

Regular

T-14089

Name Hubbard Family LLC
Attn: Meredith Morgan
 Address 1145 Raleigh Rd.
Glen View, IL 60025
meredith@chicagomorgans.com

Change in POA
 Date Filed 9-19-2022
 Initial notice date 9-27-2022
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 5/22/2025 Vol 134 Page 755-759

C-Date _____
 COBU due date _____
 COBU Received date _____
 Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well
 Trib. of Willamette River Basin
 Use Irrigation; Supplemental IR County Benton; Lane; Linn
 Quantity of water (CFS) _____ No. of Acres _____
 Name of ditch _____
 App# G-4433 Per # G-4176 Cert # 38019 PR Date 8/19/1968
 App# _____ Per # _____ Cert # _____ PR Date _____
 App# _____ Per # _____ Cert # _____ PR Date _____
 App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>9-19-2022</u>	<u>\$1840.00</u>	<u>139159</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Summit Water Resources, LLC - tressler@summitwr.com

CWRE _____

CC's list Benton County ; Lane County

☐ - Oversized map - Location _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 22, 2025

Hubbard Family LLC
Attn: Meredith Morgan
1145 Raleigh Rd
Glenview, IL 60025

REFERENCE: Transfer Application T-14089

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

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

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Lanaya F. Blakely, Watermaster Dist. # 2 (via email)
Ted Ressler, Agent
Benton County Community Development, Local Government
Lane County Planning and Zoning, Local Government

Enclosure

OF THE
STATE OF OREGON

In the Matter of Transfer Application) APPROVING A CHANGE IN POINT OF
T-14089, Benton, Lane, and Linn Counties) APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

Findings of Fact

1. On September 19, 2022, HUBBARD FAMILY LLC, ATTN: MEREDITH MORGAN, filed an application to change the point of appropriation under Certificate 38019. The Department assigned the application number T-14089.
2. Notice of the application for transfer was published on September 27, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 21, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14089. The draft Preliminary Determination cover letter provided a deadline of December 21, 2024, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On March 31, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14089 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on April 1, 2025, and in the Albany Democrat-Herald newspaper on April 8 and 15, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
5. The portion of the right to be transferred is as follows:

Certificate: 38019 in the name of CARSON G. ADAMS (perfected under Permit G-4176)
Use: IRRIGATION OF 12.08 ACRES AND SUPPLEMENTAL IRRIGATION OF 152.0 ACRES
Priority Date: AUGUST 19, 1968
Rate: 2.05 CUBIC FEET PER SECOND, BEING
 0.88 CUBIC FOOT PER SECOND FROM WELL NO. 6,
 0.73 CUBIC FOOT PER SECOND FROM WELL NO. 7, AND
 0.44 CUBIC FOOT PER SECOND FROM PAINE WELL NO. 4
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: 3 WELLS, a tributary of WILLAMETTE RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	8	NW SW	WELL NO. 6 - 2540 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	NW SW	WELL NO. 7 - 1380 FEET NORTH AND 1100 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	SW SE	PAINE WELL NO. 4 - 800 FEET NORTH AND 3230 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	4 W	WM	8	SW NW		2.68
15 S	4 W	WM	8	SE NW	6	7.00
15 S	4 W	WM	8	NE SW		2.40
					Total	12.08

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	4 W	WM	6	SE SE		10.0
15 S	4 W	WM	7	NE NE		39.5
15 S	4 W	WM	7	NW NE		11.0
15 S	4 W	WM	7	SW NE		0.8
15 S	4 W	WM	7	SE NE		9.6
15 S	4 W	WM	8	NE NW	7	4.0
15 S	4 W	WM	8	NW NW	7	29.2
15 S	4 W	WM	8	SW NW		16.3
15 S	4 W	WM	8	SE NW	6	20.8
15 S	4 W	WM	8	NE SW		7.7
15 S	4 W	WM	8	NW SW		3.1
					Total	152.0

6. Transfer Application T-14089 proposes to move the authorized point of appropriation approximately 0.4 mile north of Well 6, 0.7 mile northwest of Well 7, and 1.0 mile northwest of Paine Well No. 4 to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
15 S	4 W	WM	8	NW NW	7	ADAMS WELL - 4785 FEET NORTH AND 10 FEET EAST FROM THE SW CORNER OF SECTION 8

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14089.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

