

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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JUN 23 2025

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 32467, 5492**

Please include a separate Part 5 for each water right. (See instructions on page 6)

NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map. (**Attachment 1**)
- ☒ Completed Evidence of Use Affidavit and supporting documentation. (**Attachment 2**)
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. (**Attachment 3**)
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. **Note: The proposed POA options have not been constructed and are further described in Table 3.**
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. **Note: Supporting Data for Surface Water to Groundwater Change (Attachment 5)**

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

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JUN 23 2025

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	\$0
	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	\$610
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>\$410 (4b)</u>		
4	Add line 4a to line 4b and enter »	4	\$890
	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>N/A (5a)</u> Subtract 1.0 from the number in 5a above: <u>N/A (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>N/A (5c)</u> and multiply 5c by \$410, then enter on line 5 »		
5		5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2,860
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	\$0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$2,860

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Justin Henderson		PHONE NO. 541-207-8297	ADDITIONAL CONTACT NO.
ADDRESS 33269 Peoria Road			FAX NO.
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL Hendersonjt@msn.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 Ted Ressler, RG, CWRE / Summit Water Resources LLC		PHONE NO. 503-967-7050 x204	ADDITIONAL CONTACT NO. 503-70-4535
ADDRESS 4784 SE 17th Avenue, Suite 111			FAX NO.
CITY Portland	STATE OR	ZIP 97202	E-MAIL tressler@summitwr.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:
Surface water appropriated under Certificates 32467 and 5492 are used by the landowner for irrigation purposes on appurtenant lands. The landowner would like to file a permanent transfer for a 0.16 cfs PORTION of Certificate 32467 and the ENTIRE Certificate 5492 to change from a surface water point of diversion (specifically POD 1, being located in tax lot 701) to two groundwater points of appropriation. A partial diminution of Certificate 32467 will be filed concurrently to change 3 acres of primary irrigation to supplemental irrigation for the layered portion of Certificate 32647 and Certificate 5492 (both are currently primary irrigation) pursuant to OAR 690-380-5120 as described in Attachment 6.

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

Check One Box

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

Received

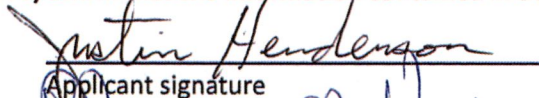
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By my signature below, I confirm that I understand:

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

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

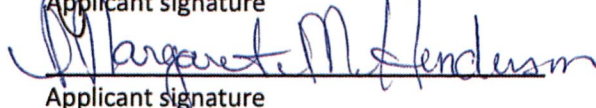

Applicant signature

Justin Henderson

Print Name (and Title if applicable)

6-12-2025

Date


Applicant signature

MARGARET M. HENDERSON
Print Name (and Title if applicable)

6-12-25
Date

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

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

Check the following boxes that apply:

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

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

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

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

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

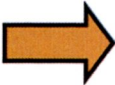
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO. Received
CITY	STATE	ZIP	E-MAIL	JUN 23 2025
Describe any special ownership circumstances:				OWRD
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Linn County	ADDRESS PO Box 100, 300 SW 4th Ave	
CITY Albany	STATE OR	ZIP 97321

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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JUN 23 2025

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the “**Allow only this type of editing** in the document: **Filling in forms**” in the “Editing restrictions” section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page ~~5~~ 6 of ~~9~~ 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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JUN 23 2025

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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 additional rows to tables within the form.

CERTIFICATE # **32467**

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JUN 23 2025

Description of Water Delivery System

System capacity: **0.165** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is diverted from Owl Creek using a 7.5 HP pump that delivers water to 4-inch mainline that conveys the water to the place of use. Water is applied for irrigation using handlines with impact sprinklers.**

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 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Not specified by the Certificate
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Not specified by the Certificate
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Located 1660 feet South and 350 feet West from the NE corner of Section 6 (SENE), Township 12 South, Range 4 West, W.M.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Located 1780 feet South and 430 feet West from the NE corner of Section 6 (SENE), Township 12 South, Range 4 West, W.M.

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 32467

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
12	S	4	W	6	SE	NE	701	37	10.5	Irrigation	POD 1	1958	SW/GW	12	S	4	W	6	SE	NE	701	37	10.5	--	Well 1 & Well 2	1958		
12	S	4	W	6	NE	NE	701	37	3	Irrigation	POD 1	1958	SW/GW	12	S	4	W	6	NE	NE	701	37	3	--	Well 1 & Well 2	1958		
TOTAL ACRES:									13.5						TOTAL ACRES:									13.5				

Additional remarks: The proposed changes shown in Table 2 are for a 13.5 acre PORTION of Certificate 32467. The rate associated with this portion of Certificate 32467 is 0.165 cfs, which was calculated by appurtenant lands owned by applicant divided by total acreage of Certificate 32467 multiplied by the total rate of Certificate 32467 (13.5 acres / 17.2 acres x 0.21 cfs). The applicant is requesting to appropriate the entire appurtenant rate of the water right (0.165 cfs) from each proposed point of appropriation, with the combined production from both points of appropriation not to exceed 0.165 cfs.

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JUN 23 2025

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificate 5492.**

Note: All appurtenant water rights with "layered" water use are included in this transfer.

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

Note: An Affidavit for Voluntary Diminution is being filed concurrently to diminish to supplemental irrigation the 3 acres of Certificate 32467 that are layered with Certificate 5492 (see Attachment 6). The District 2 Watermaster has been consulted on the layering of these water rights and the proposed diminution.

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

Ground water supplemental Permit or Certificate # **N/A**;

Surface water primary Certificate # **N/A**.

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JUN 23 2025

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1	No	N/A	55'	6"	+1' - 25'	0 - 18'	25' - 55'	12'	sand/gravel	74 gpm
Well 2	No	N/A	55'	6"	+1' - 25'	0 - 18'	25' - 55'	12'	sand/gravel	74 gpm

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 additional rows to tables within the form.

