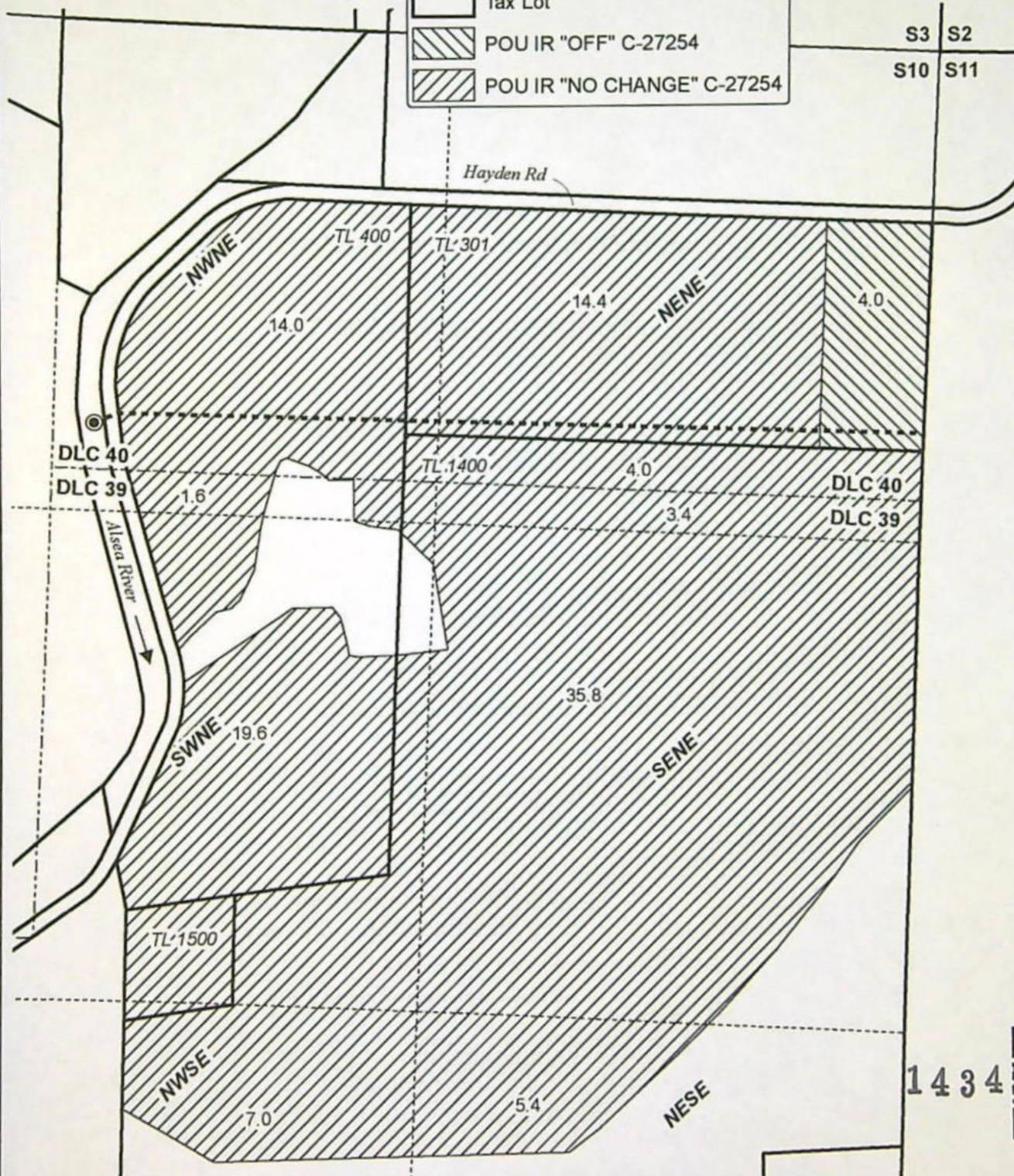
POD Location:
NWNE as Projected within
the E. Rednor DLC 40, Sec. 10,
T14S, R8W, W.M.
(information per certificate)

- POD "OFF"
- Pipeline
- DLC
- Section
- Quarter Quarter
- Tax Lot
- ▨ POU IR "OFF" C-27254
- ▨ POU IR "NO CHANGE" C-27254

**T14S R8W, WM
BENTON COUNTY, OR**



S3 S2
S10 S11



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1434



TEMPORARY TRANSFER "OFF" MAP
Aaron Bishop

Date: 9/13/2023

Cert: 27254 12/24/1952 Priority

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

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

Oregon Water Resources Department
Transfer Fee Calculation for Temporary Transfer

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	Fee Calculation
Today's Date: Thursday, November 2, 2023	
Base Fee (includes temporary change to one water right for up to 1 cfs)	\$950.00
Fill in information below-- Check each box that applies.	
Enter total number of water rights included in transfer. <input type="text" value="1"/>	\$0.00
<input type="checkbox"/> Check this box if you propose to change the place of use for a NON-irrigation use.	
<input checked="" type="checkbox"/> Check this box if you propose to change the place of use for an irrigation use.	
Enter the number of acres in the footprint of the place of use to be transferred. <input type="text" value="4"/> (If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)	\$10.80
Total Transfer CFS(rounded up to the next whole cfs):	
Subtotal:	\$960.80
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	
<input type="checkbox"/> Check the box if you are submitting the application and map in a Department-approved digital format.	
Transfer Fee:	\$960.80

[Return to Edit](#) [Clear](#)

Temporary Transfer Application Intake Checklist

Transfer # T-14345

Reviewer Nick Date 11/2/2023	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u> <input type="checkbox"/> POU <input checked="" type="checkbox"/> POU/POD <input type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA
Calculated Fee \$960.80	Fee Received \$960.80
Certificate(s): 27254	Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Notes:	

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing?	
2.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?	
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?	

Map Requirements: OAR 690-380-3100			
4.	<input type="checkbox"/> YES <input type="checkbox"/> NO	Map included and meets mapping requirements?	
5.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department	
Notes:			

Attachments: OAR 690-380-3000			
6.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Current recorded deed for the land from which the authorized place of use is temporarily being moved included?	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Affidavit of Consent from Landowner(s) described on the deed?	
7.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Land Use Form included and signed by the County?	
8.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District	
9.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	For changes in POA/APOA – are the well logs included?	
10.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	For change in POU within Umatilla County, Supplemental Form U included?	

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.