Conclusions of Law

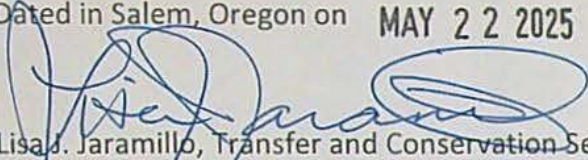
The change in points of appropriation proposed in Transfer Application T-14089 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is **ORDERED**:

1. The change in points of appropriation proposed in Transfer Application T-14089 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 38019 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right certificate 38019 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new point of appropriation (Adams Well) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well No. 6, Well No. 7, and Paine Well No. 4)
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAY 22 2025**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **MAY 23 2025**

STATE OF OREGON

COUNTY OF BENTON, LANE, LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARSON G. ADAMS

RT 3

JUNCTION CITY, OR 97448

confirms the right to use the waters of EIGHT WELLS, a tributary of WILLAMETTE RIVER for IRRIGATION of 377.42 ACRES and SUPPLEMENTAL IRRIGATION of 64.1 ACRES.

This right was perfected under Permit G-4176. The date of priority is AUGUST 19, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.52 CUBIC FEET PER SECOND, BEING 0.87 CUBIC FOOT PER SECOND FROM WELL NO. 1, 0.57 CUBIC FOOT PER SECOND FROM WELL NO. 2, 0.82 CUBIC FOOT PER SECOND FROM WELL NO. 3, 0.93 CUBIC FOOT PER SECOND FROM WELL NO. 4, 0.57 CUBIC FOOT PER SECOND FROM WELL NO. 5, 0.75 CUBIC FOOT PER SECOND FROM WELL NO. 6, 0.63 CUBIC FOOT PER SECOND FROM Well No. 7, AND 0.38 CUBIC FOOT PER SECOND FROM PAINE WELL NO. 4 or its equivalent in case of rotation, measured at the wells.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
15 S	4 W	WM	5	SE NW	10		WELL NO. 1- 8830 FEET NORTH AND 1970 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	5	NW SE		37	WELL NO. 2 - 7380 FEET NORTH AND 3240 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	5	SE SW	6		WELL NO. 3 - 5940 FEET NORTH AND 2180 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	NW NE	1		WELL NO. 4 - 4860 FEET NORTH AND 2950 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	5	SW NE	11		WELL NO. 5 - 8830 FEET NORTH AND 3220 FEET EAST FROM THE SW CORNER THE SECTION 8
15 S	4 W	WM	8	NW SW			WELL NO. 6 - 2540 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	NW SW			WELL NO. 7 - 1380 FEET NORTH AND 1100 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	SW SE			PAINE WELL NO. 4 - 800 FEET NORTH AND 3230 FEET EAST FROM THE SW CORNER OF SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Authorized Place of Use:

PRIMARY IRRIGATION WELLS NO. 1 THROUGH 5							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	ACRES
15 S	4 W	WM	5	SW NE		37	16.0
15 S	4 W	WM	5	SW NE	11		24.0
15 S	4 W	WM	5	SE NE	11		0.5
15 S	4 W	WM	5	SE NE		37	4.7
15 S	4 W	WM	5	SW NW	9		8.4
15 S	4 W	WM	5	SE NW	10		40.0
15 S	4 W	WM	5	NE SW	5		40.0
15 S	4 W	WM	5	NW SW	5		6.2
15 S	4 W	WM	5	SW SW	7		6.9
15 S	4 W	WM	5	SE SW	6		39.7
15 S	4 W	WM	5	NE SE		37	4.0
15 S	4 W	WM	5	NW SE		37	37.6
15 S	4 W	WM	5	SW SE		38	0.8
15 S	4 W	WM	5	SW SE		37	3.0
15 S	4 W	WM	5	SW SE	13		13.7
15 S	4 W	WM	8	NE NE	2		6.3
15 S	4 W	WM	8	NW NE	1		30.4
15 S	4 W	WM	8	SW NE	5		5.0
15 S	4 W	WM	8	SE NE			3.9
15 S	4 W	WM	8	NE NW	1		9.4
						Total	300.5

PRIMARY IRRIGATION WELLS NO. 6, 7 AND PAINE WELL NO. 4					
Twp	Rng	Mer	Sec	Q-Q	RR
15 S	4 W	WM	7	NE SE	6.20
15 S	4 W	WM	8	SW NW	19.32
15 S	4 W	WM	8	NE SW	18.20
15 S	4 W	WM	8	NW SW	33.20
				Total	76.92