CERTIFICATE # 5492

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JUN 23 2025

Description of Water Delivery System

System capacity: 0.04 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is diverted from Owl Creek using a 7.5 HP pump that delivers water to 4-inch mainline that conveys the water to the place of use. Water is applied for irrigation using handlines with impact sprinklers.**

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 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Not specified by the Certificate
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Located 1660 feet South and 350 feet West from the NE corner of Section 6 (SENE), Township 12 South, Range 4 West, W.M.
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		12	S	4	W	6	SE	NE	37	Located 1780 feet South and 430 feet West from the NE corner of Section 6 (SENE), Township 12 South, Range 4 West, W.M.

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

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 5492

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													SW/GW	12	S	4	W	6	SE	NE	701	37	3	--	Well 1 & Well 2	1923
TOTAL ACRES:													TOTAL ACRES:							3						

Additional remarks: **The applicant is requesting to appropriate the entire rate of the water right (0.04 cfs) from each proposed point of appropriation, with the combined production from both points of appropriation not to exceed 0.04 cfs.**

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificate 32467.**

Note: All appurtenant water rights with "layered" water use are included in this transfer.

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

Note: An Affidavit for Voluntary Diminution is being filed concurrently to diminish to supplemental irrigation the 3 acres of Certificate 32467 hat are layered with Certificate 5492. (Attachment 6)

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

Ground water supplemental Permit or Certificate # N/A:

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L- ____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1	No	N/A	55'	6"	+1' - 25'	0 - 18'	25' - 55'	12'	sand/gravel	18 gpm
Well 2	No	N/A	55'	6"	+1' - 25'	0 - 18'	25' - 55'	12'	sand/gravel	18 gpm

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Attachment 1
Map

Application for a Water Right Permanent Transfer

Justin Henderson

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Attachment 2
Evidence of Use Affidavit

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of LINN)

I, JUSTIN HENDERSON, in my capacity as LANDOWNER,
mailing address 33269 PEORIA RD, CORVALLIS, OR 97333
telephone number (541)207-8297, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
32467	12	S	4	W	WM	6	SE	NE	37	10.5
32467	12	S	4	W	WM	6	NE	NE	37	3
5492	12	S	4	W	WM	6	SE	NE	37	3

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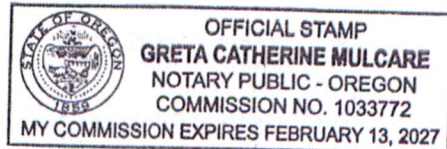
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS & PASTURE

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.

Justin Henderson
Signature of Affiant

6-12-2025
Date

Signed and sworn to (or affirmed) before me this 12th day of June, 2025.



Greta Mulcare
Greta Catherine Mulcare
Notary Public for Oregon

My Commission Expires: 07/13/2027

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.terraserver.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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JUN 23 2025

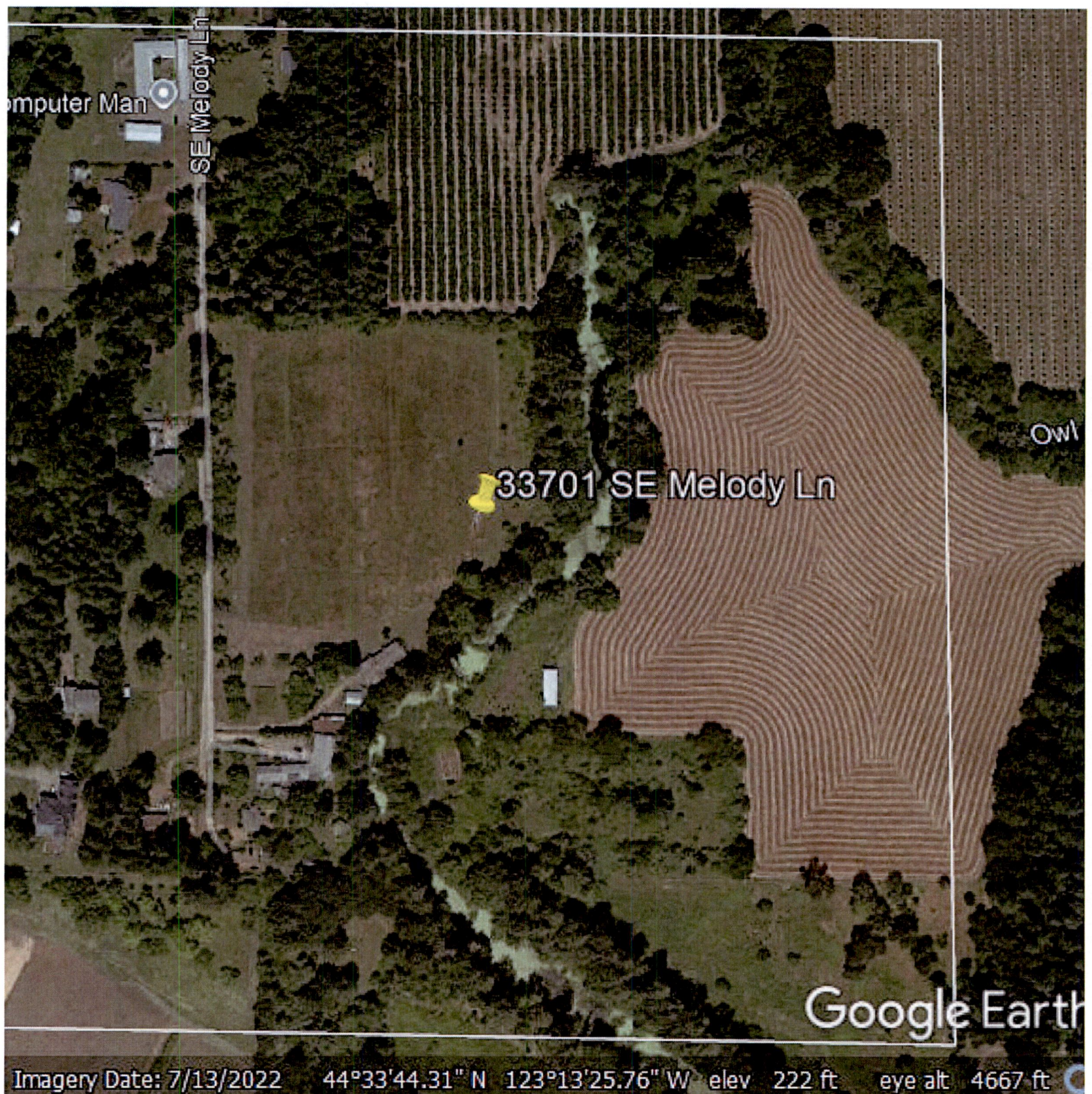
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Attachment 3
Land Use Information Form

