

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: 15531 & 84814**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2026 End Year: 2031.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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

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

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

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

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS		
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1 \$950.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » »	2 \$310
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3 0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>42.8 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4 \$115.56
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5 \$1375.56
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » »	6 0
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » Transfer Fee:	7 \$1375.56

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

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

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Toelle Ranch, LLC/JR Toelle			PHONE NO. 541-510-9891	ADDITIONAL CONTACT NO.
ADDRESS 72702 Cow Creek Rd			FAX NO.	
CITY Burns	STATE OR	ZIP 97720	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Scott D. Montgomery			PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			FAX NO.	
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
The proposed POU is better ground to farm than Call Meadow. The applicant proposes to make better use of the water right.

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

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

 Applicant signature	John Toelle, Managing Member Print Name (and Title if applicable)	11-10-24 Date
 Applicant signature	 Print Name (and Title if applicable)	 Date

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

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

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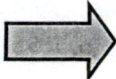
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Harney County	ADDRESS 360 N Alford St	
CITY Burns	STATE OR	ZIP 97720

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 15531

Description of Water Delivery System

System capacity: 1.07 cubic feet per second (cfs) OR before 4/20

0.71 cfs rest of season

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water from Cow Creek is dammed & diverted into N & S Call Ditches, where it overflows & flow irrigate POU.**

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)
N Call	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		20 S	33 E	29	NW		800	
S Call	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		20 S	33 E	29			800	
#1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		22 S	32.5 E	14	SE	NW	400	1950' S & 2080' E from NW cor, Sec 14

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
- ☒ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
- ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

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☒ Yes

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

☐ No

Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 15531

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	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	Se c	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		
											POU/POD	22 S	32.5 E	25 NW SW	400		1.8	IR	#1	1883		
										POU/POD	22 S	32.5 E	25 SW SW	400		2.5	IR	#1	1883			
										POU/POD	22 S	32.5 E	26 NE SE	400		6.9	IR	#1	1883			
										POU/POD	22 S	32.5 E	26 SE SE	400		31.6	IR	#1	1883			
TOTAL ACRES											TOTAL ACRES						42.8					

Additional remarks: _____

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Water Right Certificate # 15531

For Place of Use Changes

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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: 84814

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Water Right Certificate # 84814

Description of Water Delivery System

System capacity: 1.06 cubic feet per second (cfs) **OR before 4/20**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is diverted from Cow Creek at POD #1 and conveyed by Danforth Ditch approximately 2 miles South to the POU.**

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)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		22 S	32.5 E	14	SE	NW	400	1950' S & 2080' E from NW cor, Sec 14
POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		20 S	33 E	3	NE	SW	400	1320' N & 1820' E from SW cor, Sec 3

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 84814

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the “from” or “off” lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	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		
22 S	32.5 E	25	NW SW	400		1.8	IR	#1	1980	POU/POD	22 S	32.5 E	3	SW SE	400		7.8	IR	POD	1980		
22 S	32.5 E	25	SW SW	400		2.5	IR	#1	1980	POU/POD	22 S	32.5 E	3	SE SW	400		14.8	IR	POD	1980		
22 S	32.5 E	26	NE SE	400		6.3	IR	#1	1980	POU/POD	22 S	32.5 E	10	NW NE	400		16.0	IR	POD	1980		
22 S	32.5 E	26	SE SE	400		31.6	IR	#1	1980	POU/POD	22 S	32.5 E	10	NE NW	400		3.6	IR	POD	1980		
TOTAL ACRES						42.2						TOTAL ACRES						42.2				

Additional remarks: _____

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For Place of Use Changes

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of HARNEY

I, TOELLE RANCH, LLC/JR TOELLE, in my capacity as FARM MANAGER,

mailing address 72702 COW CREEK RD, BURNS, OR 97720

telephone number (541)510-9891, 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 # 15531 & 84814; **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)

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)

Received
JAN 30 2025

Received
JUN 20 2025
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APR 24 2025
OWRD

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MAY 27 2025
OWRD

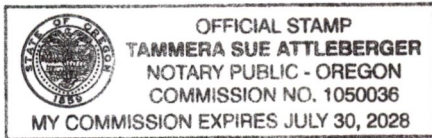
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

[Signature]
Signature of Affiant

16-15-2024
Date

Signed and sworn to (or affirmed) before me this 15 day of October, 2024.