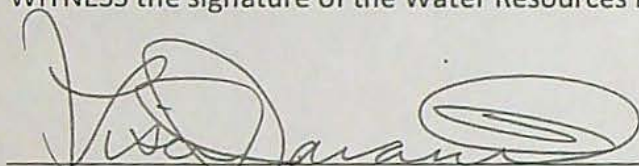
SUPPLEMENTAL IRRIGATION WELLS NO. 6, 7 AND PAINE WELL NO. 4					
Twp	Rng	Mer	Sec	Q-Q	RR
15 S	4 W	WM	7	SE NE	1.6
15 S	4 W	WM	7	NE SE	0.5
15 S	4 W	WM	8	SW NW	1.7
15 S	4 W	WM	8	NE SW	1.7
15 S	4 W	WM	8	NW SW	0.9
15 S	4 W	WM	8	SE SW	28.6
15 S	4 W	WM	8	NW SE	5.4
15 S	4 W	WM	8	SW SE	23.7
Total					64.1

This certificate describes that portion of water right Certificate 38019, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 22 2025, approving Transfer Application T-14089.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed MAY 22 2025.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14089

Transfer Specialist: Scott

Transfer Type: Regular Transfer

Applicant: HUBBARD FAMILY LLC ATTN MEREDITH MORGAN 1145 RALEIGH RD GLENVIEW, IL 60025 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A TED RESSLER PO BOX 11268 PORTLAND, OR 97211 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Benton Countycommunity Development Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A HUBBARD FAMILY LLCATTN DOUG MORGAN 1145 RALEIGH RD GLENVIEW, IL 60025 Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-4433	G-4176	38019	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: September 19, 2022	Proposed Action(s): POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 2	ODFW District:
Initial Public Notice: September 27, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested: 12-19-24	Request for news \$ sent: 12-23-24	News \$ received: 1-2-25
Request to publish sent:	Affidavit of publication received: 4/16/25	Last day of publication: April 15/25

Albany Democrat - Herald

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 10/25/24 Initials: <u>Scott</u>	Date: 10/20/24 Initials: <u>John</u>	Date: _____ Initials: _____	Date: 11/7/24 Initials: <u>Seray</u>	Date: 11/21/24 Initials: <u>Scott</u>	CW Sent: 11/21/24	N/A
PD	Date: 12-19-24 Initials: <u>Scott</u>	Date: _____ Initials: <u>ARUB</u>	Date: _____ Initials: _____	Date: 3-7-25 Initials: <u>Corey</u>	Date: 3-13-25 Initials: <u>Scott</u>	Date: 3/21/25	Date: 3/31/2025
FO	Date: 4/1/25 Initials: <u>Scott</u>	Date: 4/2/25 Initials: <u>John</u>	Date: _____ Initials: _____	Date: 4/9/25 Initials: <u>Scott</u>	Date: 4/24/25 Initials: <u>Scott</u>	Date: 5/15/25	Date: 5/22/2025

Special Issues: SENT TO DATA: 3/13/25 from data 3/21/25

Special Order Volume: Vol. 134 Pages 755-759

Transfer Cover Sheet NEED NEWS AFFIDAVIT RCVD 4/16/25

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **144489**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Hubbard Family LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14089

CASH: ☐ CHECK: # 1575 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 483.08

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 483.08

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$ _____
0410	RESEARCH FEES	\$ _____
0408	MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240	EXTENSION OF TIME	\$ _____

WATER RIGHTS:

0201	SURFACE WATER	\$ _____	0202	\$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$ _____	CARD#	_____
0210	MONITORING WELLS	\$ _____	CARD#	_____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$ _____
0231	HYDRO LICENSE FEE (FW/WRD)	\$ _____
	HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **144489**

DATED: 12/20/25 BY: WSD M...

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Gazette Times - Democrat Herald
600 Lyon St SW
(541) 926-2211

State of Florida, County of Broward, ss:

Ankit Sachdeva, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Gazette Times - Democrat Herald, a newspaper of general circulation in Counties of Linn and Benton, as defined by section 193.010 O.R.S., published at 600 Lyon St. SW, Albany, OR in the aforesaid county and state; that a copy is hereto Annexed, was published in the entire issue of said newspaper.

PUBLICATION DATES:

Apr. 8, 2025

Apr. 15, 2025

NOTICE ID: IN1TJTa4TkPg8TCqSHxn

PUBLISHER ID: COL-OR-100946

NOTICE NAME: Legal Notice - T-14089

Publication Fee: \$402.57

Ankit Sachdeva

(Signed) _____



VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 04/16/2025

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.

