



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

Received

MAY 15 2025

OWRD

Application for
District Permanent
Water Right

Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review.

Change in Place of Use Only

1A. APPLICANT INFORMATION

IRRIGATION DISTRICT Tualatin Valley Irrigation District		PHONE NO. 503-357-3118	ADDITIONAL CONTACT NO.
ADDRESS 2330 Elm Street		COUNTY Washington	
CITY Forest Grove	STATE OR	ZIP 97116	E-MAIL bobby.nuvolini@tvid.org
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.			

1B. AGENT INFORMATION

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Certificate	Permit / Previous Transfer	Decree
1.	88122	-	
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

3. ATTACHMENTS

Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.

Supplemental Form A – Description of Proposed Change(s) to a Water Right <input type="checkbox"/> A separate Supplemental Form A is enclosed for each water right to be affected by this transfer. Map <input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).	Fees: <input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,360</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900. Land Use Compatibility Statement <input checked="" type="checkbox"/> The Land Use Information Form is <u>not</u> 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) a change that does not involve the placement or modification of structures, 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.
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4. SIGNATURES

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.
- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

Bobby Nuvolini Digitally signed by Bobby Nuvolini
Date: 2025.04.18 13:26:21 -07'00'

District Manager signature

OR

Bobby Nuvolini

name (print)

3/14/2025

date

Authorized District Representative signature

name (print)

date

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



District Permanent Water Right Transfer Application
Supplemental Form A

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DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. **A separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	88122	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	
	Permit Number	

- Name on Permit, Certificate, or Decree: US Bureau of Reclamation
- Priority Date(s): 2/10/1963

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Scoggins Creek, Gales Creek, Scoggins Reservoir, tributaries to the Tualatin River and the Tualatin River

Tributary to: Willamette River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
Yes ☒ No ☐ If "Yes", what are the Permit, Registration or Certificate Numbers:
#s : 38755

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

▪ Certificate Number or other identifying number: 88122

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP (N or S)	RNG (E or W)	SEC	Q-Q	DLC	GOV'T LOT	MEASURED DISTANCES
51.5	1S	3W	9	NENE			45.502586 N, -123.055883 W
							*Note: POU was selected to be consistent with past guidance from OWRD; see Mike McCord or Jake Constans

▪ Certificate Number or other identifying number 88122

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV" T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP (N or S)	RNG (E or W)	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
R-51.5	2/20/1963	IR	1S	3W	3	SESE	49		400	6.4	Holt Homes	
R-51.5	2/20/1963	IS	1S	3W	3	SESE	49		400	0.6	Holt Homes	
TOTAL:										7.0		

▪ Certificate Number or other identifying number: 88122

[illegible]District Permanent Transfer Application
Supplemental Form A

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Jan 2024

14656 -



Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

VOLUNTARY CANCELLATION is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statue (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

VOLUNTARY DIMINUTION is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit:

Cancel a portion of a state surface water right in order to complete a permanent district transfer

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Certificate of Water Right Information:

Certificate Number: 38755

Issued for use within the State of Oregon, County of Washington

Issued in the name of: Daniel F. Hering (Acres to be canceled on a portion of property sold to Holt Homes)

Date of priority: 2/28/1966

Rate or Volume on entire certificate: 1.36 (cubic foot per second **or** gallons per minute **or** acre-feet).

Source(s) of water on certificate: Tualatin River

Use(s) of water listed on certificate: Irrigation (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 128.50, supplemental IR 8.50

Statements of Oath:

I/We (or authorized agent), James C. Reinhart

office residing at 1301 SE Tech Center Dr. #150, Vancouver, WA 98683

with a mailing address of (if different) _____

and a telephone number of (360) 892-0514, being **first duly sworn depose and say:**

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

1. I/We are the legal owners of property appurtenant to ☒ all **or** ☐ a portion (check one box) of the water right described above. My/Our property is described on a recorded property deed in my/our/an entity name(s). The property is located within the following legal description [must include at a minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

T1N, RW3, Sec 3, TL 400

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2. I/We are requesting a [check one box - the affidavit will be returned if more than one box is checked]:

☐ voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # _____.

☒ voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # 38755.

☐ voluntary diminution of the ENTIRE water right Certificate # _____.

☐ voluntary diminution of a PORTION of water right Certificate # _____.