[Signature]
Notary Public for Oregon

My Commission Expires: 7/30/2028

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

Received
JUN 20 2025

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MAY 27 2025

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APR 24 2025
OWRD

Received

JAN 30 2025

OWRD

Simplot Grower Solutions Burns
70241 Old Experiment Rd
Burns, OR 97720

Simplot
GROWER SOLUTIONS

Invoice

541200531

Bill To: JOHN TOELLE
PO BOX 1481
HINES, OR 97738

Invoice Date 06/20/2023
Due Date 06/21/2023 **Pay Upon Receipt**

Customer ID 63690

Salesperson smithw
Shipping Loc. 1361
Field ID home

Acres 102
Ticket(s) 354120094

Ship To: JR TOELLE - COWCREEK RD
COWCREEK RD
BURNS, OR 97720
UNITED STATES

Comments: E half house field upper 1 lower 1

Quantity	Description	Unit Price	Total \$
Analysis: 23.9 - 0 - 0 - 43			
5.601 Tons	SSN-46N [T]	819.905 /Tons	4,592.29
5.139 Tons	SULFUR DISINTEGRATING [T]	595.00 /Tons	3,057.71

Received **Received**
JUN 20 2025 JUN 30 2025
OWRD **OWRD**

This invoice is subject to the Terms & Conditions of Sale on the back of this invoice or with terms agreed to by the customer and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice within 30 days of the date of invoice. If customer fails to pay within 30 days, interest will be charged at a rate of 3.0% per month (3.0% per year) on the maximum amount outstanding. If customer fails to pay within 30 days, interest will be charged on the date of the Net Due Date until otherwise approved by Simplot Grower Solutions. It is not necessary for this invoice to be signed to be enforceable against customer. By accepting these goods and/or services, customer acknowledges and agrees that the invoice and terms and conditions of this invoice, including the Terms & Conditions of Sale.

John Deere Cr

Sub Total 7,650.00
Amount Due 7,650.00
**** PAID IN FULL ****

7,650.00

Received
APR 24 2025
OWRD

Received
MAY 27 2025
OWRD

Remit To: Simplot Grower Solutions
1700 SW 4th Street
Ontario OR 97914
Phone #: (541)889-2353

Recommendation Was Made By or Provided to the Seller. ☒ Yes ☐ No
JOHN TOELLE

Invoice

541200531

14682 -

Simplot Grower Solutions Burns
70241 Old Experiment Rd
Burns OR 97720

Simplot
GROWER SOLUTIONS

Invoice

541200163

Bill To: JOHN TOELLE
PO BOX 1481
HINES, OR 97738

Invoice Date 04/21/2023
Due Date 04/22/2023 Pay Upon Receipt
Customer ID 63690
Salesperson smithw
Shipping Loc. 1361
Field ID home
Acres 102
Ticket(s) 354120094

Ship To: JOHN TOELLE - PRIMARY
PO BOX 1481
HINES, OR 97738
UNITED STATES

Comments: E half house field, upper 1, lower 1

Quantity	Description	Unit Price	Total \$
Analysis: 23.9 - 0 - 0 - 43			
5.601 Tons	SSN-46N [T]	820.00 /Tons	4,592.82
5.139 Tons	SULFUR DISINTEGRATING [T]	595.00 /Tons	3,057.71

Received
JUN 20 2025

OWRD

Received **Received**
MAY 27 2025 JAN 30 2025

OWRD

OWRD

This invoice is subject to the Terms & Conditions of Sale on the back of this invoice, which form an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.0% per month (24% per annum) or the maximum rate allowed by law, whichever is less; on any unpaid amounts accruing from the date after the Net Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

Sub Total 7,650.53

Amount Due 7,650.53
**** PAID IN FULL ****

John Deere Cr

7,650.53

Received
APR 24 2025
OWRD

Remit To: Simplot Grower Solutions
1700 SW 4th Street
Ontario OR 97914
Phone #: (541)889-2353