Legal Notice - T-14089
Notice of Preliminary Determination for

Water Right Transfer T- 14089

T-14089 filed by Hubbard Family LLC, Attn: Meredith Morgan, 1145 Raleigh Rd., Glenview, IL 60025, proposes a change in point of appropriation under Certificate 38019. The right allows the use of 2.05 cubic feet per second from 3 wells in Sec. 8, T 15S, R4W, WM for irrigation in Sec. 8, T15S, R4W, WM, and supplemental irrigation in Secs. 6, 7 and 8, T15S, R4W, WM. The applicant proposes to move the points of appropriation within Sec. 8, T15S, R4W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 04/15/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.
4/8, 4/15 COL-OR-100946

From: GREW Scott A * WRD Scott.A.GREW@water.oregon.gov
Subject: T-14089 Newspaper Notice Fee - Action Required
Date: December 23, 2024 at 8:03 PM
To: meredith@chicagomorgans.com, tressler@summitwr.com
Cc: BLAKELY Lanaya F * WRD Lanaya.F.BLAKEY@water.oregon.gov, GREW Scott A * WRD Scott.A.GREW@water.oregon.gov, doug@chicagomorgans.com

December 23, 2024
VIA E-MAIL

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

SUBJECT: Water Right Transfer Application T-14089

Your water right transfer will be ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$ 483.08 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write **"for T-14089 NOTICE" on the front of your check**, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 22, 2025.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Albany Democrat-Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by January 22, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14089
Lanaya F. Blakely, District 2 Watermaster (via e-mail)
Ted Ressler, Agent for the applicant (via e-mail)
Doug Morgan, Interested Party (via e-mail)

encs

Attached is a check in the amount of \$ 483.08 (**PCA #46118**) for Newspaper Notice for Transfer

T-14089 made out to Oregon Water Resources Department (or WRD)

- **"for T-14089 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: Scott Grew

Received
JAN 02 2025
OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

March 31, 2025

VIA CERTIFIED MAIL AND E-MAIL

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

SUBJECT: Water Right Transfer Application T-14089

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-1408914089. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Albany Democrat Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14089
Lanaya F. Blakely, District 2 Watermaster (via e-mail)
Ted Ressler, Agent for the applicant (via e-mail)
Doug Morgan, Interested Party (via e-mail)

encs

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14089, Benton, Lane, and Linn Counties)	PROPOSING APPROVAL OF A CHANGE IN
)	POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

Findings of Fact

1. On September 19, 2022, HUBBARD FAMILY LLC, ATTN: MEREDITH MORGAN, filed an application to change the point of appropriation under Certificate 38019. The Department assigned the application number T-14089.
2. Notice of the application for transfer was published on September 27, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 21, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14089. The draft Preliminary Determination cover letter provided a deadline of December 21, 2024, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

4. The portion of the right to be transferred is as follows:

Certificate: 38019 in the name of CARSON G. ADAMS (perfected under Permit G-4176)

Use: IRRIGATION OF 12.08 ACRES AND SUPPLEMENTAL IRRIGATION OF 152.0 ACRES

Priority Date: AUGUST 19, 1968

Rate: 2.05 CUBIC FEET PER SECOND, BEING
0.88 CUBIC FOOT PER SECOND FROM WELL NO. 6,
0.73 CUBIC FOOT PER SECOND FROM WELL NO. 7, AND
0.44 CUBIC FOOT PER SECOND FROM PAINE WELL NO. 4

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

Source: 3 WELLS, a tributary of WILLAMETTE RIVER

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	4 W	WM	8	NW SW	WELL NO. 6 - 2540 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	NW SW	WELL NO. 7 - 1380 FEET NORTH AND 1100 FEET EAST FROM THE SW CORNER OF SECTION 8
15 S	4 W	WM	8	SW SE	PAINE WELL NO. 4 - 800 FEET NORTH AND 3230 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	4 W	WM	8	SW NW		2.68
15 S	4 W	WM	8	SE NW	6	7.00
15 S	4 W	WM	8	NE SW		2.40
					Total	12.08

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	4 W	WM	6	SE SE		10.0
15 S	4 W	WM	7	NE NE		39.5
15 S	4 W	WM	7	NW NE		11.0
15 S	4 W	WM	7	SW NE		0.8
15 S	4 W	WM	7	SE NE		9.6
15 S	4 W	WM	8	NE NW	7	4.0
15 S	4 W	WM	8	NW NW	7	29.2
15 S	4 W	WM	8	SW NW		16.3
15 S	4 W	WM	8	SE NW	6	20.8

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
15 S	4 W	WM	8	NE SW		7.7
15 S	4 W	WM	8	NW SW		3.1
					Total	152.0

5. Transfer Application T-14089 proposes to move the authorized point of appropriation approximately 0.4 mile north of Well 6, 0.7 mile northwest of Well 7, and 1.0 mile northwest of Paine Well No. 4 to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
15 S	4 W	WM	8	NW NW	7	ADAMS WELL - 4785 FEET NORTH AND 10 FEET EAST FROM THE SW CORNER OF SECTION 8

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14089.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water rights.
12. All other application requirements are met.