Application for a Water Right Permanent Transfer

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Land Use Information Form

LINN COUNTY

MAY 9 2025

Planning & Building
Department



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

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NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

PD25-0152

10-10-2025

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Land Use Information Form



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

NAME Justin Henderson			PHONE 541-207-8297	
MAILING ADDRESS 33269 Peroia Road				
CITY Corvallis	STATE OR	ZIP 97333	EMAIL Hendersonjt@msn.com	

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:
12S	4W	6	SENE	701	RR-5	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
12S	4W	6	NENE	701	RR-5	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<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:

Linn County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

Source of water:
☐ Reservoir/Pond
☐ Ground Water
☒ Surface Water (name) Owl Creek

Estimated quantity of water needed: 0*
☒ cubic feet per second
☐ gallons per minute
☐ acre-feet

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

Briefly describe:

The applicant is submitting a transfer application to Oregon Water Resources Department to make changes to two existing water rights, Certificates 32467 and 5492, that authorizes the use of surface water from Owl Creek for irrigation use. The transfer application proposes to change from a surface water point of diversion to a groundwater point of appropriation for a 0.16 cfs PORTION of Certificate 32467 and the entirety of Certificate 5492 (0.04 cfs), both of which are appurtenant to tax lot 701.

* No additional rate of water use is associated with this transfer application beyond the rate that is already authorized under Certificates 32467 and 5492. Water appropriated under this water right will continue to be used for irrigation on existing farm land.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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.

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JUN 23 2025

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 929.620(B)(2)
- ☐ Land uses to be served by the proposed water use(s), 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."

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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

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

"Limited farm use" allowed outright in RR-5 zone allows cultivation + harvest of crops such as fruits, vegetables, hay, grain, seeds, fibers etc. except for cannabis. No processing allowed on-site w/o additional approval.

Name: Kate Bentz Title: Associate Planner
Signature: [Signature] Date: 5/12/25
Governmental Entity: Linn County Phone: 541.967.3816

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____
Staff Name: _____ Title: _____
Staff Signature: _____ Date: _____
Governmental Entity: _____ Phone: _____

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Attachment 4
Water Right Information

Application for a Water Right Permanent Transfer

Justin Henderson

14681 -

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MARTIN H. BAKER, JR.

of 1399 Grant St., Corvallis, 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 Owl Creek

a tributary of Willamette River for the purpose of irrigation of 17.2 acres

under Permit No. 25549 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 May 26, 1958

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 0.21 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Robinett DLC 37, Section 6, T. 12 S., R. 4 W., 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:

3.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
14.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
both as projected within Robinett DLC 37
Section 6
T. 12 S., R. 4 W., W. M.

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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. September 27, 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32467

14681 -

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

This is to Certify, That Wm. T. Bullis

of Corvallis, 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 Owl Creek a tributary of Willamette River for the purpose of Irrigation under Permit No. 6054 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 September 28, 1923;

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 0.04 cubic foot per second;

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

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Three (3) acres in the Southeast Quarter of the Northeast Quarter (SE¹/₄NE¹/₄) of Section Six (6), Township Twelve South, Range Four West of the Willamette Meridian, in Linn County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 1st day

of October, 1925.

Rhea Luper.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 5492.

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JUN 23 2025
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14681 -

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JUN 23 2025
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Attachment 5
Supporting Data for Surface Water to Groundwater Change

Hydraulically connected groundwater

OAR 690-380-2130(b)

The lithology (unconsolidated sand and gravel) of the shallow alluvial aquifer into which the proposed wells will be drilled suggest that the groundwater in the shallow alluvial aquifer is hydraulically connected to the surface water source authorized by Certificate 32467, being Owl Creek.

Distance of the proposed points of appropriation from the authorized surface water source

OAR 690-380-2130(d)

The proposed points of appropriation, Well 1 and Well 2, are located between 20-50 feet from the edge of Owl Creek. The location of the proposed points of appropriation are within 500 feet of the authorized surface water source and within 1,000 feet of the authorized point of diversion.

Proposed change in point of diversion will affect the surface water source similarly

OAR 690-380-2130(c)

An analytical stream depletion model was used to assess whether groundwater pumping at the proposed points of appropriation would result in stream depletion of at least 50 percent of the rate of appropriation within 10 days of continuous pumping. Based on the geologic information available for the shallow alluvial aquifer, Hunt (1999) seemed to be the most appropriate to account for finer grained sediment that may be present in the stream channel of Owl Creek; however, Jenkins (1970) was also evaluated.

The parameters used in the stream depletion model and the source of the parameter values are provided in the table below.

Model Parameter	Parameter Description	Parameter Value	Data Source
Qw	Rate of groundwater withdrawal	0.165 cfs	Proposed rate for the transfer
a	Perpendicular distance from the well to the stream	20-75 ft	Perpendicular distance between the proposed points of appropriation and the edge of Owl Creek
b	Aquifer thickness	20 ft	Thickness based on nearby well (LINN 2175)
d	Well depth	40 ft	Estimated depth based on nearby wells (LINN 1695 and LINN 2175)
K	Aquifer hydraulic conductivity	1,550 ft/d	1,550 ft/d derived from pumping test on LINN 8670 (located approximately 0.5 mile north of the subject property).
S	Specific yield	0.16	Average value for typical range for unconfined aquifer: 0.02 to 0.3 (Fetter 1994)
Ks	Streambed hydraulic conductivity	1.6 ft/d	Assumed to be 1/1000 of the hydraulic conductivity of the aquifer
ws	Stream width	70 ft	Width of Owl Creek in the vicinity of the proposed points of appropriation (measured from recent aerial imagery)
bs	Streambed thickness	2 ft	Assumed thickness
tpon	Duration of groundwater withdrawal	10 d	Time required by OAR 690-380-2130(c)