Recommendation Was Made By or Provided to the Seller. Yes No
JOHN TOELLE

Invoice

541200163

Simplot Grower Solutions Burns
70241 Old Experiment Rd
Burns OR 97720

Simplot
GROWER SOLUTIONS

Invoice

541200171

Invoice Date 04/26/2023
Due Date 04/27/2023 Pay Upon Receipt

Customer ID 63690

Salesperson smithw
Shipping Loc 1361
Field ID home

Acres 40 Grass
Ticket(s) 354120096

Bill To: JOHN TOELLE
PO BOX 1481
HINES, OR 97738

Ship To: JOHN TOELLE - PRIMARY
PO BOX 1481
HINES, OR 97738
UNITED STATES

Comments: Flood Field

Quantity	Description	Unit Price	Total \$
Analysis: 34 - 0 - 0 - 11.4			
2.263 Tons	SSN-46N [T]	820.00 /Tons	1,855.66
2.077 Tons	21-00-00 AMM SUL-REG [T]	565.00 /Tons	1,173.51

Received
MAY 27 2025

Received
APR 24 2025

Received
JUN 20 2025

Received
JAN 30 2025

OWRD

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OWRD

OWRD

This invoice is subject to the terms & conditions of sale on the back of this invoice which constitute an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the first due date, Customer will be charged interest at a rate of 2.00% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amounts accruing from the date after the first due date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer, including without limitation, in cases for customer paying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

Sub Total 3,029.17

Amount Due 3,029.17
**** PAID IN FULL ****

John Deere Cr

3,029.17

Received
APR 24 2025
OWRD

Remit To: Simplot Grower Solutions
1700 SW 4th Street
Ontario OR 97914
Phone #: (541)889-2353

Recommendation Was Made By or Provided to the Seller. Yes No

JOHN TOELLE

Invoice

541200171

14682 -

Simplot Grower Solutions Ontario

1700 SW 4th Street

Ontario OR 97914

(541)889-2353 Fax: (541)889-2511

Pest Lic#: AG-L0129177CP0

Bill To: JOHN TOELLE
PO BOX 1481
HINES, OR 97738**Ship To:** JOHN TOELLE - PRIMARY
PO BOX 1481
HINES, OR 97738
UNITED STATES**Simplot**

GROWER SOLUTIONS

Invoice**705108290**

Invoice Date	02/14/2022
Due Date	02/15/2022 Pay Upon Receipt
Customer ID	63690
Salesperson	smithw
Shipping Loc.	1005
Ticket(s)	1705049073

Quantity	Description	Unit Price	Total \$
50.000 Lbs	HYCREST CRESTED WHEATGRASS [50L]	5.36 /Lbs	268.00
1.000 Bag	CLOVER RED FSG 401 COATED [50B] Lot# 18.4527.WCTD	118.00 /Bag	118.00
50.000 Lbs	CLOVER WHITE DUTCH [50L] Lot# 20.6638.NPI	3.60 /Lbs	180.00

Received
MAY 27 2025
OWRD**Received**
JUN 20 2025
OWRD

This invoice is subject to the Terms & Conditions of sale on the back of this invoice, which form an integral part of this invoice and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due under this invoice on the first Due Date, Customer will be charged interest at a rate of 1.00% per month (12% per annum) of the maximum rate allowed by law, which never is less, on any unpaid amount, accruing from the date after the first Due Date unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services, Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

John Deere Cr

Sub-Total	566.00
Amount Due	566.00
** PAID IN FULL **	
	566.00

Recommendation Was Made By or Provided to the Seller: ☒ Yes ☐ No
JOHN TOELLE

Invoice**705108290****Received**
JAN 30 2025
OWRD
Received
APR 24 2025
OWRD

Simplot Grower Solutions Ontario1700 SW 4th Street
Ontario OR 97914

(541)889-2353 Fax: (541)889-2511

Pest Lic#: AG-L0429477CP0

Simplot

GROWER SOLUTIONS

Invoice**705108094****Bill To:** JOHN TOELLE
PO BOX 1481
HINES, OR 97738**Ship To:** JOHN TOELLE
PO BOX 1481
HINES, OR 97738

Invoice Date	12/13/2021
Due Date	01/20/2022 C__Standard20th
Customer ID	63690
Salesperson	smithw
Shipping Loc.	1005
Field ID	home
Acres	60
Ticket(s)	370535991

Comments: FARM PLAN

Quantity	Description	Unit Price	Total \$
Analysis: 0 - 0 - 0 - 90			
3.060 Tons	SULFUR DISINTEGRATING (T)	490.00 /Tons	1,499.40

Received
JUN 20 2025
OWRD**Received**
JAN 30 2025
OWRD

This invoice is subject to the terms & conditions set forth on the back of this invoice, which form an integral part of this invoice, and the agreement between Customer and Simplot Grower Solutions.