Determination and Proposed Action


The change in points of appropriation proposed in Transfer Application T-14089 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14089 is approved the final order will include the following:

1. *The change in point of appropriation proposed in Transfer Application T-14089 is approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 38019 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *The quantity of water diverted at the new point of appropriation (Adams Well) shall not exceed the quantity of water lawfully available at the original points of appropriation (Well No. 6, Well No. 7, and Paine Well No. 4)*
5. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
6. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation.*
 - b. *The water user shall maintain the meter or measuring device in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
8. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **MAR 31 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Monday, December 23, 2024 6:03 PM
To: meredith@chicagomorgans.com; tressler@summitwr.com
Cc: BLAKELY Lanaya F * WRD; GREW Scott A * WRD; doug@chicagomorgans.com
Subject: T-14089 Newspaper Notice Fee - Action Required

December 23, 2024

VIA E-MAIL

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

SUBJECT: Water Right Transfer Application T-14089

Your water right transfer will be ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$ 483.08 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-14089 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 22, 2025.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Albany Democrat-Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by January 22, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14089

GREW Scott A * WRD

From: ELLIOTT Chloe * WRD
Sent: Friday, March 21, 2025 3:16 PM
To: GREW Scott A * WRD; WRD_DL_is_data_techs
Subject: Re: PD review request for Transfer Application T-14089

Good Afternoon, Scott,

Data has completed work on T-14089 however the measured distance on the certificate for well 3 measures to the SESW, Section 5 not Section 8 and the application map locates it there as well.

Best Wishes,

Chloe Elliott
(She/Her/Hers)
Data Technician 1
725 Summer St. NE, Suite A | Salem, Oregon 97301



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From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Thursday, March 13, 2025 9:13 AM
To: WRD_DL_is_data_techs <WRD_DL_is_data_techs@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: PD review request for Transfer Application T-14089

Hello Datafriends,

Please review the PD for Transfer Application T-14089. There is one remaining right.

Thank you so much!

Scott

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503-986-0900

Fax 503 986-0904

www.oregon.gov/owrd

December 23, 2024

VIA E-MAIL

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

SUBJECT: Water Right Transfer Application T-14089

Your water right transfer will be ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check in the amount of \$ 483.08 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-14089 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 22, 2025.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Albany Democrat-Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by January 22, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

✂-----
Attached is a check in the amount of \$ 483.08 (PCA #46118) for Newspaper Notice for Transfer T-14089 made out to Oregon Water Resources Department (or WRD)

- **"for T-14089 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: Scott Grew

GREW Scott A * WRD

From: RICHMAN Elyse D * WRD
Sent: Friday, December 20, 2024 4:48 PM
To: GREW Scott A * WRD
Subject: RE: T-14089 newspaper fee quote request

Hi Scott,

The total amount needed from the applicant to publish this notice is \$ 483.08.

Cheers,

Elyse D. Richman

she/her/hers

Transfer and Conservation Section Support

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

Office: 503-986-0935 | Work Cell: 971-701-5485



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From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Thursday, December 19, 2024 6:13 PM
To: RICHMAN Elyse D * WRD <Elyse.D.RICHMAN@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-14089 newspaper fee quote request

Elyse,

Please get a quote for 2 weeks in the Albany Democrat-Herald for T-14089.

Thank you so much!

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14089

Review Due Date:

Applicant Name: Hubbard Family LLC

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

Reviewer(s): L. Blakely

Date of Review: 12/23/2024

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

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", explain:

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Salem, OR

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

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Salem, OR

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14089



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



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



at each new point of diversion/appropriation.