Notes: cfs = cubic feet per second, ft = feet, d = day

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JUN 23 2025

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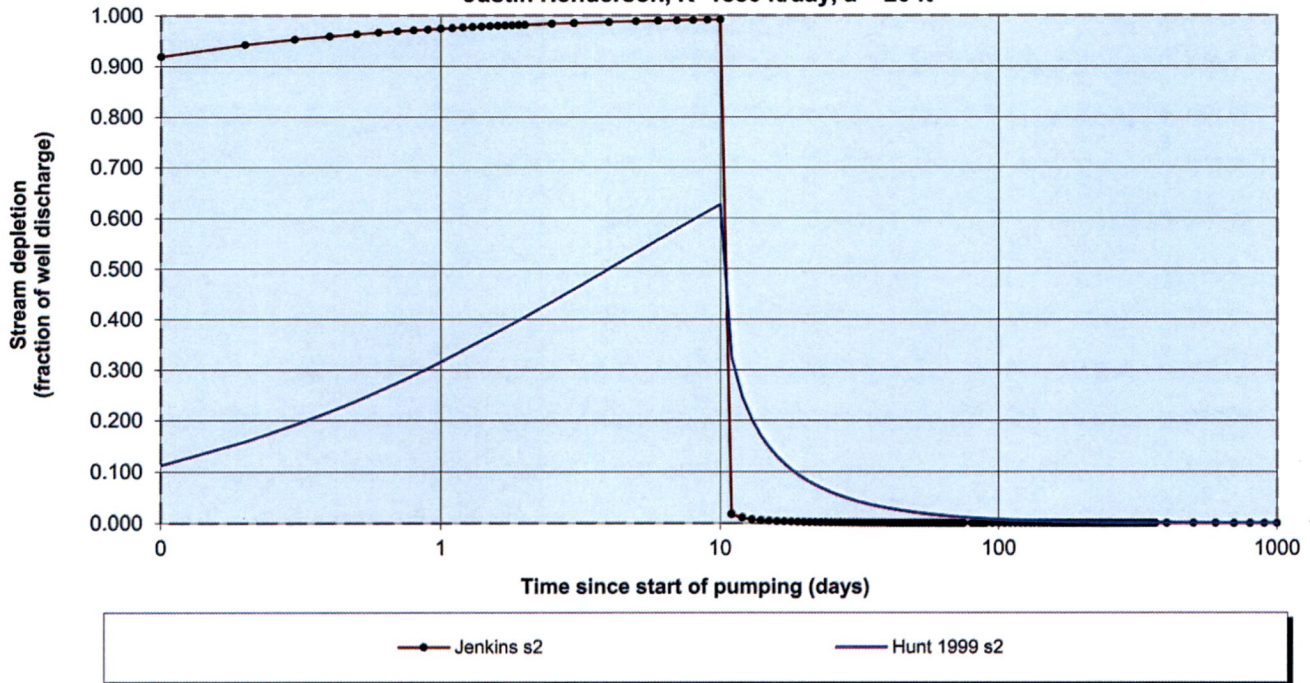
The Jenkins (1970) model indicates a stream depletion of 97 to 99% after 10 continuous days of pumping for a well location setback of 75 to 20 feet from the surface water source, respectively. The Hunt (1999) model indicates a stream depletion of 61 to 63% after 10 continuous days of pumping for a well location setback of 75 to 20 feet from the surface water source, respectively. Copies of the stream depletion model output are enclosed.

The stream depletion modeling indicates that the required stream depletion of at least 50% of the rate of appropriation within 10 days of continuous pumping is met.

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JUN 23 2025
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Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

Justin Henderson, K=1550 ft/day, a = 20 ft



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
H SD 1999	4.4%	1.5%	0.8%	0.5%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%
H SD 2003	5.30%	2.02%	1.17%	0.81%	0.63%	0.39%	0.31%	0.28%	0.22%	0.17%	0.13%	0.12%
Qw, cfs	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165
H SD 99, cfs	0.007	0.003	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.009	0.003	0.002	0.001	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.17	0.17	0.17	cfs
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	20	20	20	ft
Well depth	d	40	40	40	ft
Aquifer hydraulic conductivity	K	1550	1550	1550	ft/day
Aquifer saturated thickness	b	20	20	20	ft
Aquifer transmissivity	T	31000	31000	31000	ft*ft/day
Aquifer storativity or specific yield	S	0.16	0.16	0.16	
Aquitard vertical hydraulic conductivity	Kva	1.6	1.6	1.6	ft/day
Aquitard saturated thickness	ba	2	2	2	ft
Aquitard thickness below stream	babs	2	2	2	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	70	70	70	ft
Streambed conductance (lambda)	sbc	56.000000	56.000000	56.000000	ft/day
Stream depletion factor	sdf	0.002065	0.002065	0.002065	days
Streambed factor	sbfb	0.036129	0.036129	0.036129	
input #1 for Hunt's Q_4 function	t'	484.375000	484.375000	484.375000	
input #2 for Hunt's Q_4 function	K'	0.010323	0.010323	0.010323	
input #3 for Hunt's Q_4 function	epsilon'	0.800000	0.800000	0.800000	
input #4 for Hunt's Q_4 function	lamda'	0.036129	0.036129	0.036129	