Customer will pay all amounts under this invoice when due. If Customer fails to pay amounts due within this invoice on the Net Due Date, Customer will be charged interest at a rate of 2.4% per month (24% per annum) or the maximum rate allowed by law, whichever is less, on any unpaid amount accruing from the date after the Net Due Date, unless otherwise approved by Simplot Grower Solutions in writing.

It is not necessary for this invoice to be signed to be enforceable against Customer, including without limitation invoices for custom spraying or application. By accepting these goods and/or services Customer acknowledges and agrees that Customer understands and accepts the terms and conditions of this invoice, including the Terms & Conditions of Sale.

Sub Total	1,499.40
Amount Due	1,499.40
** PAID IN FULL **	
John Deere Cr	1,499.40

Received
APR 24 2025
OWRD**Received**
MAY 27 2025
OWRDRecommendation Was Made By or Provided to the Seller. Yes No
JOHN TOELLE**Invoice****705108094****14682**

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Harney)

I Call Meadows, LLC/Randy McEwen in my/our capacity as Deeded Landowner

mailing address 30803 Terrace View Circle, Temecula, CA 92591,

telephone number 442-3164 ~~360-425-2248~~, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 15531

described in a Water Right Transfer Application, (T-)submitted by Toelle Ranch, LLC

on the property in tax lot number(s) 800, Section 29, Township 20 South, Range 33 East,

W.M., located at Burns, OR
(site address)

Randy McEwen
Signature of Affiant

14 Nov 24
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 14 day of Nov, 2024.

SEE ATTACHED JURAT

Notary Public for Oregon

My commission expires June 29, 2025

Received
JUN 20 2025
OWRD

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APR 24 2025
OWRD

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JAN 30 2025
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MAY 27 2025
OWRD
OWRD

14682 -

Received
JUN 20 2025

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CALIFORNIA JURAT

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MAY 27 2025
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APR 24 2025
OWRD

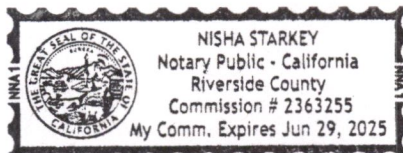
Received
JAN 30 2025
OWRD

GOVERNMENT CODE § 8202

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

State of California

County of Riverside



Subscribed and sworn to (or affirmed) before me on

this 14th day of Nov, 2024, by
Date Month Year

(1) Randall McEwen

(and (2) _____),
Name(s) of Signer(s)

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

Signature _____
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or
fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Applicant for water right transfer.

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RECORDER'S INFORMATION:

HARNEY COUNTY, OR **2012-1567**
DEEDBSD **11/30/2012 10:54 AM**
Cnt=1 Pgs=3 **Total:\$46.00**



00004820201200015670030037

I, Maria Iturriaga, County Clerk for Harney County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.

Maria Iturriaga, CCC, Harney County Clerk

Until a change is requested,
all tax statements shall be sent to:
Donald Toelle, Manager
Toelle Ranch, LLC
72702 Cow Creek
Burns, Oregon 97720.

After recording return to:
Yturri Rose LLP,
PO Box "S",
Ontario, OR 97914

BARGAIN AND SALE DEED

Donald G. Toelle, Trustee of the Shirley Toelle Family Trust B u/t/d September 8, 2004, and Donald G. Toelle, Trustee of the Donald G. Toelle Family Trust u/t/d October 15, 2003, Grantors, do hereby grant, bargain, sell, and convey to Toelle Ranch, LLC, an Oregon Limited Liability Company, Grantee, the following described real property:

See Exhibit A attached hereto and by this
reference incorporated herein.

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.

Consideration. Other property or value is part of or the whole consideration.

Dated this 19th day of November, 2012.