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

Watermaster name: LanayaBlakely

District: 2

Address: 3050 N Delta Hwy

City/State/Zip: Eugene, OR 97408

Phone: 541-913-1154

Email: Lanaya.F.Blakely@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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

Received by OWRD

DEC 23 2024

Salem, OR

GREW Scott A * WRD

From: Ressler, Ted <tressler@summitwr.com>
Sent: Monday, December 9, 2024 3:24 PM
To: GREW Scott A * WRD; meredith@chicagomorgans.com
Cc: doug@chicagomorgans.com; BLAKELY Lanaya F * WRD; mike@gelardilaw.com
Subject: RE: T-14089 - Issuance of Draft Preliminary Determination - Action Required!
Attachments: Amerititle title report Benton property 12-2024.PDF; Cascade Title report Lane County lands 12-2024.PDF

Hi Scott

We have reviewed the Draft Preliminary Determination (DPD) and agree that the Department's summary and findings are consistent with the changes requested by the transfer application. However, we had one comment regarding Determination and Proposed Action #6, which described the proposed metering condition. The condition as currently written states (see page 4 of the DPD):

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

None of the existing wells (Wells 6, 7, or 8) will continue to be used for the portion of the water right involved in the transfer; rather, only the Adams Well will be used (i.e. the transfer proposed a change in the POA for the portion of the water right involved in the transfer). Accordingly, the metering condition should only reference the "new" point of appropriation. Please advise if the Department agrees with this revision to the proposed metering condition.

Please also find attached the report of land ownership for the FROM lands required by the DPD: **Amerititle title report Benton property 12-2024.PDF** and **Cascade Title report Lane County lands 12-2024.PDF**

Please let us know if there are questions.

Thank you
Ted

Theodore R. Ressler, RG, CWRE, PG
Hydrogeologist and Water Resources Consultant

Summit Water Resources, LLC
a Geo-Logic Company
4784 SE 17th Avenue, Suite 111, Portland, OR 97202
Office: 503-967-7050 | Mobile: 503.701.4535
tressler@summitwr.com | [bio](#) | [LinkedIn](#)

www.summitwr.com | www.geo-logic.com

The contents of this e-mail message, including any attachments, are for the sole use of the intended recipient named above. This email may contain confidential and/or legally privileged information. If you are not the intended recipient of this message, be advised that any dissemination, distribution, or use of the contents of this message is strictly prohibited. If you receive this message in error, please notify the sender by return e-mail and permanently delete all copies of the original e-mail and any attached documentation. Thank you.



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

To: Gelardi Law
4710 Village Plaza Lp.
Eugene, OR 97401
Attn: Megan Pyle

Date: December 4, 2024
Order No. 660479AM
Reference: Various
Monroe, OR 97456

Your File No.: Hubbard Family LLC

We have enclosed our Status of Record Title Report pertaining to order number 660479AM.

Thank you for the opportunity to serve you. Your business is appreciated!

If you have any questions or need further assistance, please do not hesitate to contact your Title Officer listed below.

Sincerely,

Carlee Novak

carlee.novak@amerititle.com
Title Officer

NOTICE: Please be aware that, due to the conflict between federal and state laws concerning the legality of the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving land that is associated with these activities.

Received by OWRD

DEC 09 2024

Salem, OR



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Megan Pyle
Gelardi Law
4710 Village Plaza Lp.
Eugene, OR 97401
Your Reference No.

December 4, 2024
Title Number: 660479AM
Title Officer: Carlee Novak
Fee: \$900.00

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

Hubbard Family LLC, an Oregon limited liability company

and dated as of **December 3, 2024** at 7:30 a.m.

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Salem, OR

Said property is subject to the following on record matters:

1. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. The property lies within and is subject to the levies and assessments of the Benton Soil and Water Conservation District.
3. Rights of the public and governmental bodies in and to that portion of said premises now or at any time lying below the high water line of Perkisn Slough, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the ordinary high water line.

Such rights and easements for navigation and fishing as may exist over that portion of the property now or at any time lying beneath the waters of Perkins Slough.

All matters arising from any shifting in the course of Perkins Slough including but not limited to accretion, reliction and avulsion.

4. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company
Recorded: April 1, 1939
Instrument No.: Book: 94 Page: 403

5. An easement including the terms and provisions thereof, affecting the portion of the Land and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company
Recorded: October 16, 1946
Instrument No.: Book: 114 Page: 547
6. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: United States of America
Recorded: August 5, 1947
Instrument No.: Book: 118 Page: 540
7. Terms, provisions and conditions, including but not limited to maintenance provisions, contained in appurtenant easement,
Recorded: April 25, 2002
Instrument No.: M317207-02
8. An easement including the terms and provisions thereof, affecting the portion of the Land and for the purposes stated therein as set forth in instrument:
Granted To: Paul B. Freeman
Recorded: February 14, 2020
Instrument No.: 2020-591604
9. Rights of tenants under existing leases or tenancies.
10. Personal property taxes, if any.
11. NOTE: The Manufactured Structure located on the subject property has been detitled as evidenced by Application to Exempt a Manufactured Structure from Registration and Titling, including the terms and provisions thereof,
Recorded: June 29, 2005
Instrument No.: 2005-387960

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Taxes assessed under Code No. 2901 Account No. 207369 Map No. 154070000100
The 2024-2025 Taxes: \$2,943.58, are paid.