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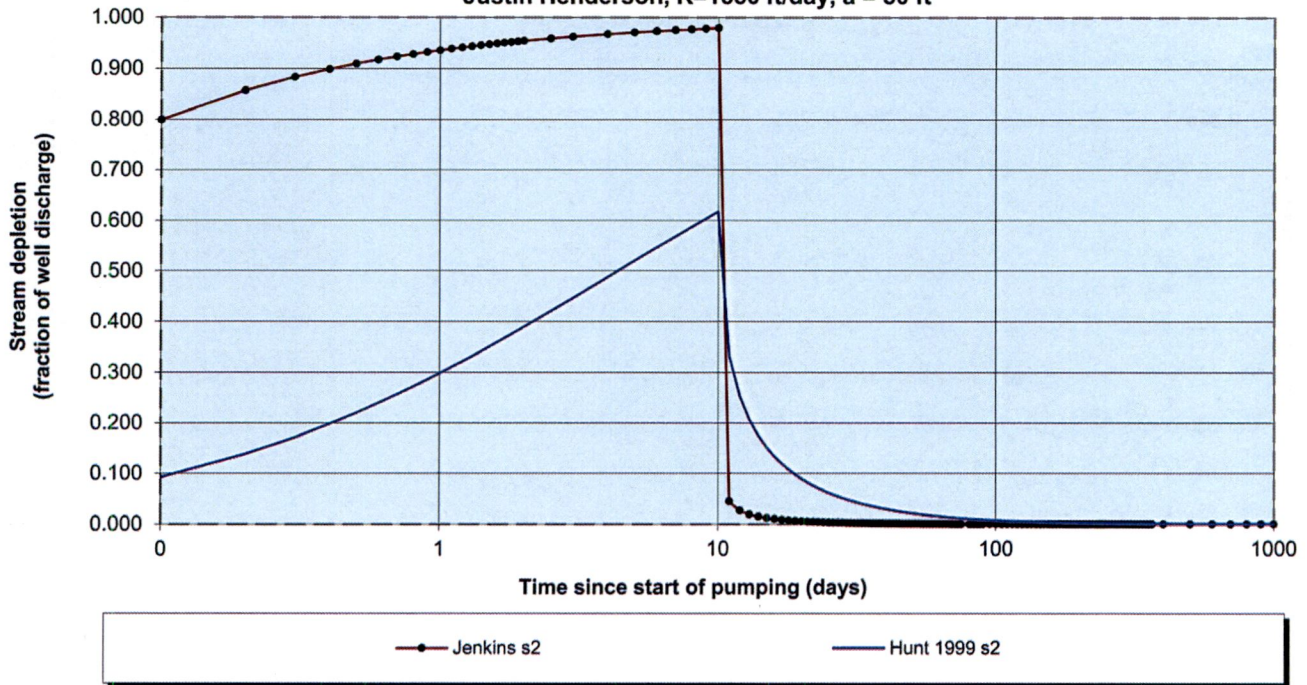
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Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

Justin Henderson, K=1550 ft/day, a = 50 ft



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	0.3%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
H SD 1999	4.6%	1.6%	0.9%	0.6%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%
H SD 2003	5.44%	2.07%	1.20%	0.83%	0.65%	0.40%	0.32%	0.28%	0.22%	0.17%	0.13%	0.12%
Qw, cfs	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165
H SD 99, cfs	0.008	0.003	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.009	0.003	0.002	0.001	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.17	0.17	0.17	cfs
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	50	50	50	ft
Well depth	d	40	40	40	ft
Aquifer hydraulic conductivity	K	1550	1550	1550	ft/day
Aquifer saturated thickness	b	20	20	20	ft
Aquifer transmissivity	T	31000	31000	31000	ft*ft/day
Aquifer storativity or specific yield	S	0.16	0.16	0.16	
Aquitard vertical hydraulic conductivity	Kva	1.6	1.6	1.6	ft/day
Aquitard saturated thickness	ba	2	2	2	ft
Aquitard thickness below stream	babs	2	2	2	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	70	70	70	ft
Streambed conductance (lambda)	sbc	56.000000	56.000000	56.000000	ft/day
Stream depletion factor	sdf	0.012903	0.012903	0.012903	days
Streambed factor	sbfb	0.090323	0.090323	0.090323	
input #1 for Hunt's Q_4 function	t'	77.500000	77.500000	77.500000	
input #2 for Hunt's Q_4 function	K'	0.064516	0.064516	0.064516	
input #3 for Hunt's Q_4 function	epsilon'	0.800000	0.800000	0.800000	
input #4 for Hunt's Q_4 function	lamda'	0.090323	0.090323	0.090323	

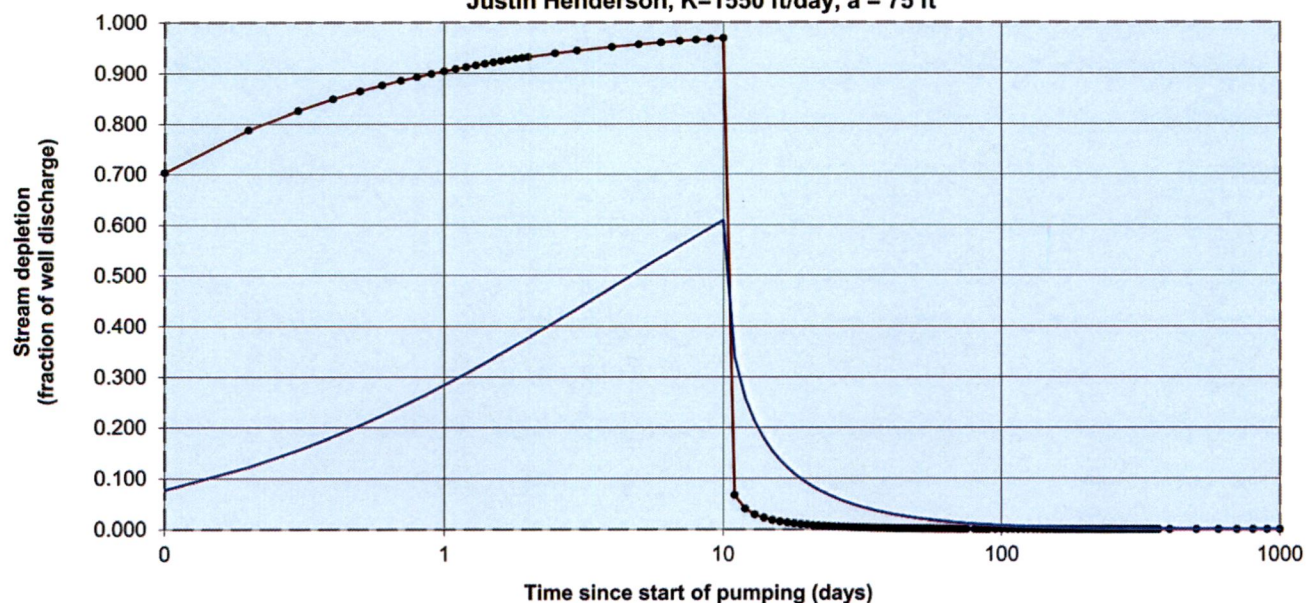
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Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