YTURRI ROSE LLP
ATTORNEYS AT LAW
P.O. BOX "S"
ONTARIO, OR 97914
(541) 899-5368

BARGAIN AND SALE DEED - Page 1 of 3
/da/19Nov12/tb

Received
JUN 20 2025
OWRD

Received
MAY 27 2025
OWRD

14682 -

Donald G. Toelle

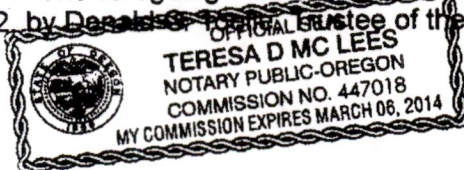
Donald G. Toelle, Trustee of the Shirley Toelle
Family Trust B u/t/d September 8, 2004

Donald G. Toelle

Donald G. Toelle, Trustee of the Donald G. Toelle
Family Trust u/t/d October 15, 2003

State of Oregon)
) ss.
County of Malheur)

The foregoing instrument was acknowledged before me this 19th day of November, 2012, by Donald G. Toelle, Trustee of the Shirley Toelle Family Trust B u/t/d September 8, 2004.



Teresa D Mc Lees

Notary Public for Oregon

My Commission Expires: 3-6-14

State of Oregon)
) ss.
County of Malheur)

The foregoing instrument was acknowledged before me this 19th day of November, 2012, by Donald G. Toelle, Trustee of the Donald G. Toelle Family Trust u/t/d October 15, 2003.



Teresa D Mc Lees

Notary Public for Oregon

My Commission Expires: 3-6-14

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JUN 20 2025
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Received
MAY 27 2025
OWRD

14682 -

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900
1686

2332V09 45,6
2A 33 17

Exhibit A

1200
1400
686

Land in Harney County, Oregon, as follows:

PARCEL 1

Township 23 South, Range 32½ South, Willamette Meridian
Section 9: NW1/4NW1/4, E½SE1/4NW1/4, E½NW1/4SW1/4.

PARCEL 2

1600
82

Township 21 South, Range 32½ East, Willamette Meridian
Section 27: W½.
Section 28: SW1/4NW1/4, E½SW1/4, SE1/4.
Section 29: E½NE1/4, SW1/4NE1/4, SE1/4.
Section 33: N½NE1/4, SE1/4NE1/4, NE1/4SE1/4.
Section 34: W½SW1/4.

Township 22 South, Range 32½ East, Willamette Meridian
Section 3: Government Lot 4, S½NW1/4, E½SW1/4, SW1/4SE1/4.
Section 10: NE1/4NW1/4, W½NE1/4, N½SE1/4, SE1/4SE1/4.
Section 11: SW1/4SW1/4, W½SE1/4.
Section 14: NW1/4, SW1/4NE1/4, NW1/4SE1/4, S½SE1/4, NE1/4SW1/4.
Section 15: NE1/4NE1/4.
Section 23: E½.
Section 25: NW1/4NW1/4, S½NW1/4, SW1/4NE1/4, S½, EXCEPTING
THEREFROM county road right of way over the S½SW1/4.
Section 26: NW1/4NE1/4, E½E½, SW1/4SE1/4, N½SE1/4SW1/4,
SW1/4SW1/4, EXCEPTING THEREFROM county road right
of way over the S½S½.

Township 23 South, Range 32½ East, Willamette Meridian
Section 9: NE1/4SW1/4, W½NW1/4SW1/4, S½SW1/4.

Township 24 South, Range 32½ East, Willamette Meridian
Section 4: Government Lots 1 and 2, S½NE1/4.

2132V00 22

Received
JUN 20 2025
OWRD

Received
MAY 27 2025
OWRD

14682 -

400
27
203300
12

After recording return to:
Brad Miller
Brix Law LLP
75 NE Yamhill St, Ste 202
Portland, OR 97267

Until a change is requested, all tax statements
shall be sent to the following address:

McEwen Ranch LLC
c/o Wayne Ullman
608 Keogh Lane
Caldwell, ID 83607

BARGAIN AND SALE DEED

William D. Buckingham, Trustee of the Jane H. Buckingham Trust, Grantor, hereby conveys to
Call Meadow, L.L.C., an Oregon limited liability company, Grantor, its interest in the following
described real property:

Land in Harney County, State of Oregon, to-wit:

In Twp. 20 S., R. 33 E., W.M.:

Sec. 23: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 29: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

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.

The consideration paid for this transfer is: Exchange of properties.

HARNEY COUNTY, OR 2016-0692

DEEDBSD

Total: \$46.00

06/10/2016 01:15 PM



00012269201600006920020024

I, Derrin Robinson, County Clerk for Harney
County, Oregon certify that the instrument
identified herein was recorded in the Co.
Clerk's records.