NOTE: Taxes assessed under Code No. 2901 Account No. 207427 Map No. 154070000700
The 2024-2025 Taxes: \$0.34, Paid in Full.

NOTE: Taxes assessed under Code No. 2901 Account No. 207435 Map No. 154080000100
The 2024-2025 Taxes: \$2,963.60, Paid in Full.

NOTE: Taxes assessed under Code No. 2901 Account No. 207450 Map No. 154080000300
The 2024-2025 Taxes: \$43.61, Paid in Full.

Taxes assessed under Code No. 2901 Account No. 207468 Map No. 154080000400
NOTE: The 2024-2025 Taxes: \$19.27, Paid in Full.

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DEC 09 2024

Salem, OR

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

Received by OWRD

DEC 09 2024

Salem, OR

EXHIBIT 'A'

Received by OWRD

DEC 09 2024

File No. 660479AM

Salem, OR

Parcel 1:

Tract 1

The Northeast 1/4 of the Northeast 1/4 of Section 7 and a strip 5 chains wide off the entire south side of the Southeast 1/4 of the Southeast 1/4 of Section 6, all in Township 15 South, Range 4 West of the Willamette Meridian; EXCEPTING therefrom the right of way for road purposes along the West 20 feet, in Benton County, Oregon.

Tract 2

Beginning at a point 20 chains West of the Northeast corner of Section 7 in Township 15 South, Range 4 West of the Willamette Meridian; thence West along the North line of said Section 5.50 chains; thence South 22.54 chains; thence East 5.50 chains; thence North 22.54 chains, to the place of beginning.

EXCEPTING therefrom the South feet; ALSO EXCEPTING a strip of land 20 feet wide extending from the Southeast corner of said tract North to a point 30 feet North of the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 7, in Benton County, Oregon.

AND an easement for ingress and egress recorded April 25, 2002 as Instrument No.: M317207-02, Deed Records, Benton County, Oregon.

Parcel 2:

A strip of land located in the Northeast Quarter of Section 7 of Township 15 South, Range 4 West, Willamette Meridian, Benton county, Oregon, more particularly described as follows:

A strip of land bounded on the South by the Benton-Lane County line, on the North by the South line of Parcel 3 as described by deed M-310830-01 of the Benton county Deed records, on the East by the West line of Parcel 2 of said Deed M-310830-01, and on the West by the East line of that property described by Deed 2015-526964 of the Benton County Deed Records.

Parcel 3:

Lot 7 in Section 8, Township 15 South, Range 4 West of the Willamette Meridian.

EXCEPTING 2 acres conveyed to Roy B. Dailey et ux, by deed recorded May 18, 1938, Book 93, page 366(a) Deed Records, Benton County, Oregon.

ALSO EXCEPTING therefrom that portion conveyed in deed to Garold L. Bliss and Leota R. Bliss, in instrument recorded March 21, 1995, Microfilm No. M-196758-95, Deed Records, Benton County, Oregon.

And that portion of the below described property lying within Benton County:

Beginning at the Northwest corner of Lot No. 19 of the Plat of Noraton, as platted and recorded on Page 79 of Book 4, Lane County Oregon Plat Records, and being in Section 8, Township 15 South, Range 4 West of the Willamette Meridian and running thence East 15.53 chains to the Northeast corner of said Lot; thence North 1.59 chains to the South line of C.S. 52; thence West along the South line of said survey, 15.53 chains; thence South 1.82 chains to the place of beginning, in Benton County, Oregon.

Parcel 4:

A part of Sections 7 and 8, Township 15 South, Range 4 West of the Willamette Meridian, more particularly described as follows: Beginning at the Northwest corner of Lot No. 17 of the Plat of Noraton, as platted and recorded in Book 4, Page 79, Lane County Plat Records, and being in Section 7, Township 15 South, Range 4 West of the Willamette Meridian, and running thence East 10.65 chains to the Northeast corner of said Lot No. 17, thence North 1.96 chains to the South line of Benton County Survey No. 52; thence West along the South line of said Survey 10.65 chains; thence South 2.04 chains to the place of beginning, in Benton County, Oregon.