Justin Henderson, K=1550 ft/day, a = 75 ft



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	0.4%	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
H SD 1999	4.7%	1.6%	0.9%	0.6%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%
H SD 2003	5.55%	2.11%	1.22%	0.85%	0.66%	0.41%	0.33%	0.29%	0.23%	0.18%	0.14%	0.12%
Qw, cfs	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165	0.165
H SD 99, cfs	0.008	0.003	0.001	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.009	0.003	0.002	0.001	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.17	0.17	0.17	cfs
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	75	75	75	ft
Well depth	d	40	40	40	ft
Aquifer hydraulic conductivity	K	1550	1550	1550	ft/day
Aquifer saturated thickness	b	20	20	20	ft
Aquifer transmissivity	T	31000	31000	31000	ft*ft/day
Aquifer storativity or specific yield	S	0.16	0.16	0.16	
Aquitard vertical hydraulic conductivity	Kva	1.6	1.6	1.6	ft/day
Aquitard saturated thickness	ba	2	2	2	ft
Aquitard thickness below stream	babs	2	2	2	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	70	70	70	ft
Streambed conductance (lambda)	sbc	56.000000	56.000000	56.000000	ft/day
Stream depletion factor	sdf	0.029032	0.029032	0.029032	days
Streambed factor	sbfb	0.135484	0.135484	0.135484	
input #1 for Hunt's Q_4 function	t'	34.444444	34.444444	34.444444	
input #2 for Hunt's Q_4 function	K'	0.145161	0.145161	0.145161	
input #3 for Hunt's Q_4 function	epsilon'	0.800000	0.800000	0.800000	
input #4 for Hunt's Q_4 function	lamda'	0.135484	0.135484	0.135484	

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Attachment 6
Affidavit of Voluntary Diminution



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 Statute (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: The applicant is requesting to diminish 3 acres of Certificate 32467 to supplemental irrigation. The applicant currently has two layered primary irrigation rights on appurtenant lands (Certificates 32467 and 5492). Per OAR 690-380-5120, the right with the oldest priority date shall be considered the primary water right and other water rights shall be diminished to supplemental.

Certificate of Water Right Information:

Certificate Number: 32467

Issued for use within the State of Oregon, County of Linn.

Issued in the name of: Martin H Baker Jr.

Date of priority: 05/26/1958

Rate or Volume on entire certificate: 0.21 (cubic foot per second).

Source(s) of water on certificate: Owl Creek.

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

If for irrigation (IR), total number of acres on certificate for primary IR 17.2, supplemental IR N/A.

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JUN 23 2025

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Statements of Oath:

I/We (or authorized agent), Justin Henderson,

residing at 33269 Peoria Rd, Corvallis, OR 97333

with a mailing address of (if different) _____,

and a telephone number of 541-207-8297, being **first duly sworn** depose and say:

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

14681 -

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

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

Enter legal description here: Township 12 South, Range 4 West, Section 6, SENE, NENE, all within Tax Lot 701.

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 # _____.

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

☒ voluntary diminution of a PORTION of water right Certificate # 32467.

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: N/A.

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. N/A

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.) _____
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled _____
- In the amount of _____ cubic foot per second
- From the water source (s) _____
- 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 #
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

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

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
				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) N/A

- ☐ 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 _____¹/₄, Section _____, Township _____ (N ☐ or S ☐)
Range _____ (E ☐ or W ☐, W.M.
 - 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 Owl Creek (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 Certificate 32467 (source of water) for primary use on these lands. **Note: Both Certificate 32467 (being diminished) and layered Certificate 5492 (providing primary irrigation) authorize use of water from Owl Creek**

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 0.037* (cfs) from Owl Creek (sources) for irrigation (if applicable) of 3.0 acres at the following location(s) as listed on the certificate (attach a larger table if needed): ***Diminution from IR to IS for 3.0 acres.**

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>12</u>	<u>S</u>	<u>4</u>	<u>W</u>	WM	<u>6</u>	<u>37</u>	<u>--</u>	<u>SENE</u>	<u>3.0</u>	<u>701</u>
				WM						

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

Signatures and Notary:

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

Printed Name Justin Henderson

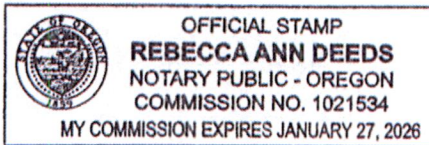
Date 6-12-2025

Margaret M. Henderson
Signature of legal co-owner as listed on deed (if applicable)

Printed Name MARGARET M. HENDERSON

Date 6-12-25

Subscribed and Sworn to Before Me this 12th day of June, 2025.



Rebecca Ann Deeds
Signature of Notary Public for Oregon

My Commission Expires 2/3/2027 46
01/27/2026

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. [Exhibit 1](#)
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows: [Exhibit 2](#)
 - 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. [Exhibit 3](#)
- 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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Exhibit 1
Property Deed

RECORDING REQUESTED BY:



400 SW 4th St, Ste 100
Corvallis, OR 97333

GRANTOR'S NAME:
Estate of Eleanor M. Baker

GRANTEE'S NAME:
Justin Henderson and Margaret Henderson

AFTER RECORDING RETURN TO:
Justin Henderson and Margaret Henderson
33269 Peoria Road
Corvallis, OR 97333

SEND TAX STATEMENTS TO:
Justin Henderson and Margaret Henderson
33269 Peoria Road
Corvallis, OR 97333

226890, 338679, 12S04W06-00-00701 and
12S04W05-B0-01000
33701 SE Melody Lane, Corvallis, OR 97333

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PERSONAL REPRESENTATIVE'S DEED

Robert Hallock, the duly appointed, qualified and acting personal representative of the estate of Eleanor M. Baker, deceased, pursuant to proceedings filed in Circuit Court for Linn County, Oregon, Case No. 24PB00704, Grantor, conveys to

Justin T. Henderson and Margaret M. Henderson, as tenants by the entirety, Grantee, all the estate, right and interest of the above named deceased at the time of the deceased's death, and all the right, title and interest that the above named estate of the deceased by operation of law or otherwise may have acquired afterwards, in and to the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The true consideration for this conveyance is Eight Hundred Fifty Thousand And No/100 Dollars (\$850,000.00).