Derrin Robinson
Derrin E. Robinson, Harney County Clerk



Received
JUN 20 2025

Received
MAY 27 2025

OWRD

OWRD

14682 -

DATED: 5/27, 2016

GRANTOR:

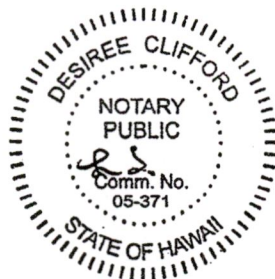
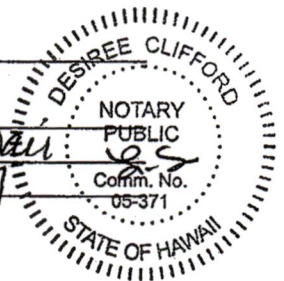
By: William D. Buckingham
William D. Buckingham,
Trustee of the Jane H. Buckingham Trust

STATE OF Hawaii)
County of Hawaii) ss.

Personally appeared the above named William D. Buckingham, in his authorized capacity, acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Desiree Clifford
Desiree Clifford
Notary Public for State of Hawaii
My Commission Expires: 9/19/17



NOTARY CERTIFICATION

Doc. Date: 5/27/16 # Pages: 4

Name: Desiree Clifford Third Circuit

Doc. Description: Bargain and

Sale Deed

Desiree Clifford 5/27/16
Notary Signature Date

Received
JUN 20 2025
OWRD

Received
MAY 27 2025
OWRD


400 -
27
203300
1, 2

After recording return to:
Brad Miller
Brix Law LLP
75 NE Yamhill St, Ste 202
Portland, OR 97267

Until a change is requested, all tax statements
shall be sent to the following address:

McEwen Ranch LLC
c/o Wayne Ullman
608 Keogh Lane
Caldwell, ID 83607

HARNEY COUNTY, OR 2016-0693
DEEDBSD 06/10/2016 01:16 PM
Total: \$46.00
00012270201600006930020029
I, Derrin Robinson, County Clerk for Harney
County, Oregon certify that the instrument
identified herein was recorded in the Co.
Clerk's records.
Derrin E. Robinson, Harney County Clerk



BARGAIN AND SALE DEED

Jacqueline R. Gates, who acquired title as Jacqueline R. Rollofson, Grantor, hereby conveys to
Call Meadow, L.L.C., an Oregon limited liability company, Grantor, her interest in the following
described real property:

Land in Harney County, State of Oregon, to-wit:

In Twp. 20 S., R. 33 E., W.M.:

Sec. 23: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 29: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

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.

The consideration paid for this transfer is: Exchange of properties.

Received

JUN 20 2025

OWRD

Received

MAY 27 2025

OWRD

14682 -

DATED: 5-26, 2016

GRANTOR:

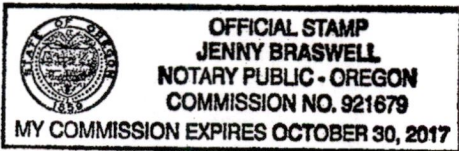
By: Jacqueline R. Gates
Jacqueline R. Gates,
who acquired title as Jacqueline R. Rollofson

STATE OF Oregon)
County of Lane)

Personally appeared the above named Jacqueline R. Gates acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Jenny Braswell
J Braswell
Notary Public for Lane Co. Oregon
My Commission Expires: 10/30/17



Received
JUN 20 2025

OWRD

Received
MAY 27 2025

OWRD

14682 -

400
27
203300
12

After recording return to:

Brad Miller
Brix Law LLP
75 NE Yamhill St, Ste 202
Portland, OR 97267

**Until a change is requested, all tax statements
shall be sent to the following address:**

McEwen Ranch LLC
c/o Wayne Ullman
608 Keogh Lane
Caldwell, ID 83607

BARGAIN AND SALE DEED

Janan E. Carter, Grantor, hereby conveys to Call Meadow, L.L.C., an Oregon limited liability company, Grantor, her interest in the following described real property:

Land in Harney County, State of Oregon, to-wit:

In Twp. 20 S., R. 33 E., W.M.:

Sec. 23: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 29: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

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.