3. The appurtenant water right ☒ is **or** ☐ is not (check one box) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here:

Tualatin Valley Irrigation District);

- a. The water right, or portion thereof, being ☐ cancelled **or** ☐ diminished (check one box) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

Signature of district manager

Printed Name

Date

4. Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

- ☒ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) IR
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled 7.00
- In the amount of 0.0875 cubic foot per second
- From the water source (s) Tualatin River

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

- At the following location(s) (*attach a larger table if needed*):

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
1.0	N	3.0	W	WM	3	49		SESE	7.00	400
				WM						
				WM						
				WM						

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

AND/OR (less common)

- ☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.
- For the use of (specify irrigation, domestic, etc.) _____
 - From the water source (s) _____
 - Located within the Township 1.0 N ☐ or S ☐, Range _____ E ☐ or W ☐, Section _____; Q-Q _____
 - Location Description (if given on the certificate) _____

5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.

- a. I/We have found a more dependable source of primary water, and therefore request the water right certificate ☐ in its entirety, **or** ☐ as described in Item #6, below, (check one box) be diminished from a right for primary use to a right for supplemental use.
- b. I/We agree that if this change is approved, it is permanent and the right to the use of water from _____ (source) cannot be changed back to the primary use unless otherwise provided by law.
- c. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from _____ (source of water) for primary use on these lands.

6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of _____ (cfs) from _____ (sources) for irrigation (if applicable) of _____ acres at the following location(s) as listed on the certificate (*attach a larger table if needed*):

--table next page--

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revised August 2022

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

PORTION TO BE DIMINISHED											
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #	
1.0	N	3.0	W	WM	3	49		SESE	7.00	400	
				WM							
				WM							

Signatures and Notary:

Holt Holdings OR, LLC
a Delaware Limited Liability Company
By: Holt Group Holdings, LLC
Its: Sole Member

By:

[Signature]

5/5/2025

Signature of legal owner as listed on deed, or authorized agent

Date

Printed Name James C. Reinhart

Title: Authorized Signer

Signature of legal co-owner as listed on deed (if applicable)

Date

Printed Name _____

Subscribed and Sworn to Before Me this 5th day of MAY, 2025.

My Commission Expires 11/20/2027



[Signature]
Notary Public for Oregon
WASHINGTON

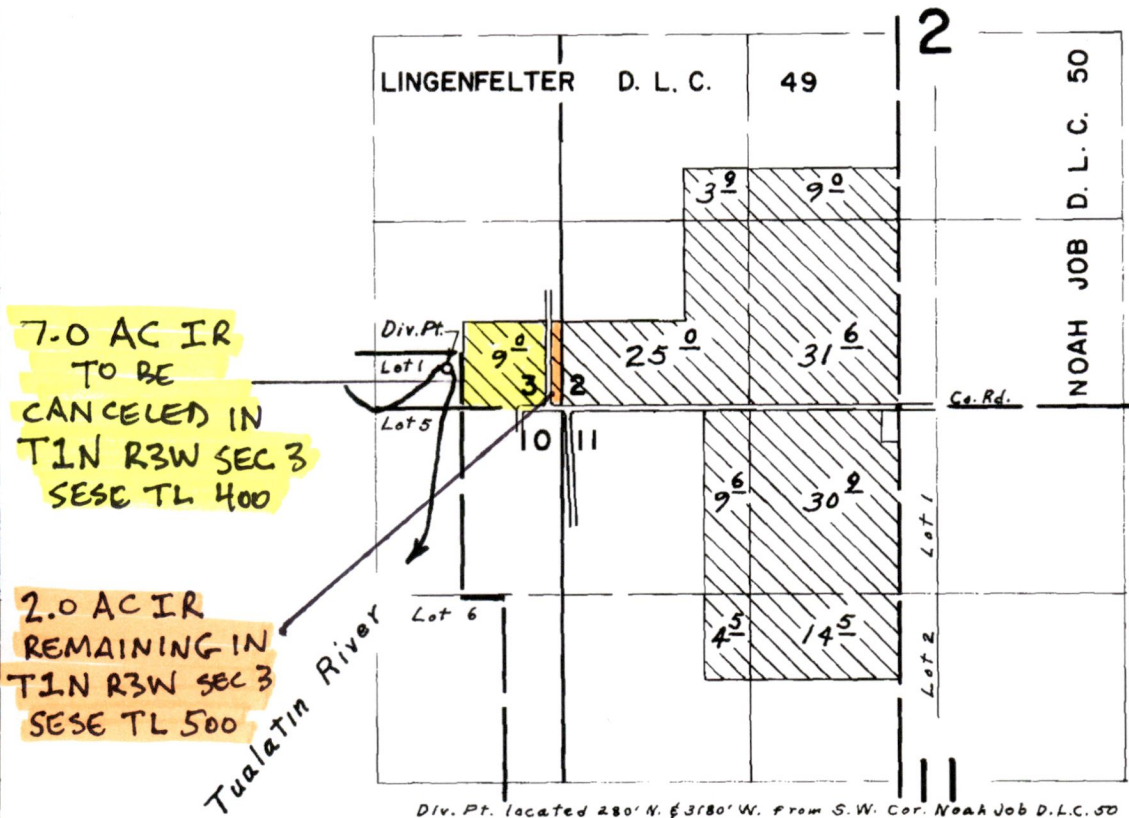
REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
 - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
 - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