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.

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.

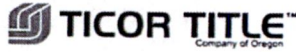
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RECORDING REQUESTED BY:



400 SW 4th St, Ste 100
Corvallis, OR 97333

GRANTOR'S NAME:

Estate of Eleanor M. Baker

GRANTEE'S NAME:

Justin Henderson and Margaret Henderson

AFTER RECORDING RETURN TO:

Justin Henderson and Margaret Henderson
33269 Peoria Road
Corvallis, OR 97333

SEND TAX STATEMENTS TO:

Justin Henderson and Margaret Henderson
33269 Peoria Road
Corvallis, OR 97333

226890, 338679, 12S04W06-00-00701 and
12S04W05-B0-01000
33701 SE Melody Lane, Corvallis, OR 97333

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

PERSONAL REPRESENTATIVE'S DEED

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Justin T. Henderson and Margaret M. Henderson, as tenants by the entirety, Grantee, all the estate, right and interest of the above named deceased at the time of the deceased's death, and all the right, title and interest that the above named estate of the deceased by operation of law or otherwise may have acquired afterwards, in and to the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The true consideration for this conveyance is Eight Hundred Fifty Thousand And No/100 Dollars (\$850,000.00).

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.

TICOR Title 471824129945

EXHIBIT "A"
Legal Description

PARCEL 1:

Commencing at a point that is 6.12 chains West from the Northeast corner of the Donation Land claim of James Robinett and wife, Claim No. 52 in Township 12 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence West 13.89 chains; thence North 14.20 chains; thence East 13.89 chains; thence South 14.20 chains to the point of beginning, all being situated in Linn County, Oregon.

EXCEPTING THEREFROM, the South 3.60 chains of even width thereof.

TOGETHER WITH the right to use as a roadway, in common with others, for all roadway purposes that certain roadway described in instrument recorded in Book 118, page 426, Linn County Deed Records.

PARCEL 2:

Beginning at the Northeast corner of the James Robinett Donation Land Claim No. 52 in Township 12 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, said corner also being the beginning point for the tract of land described in deed recorded in Volume 234, page 335, Linn County Deed Records (Lance to Carrick); thence West, along the South line of said tract, 6.12 chains (403.92 feet), to the Southwest corner thereof; thence North, along the West line of said tract, 1231.66 feet to the center of Owl Creek; thence along the center of said creek, South 70°19' East 162.04 feet, South 28°37' East 82.75 feet, South 38°33' East 176.56 feet, and South 46°39'-1/2' East 367.99 feet to a point which is North 36°48' West 81.68 feet from a 1/2 inch iron pipe at the most Southerly interior corner of said tract; thence continuing along the center of said creek, North 54°30'-1/2' East 234.25 feet, North 31°10'-1/2' East 264.06 feet, and North 1°03' West 192.39 feet to a point which is North 55°34' East 22.32 feet from a 1-1/2 inch iron pipe, a corner of said tract; thence continuing along the center of said creek, North 23°03'-1/2' East 154.85 feet, and North 55°59' East 156.45 feet; thence leaving said creek and in a straight line North 69°17' East 244.15 feet to the center of a draw; thence along the center of said draw, North 43°10' East 257.77 feet and North 55°19' East 168.45 feet to the East line of said tract; thence along the lines of said tract, South 5°43' West 1231.93 feet to a 1/2 inch iron rod, North 89°37' West 885.85 feet to a 1/2 inch iron pipe, and South 18°20' West 683.10 feet to the point of beginning.

TOGETHER WITH an easement for a right-of-way for ingress and egress to the above described lands, extending from the Northerly line of said lands to the State Secondary Highway North of said lands, said easement is 40 feet wide, of equal width and the East line of said easement is described as follows:

Beginning at the Northeast corner of the above described tract; thence North 5°43' East 86.55 feet to a 1/2 inch iron pipe, the Southeast corner of that tract of land conveyed to J. J. Bennett by deed recorded on page 467 of Volume 157 of Linn County Deed Records; thence North, along the East line of said latter tract, 352.77 feet to the South line of said highway.

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PERSONAL REPRESENTATIVE'S DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Estate of Eleanor M. Baker

By: Robert J. Hallock 05-03-2024
Robert Hallock, Personal Representative Date

State of Nevada

County of Washoe

This instrument was acknowledged before me on May 31, 2024 by Robert Hallock, as Personal Representative for Estate of Eleanor M. Baker.

Cheryl Cathi Shawl
Notary Public - State of Nevada

My Commission Expires: 09-18-2027



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Exhibit 2
Water Right Certificate and Map

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That MARTIN H. BAKER, JR.

of 1399 Grant St., Corvallis, 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 Owl Creek

a tributary of Willamette River for the purpose of irrigation of 17.2 acres

under Permit No. 25549 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 May 26, 1958

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 0.21 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Robinett DIC 37, Section 6, T. 12 S., R. 4 W., 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:

3.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
14.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
both as projected within Robinett DIC 37
Section 6
T. 12 S., R. 4 W., W. M.