The consideration paid for this transfer is: Exchange of properties.

HARNEY COUNTY, OR 2016-069.

DEEDBSD

Total:\$46.00

06/10/2016 01:16 PM



00012271201600006940020026

I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Co. Clerk's records.

Derrin Robinson

Derrin E. Robinson, Harney County Clerk



Received
JUN 20 2025

OWRD

Received
MAY 27 2025

OWRD 14682 -

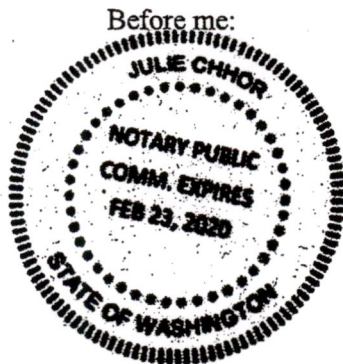
DATED: May 26, 2016

GRANTOR:

By: Janan Carter
Janan E. Carter

STATE OF WA)
County of King) ss.

Personally appeared the above named Janan E. Carter acknowledged the foregoing instrument to be her voluntary act and deed.



Julie Chhor
Julie Chhor
Notary Public for Washington
My Commission Expires: Feb. 23, 2020

Received
JUN 20 2025
OWRD

Received
MAY 27 2025
OWRD

Received

JUN 20 2025

Received

MAY 27 2025

Received

APR 24 2025

OWRD

Received

JAN 30 2025

OWRD

Land Use Information Form



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

Applicant(s): Toelle Ranch, LLC/JR Toelle

Mailing Address: 72702 Cow Creek Rd

City: Burns

State: OR

Zip Code: 97720

Daytime Phone: 541-510-9891

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>22S</u>	<u>32.5E</u>	<u>3</u>	<u>SW SE</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>3</u>	<u>SE SW</u>	<u>400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>10</u>	<u>NW NE</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>10</u>	<u>NE NW</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>14</u>	<u>SE NW</u>	<u>400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>25</u>	<u>NW SW</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>25</u>	<u>SW SW</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>26</u>	<u>NE SE</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>
<u>22S</u>	<u>32.5E</u>	<u>26</u>	<u>SE SE</u>	<u>400</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IR</u>

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

Harney

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2.3 ☒ 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:

Proposing to move surface water rights downstream along Cow Creek to land better suited to farm.

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EFKV-1 / Hcz 3.010
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Received Received
JUN 20 2025 MAY 27 2025

Name: Brandon McMiller **OWRD** Title: Planning Director
Signature: [Signature] Phone: 541.573.6655 Date: 7/15/2019
Government Entity: Harney County

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

Receipt for Request for Land Use Information

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

Oregon Water Resources Department
Transfer Fee Calculation for Temporary Transfer

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Friday, January 31, 2025

**Fee
Calculation**

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

\$950.00

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

Enter total number of water rights included in transfer.

2

\$310.00

☐ Check this box if you propose to change the place of use for a NON-irrigation use.

☒ Check this box if you propose to change the place of use for an irrigation use.

Enter the number of acres in the footprint of the place of use to be transferred.

85

\$229.50

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

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

Subtotal:

\$1,489.50

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

☐ Check the box if you are submitting the application and map in a Department-approved digital format.

Transfer Fee:

\$1,489.50

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

Received
JUN 20 2025
OWRD

Received
MAY 27 2025
OWRD
Received
APR 24 2025
OWRD

14682 -



ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767
Terrebonne, Oregon 97760
541-548-5833

To: Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266

Date: 6/13/25
Attention: Scott Grew
RE: Temp Xfer C-15531 & 84814

TRANSMITTAL

[X] Prints ☐ Plans ☐ Plat ☐ Specifications.

Attached is a Water Right Transfer on C-15531 & 84814 for Toelle Ranch.

If you have any questions please don't hesitate to contact me.

Copies	No.	Description
1	1	App for Transfer (13 pages letter bond)
1	2	Transfer maps (4 pages letter bond)
1	3	Evidence of Use & docs (5 pages letter bond)
1	4	Consent by Landowner (11 pages letter bond)
1	5	Land Use Fm (1 page letter bond)
1	6	Check for fee of \$1,489.50
1	7	Fee calculation sheet (1 page letter bond)

Signed: _____

Received
JUN 20 2025
OWRD

14682 -