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T. 1 S. R. 3 W. W. M.



FINAL PROOF SURVEY
UNDER

Application No. 41929 Permit No. 30877
IN NAME OF

DANIEL F. HERING

Surveyed April 20, 1971, by L. E. Gould

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After recording return to:
Holt Holdings OR, LLC
1301 SE Tech Center Drive Suite 150
Vancouver, WA 98683

Until a change is requested all tax
statements shall be sent to the
following address:
Holt Holdings OR, LLC
1301 SE Tech Center Drive Suite 150
Vancouver, WA 98683

File No.: 7000-4051405 (JEJ)
Date: April 03, 2023

THIS SPACE RESERVED

Washington County, Oregon **2025-011518**
D-DW
Stn=2 S AKINS **03/17/2025 11:59:21 AM**
\$20.00 \$11.00 \$5.00 \$60.00 \$1,225.00 **\$1,321.00**

I, Joe Nelson, Director of Assessment and Taxation and Ex-Officio
County Clerk for Washington County, Oregon, do hereby certify that
the within instrument of writing was received and recorded in the
book of records of said county.

Joe Nelson, Director of Assessment and
Taxation, Ex-Officio County Clerk

STATUTORY WARRANTY DEED

David D. Hering and Kelly M. Hering, Trustees of the Hering Family Joint Trust dated February 14, 2014,
Grantor, conveys and warrants to Holt Holdings OR, LLC, a Delaware limited liability company, Grantee,
the real property described on Exhibit A attached hereto, free of encumbrances except as specifically set
forth on Exhibit B attached hereto.

The true consideration for this conveyance is **\$1,224,888.00**. (Here comply with requirements of ORS 93.030)

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FIRST AMERICAN 4051405 WD

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

Dated this 14 day of March, 2025.

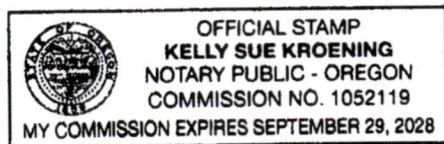
Hering Family Joint Trust

David D. Hering
David D. Hering, Trustee

Kelly M. Hering
Kelly M. Hering, Trustee

STATE OF Oregon)
)ss.
County of Washington)

This instrument was acknowledged before me on this 14 day of March, 2025 by David D. Hering and Kelly M. Hering as Trustees of Hering Family Joint Trust dated February 14, 20014, on behalf of the trust .



Notary Public for Oregon
My commission expires: 9/29/28

EXHIBIT A

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

Parcel 1, PARTITION PLAT NO. 2024-014, in the County of Washington, and State of Oregon.

A.P.N.: R2234603

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Exhibit B

- Restrictive Covenant to Waive Remonstrance, pertaining to Customarily (commonly) Accepted Farm of Forestry Practices including the terms and provisions thereof
Recorded: April 15, 2004 as Fee No. 2004 039812
- Restrictive Covenant to Waive Remonstrance, pertaining to Customarily (commonly) Accepted Farm of Forestry Practices including the terms and provisions thereof
Recorded: February 21, 2024 as Fee No. 2024-007187
- Restrictions shown on the recorded plat/partition

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