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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. September 27, 1965

CHRIS L. WHEELER

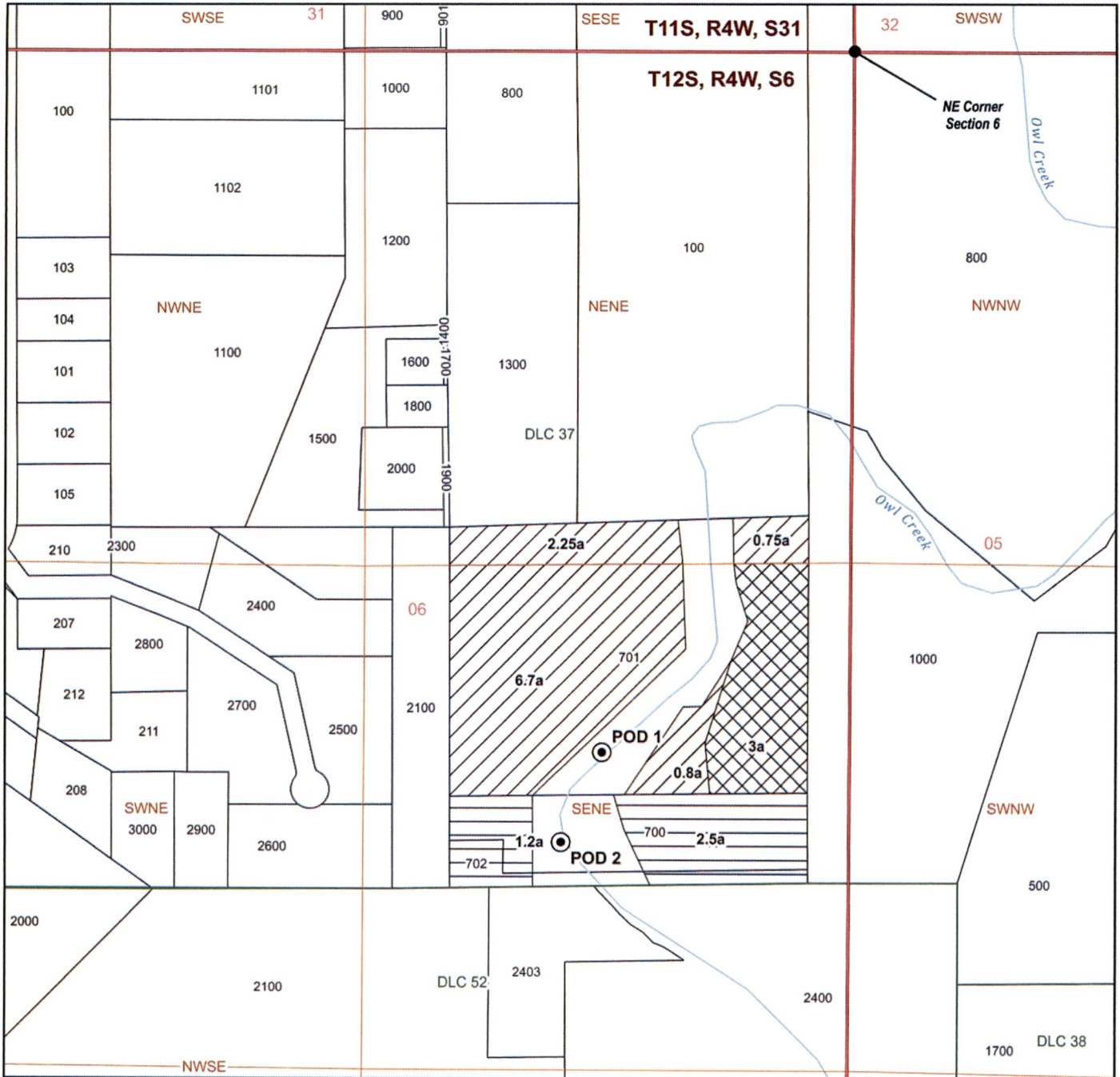
State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32467

14681 -

Partial Diminution of Certificates 32467

Portion of a Water Right Held by Justin Henderson
Linn County



LEGEND

● Authorized Point of Diversion (POD)

— Watercourses

□ Tax Lots

Place of Use (POU)

□ C-32467 Remaining IR
(Lands owned by others)

▨ C-32467 Remaining IR
(Lands owned by Justin Henderson)

▩ C-32467 Diminished to IS
(IR under C-5492)

POD Location Description

POD 1 (C-32467 & C-5492)

Located in SENE as projected within Robinett DLC 37,
Section 6, Township 12 South, Range 4 West, W.M.

POD 2 (C-32467)

Located in SENE as projected within Robinett DLC 37,
Section 6, Township 12 South, Range 4 West, W.M.

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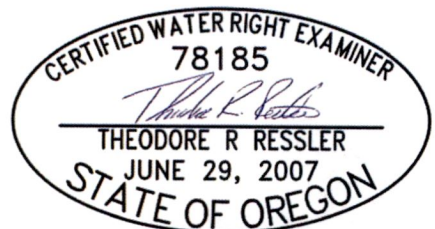
JUN 23 2025

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Date: 6/19/2025

Data Sources: BLM, OWRD, USGS, Multnomah County

Disclaimer: This map is not intended to provide legal dimensions
or property ownership lines.



RENEWS: 12-31-2026

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Exhibit 3
List of Other Property Owners

List of other property owners with land appurtenant to the portion of the water right not being diminished (remaining lands)

Map and Tax Lot	Site Address	Owner Name	Mailing Address
12S04W06-00-00700	33689 SE MELODY LN CORVALLIS OR 97333	OLIVER GARY JAY	PO BOX 826 CORVALLIS OR 97339
12S04W06-00-00702	33673 SE MELODY LN CORVALLIS OR 97333	PETERSON CLAIRE A	33673 SE MELODY LN CORVALLIS OR 97333

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June 19, 2025

Ms. Lisa Jaramillo
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Application for a Permanent Water Right Transfer
Certificates 32467 and 5492, Justin Henderson.

Ms. Jaramillo:

On behalf of the applicant, Justin Henderson, please find enclosed an Application for a Permanent Water Right Transfer involving Certificates 32467 and 5492 accompanied by a check in the amount of \$2,860 for payment of the application filing fee.

If you have any questions regarding the enclosed application, you can reach me at 503-967-7050 x204. Please copy me on any correspondence regarding this application.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC

Cc: Justin Henderson

Enclosures:

Application for a Permanent Water Right Transfer involving Certificates 32467 and 5492
Check #6044 in the amount of \$2,860

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