Parcel 5:

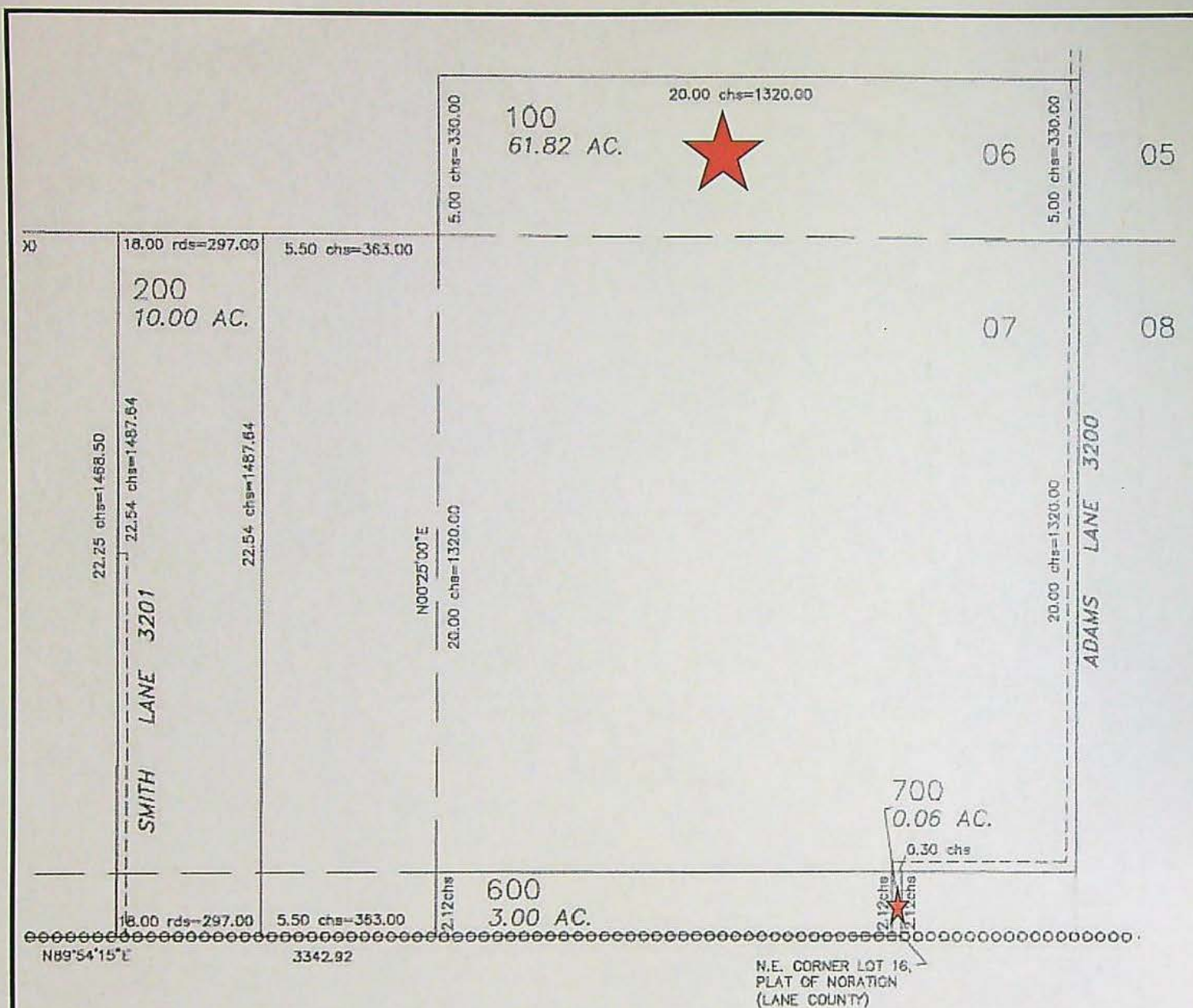
A strip of land located in the Northwest one-quarter of Section 8 of Township 15 South, Range 4 West, Willamette Meridian, Benton county, Oregon, more particularly described as follows:

A strip of land bounded on the South line of Government Lot 7, and on the West by the East line of Parcel 18 as described by deed in M-88041-87 Benton County Deed Records, and on the East by the West line of Parcel 23 as described by deed in M-88041-87.

Received by OWRD

DEC 09 2024

Salem, OR



Received by OWRD

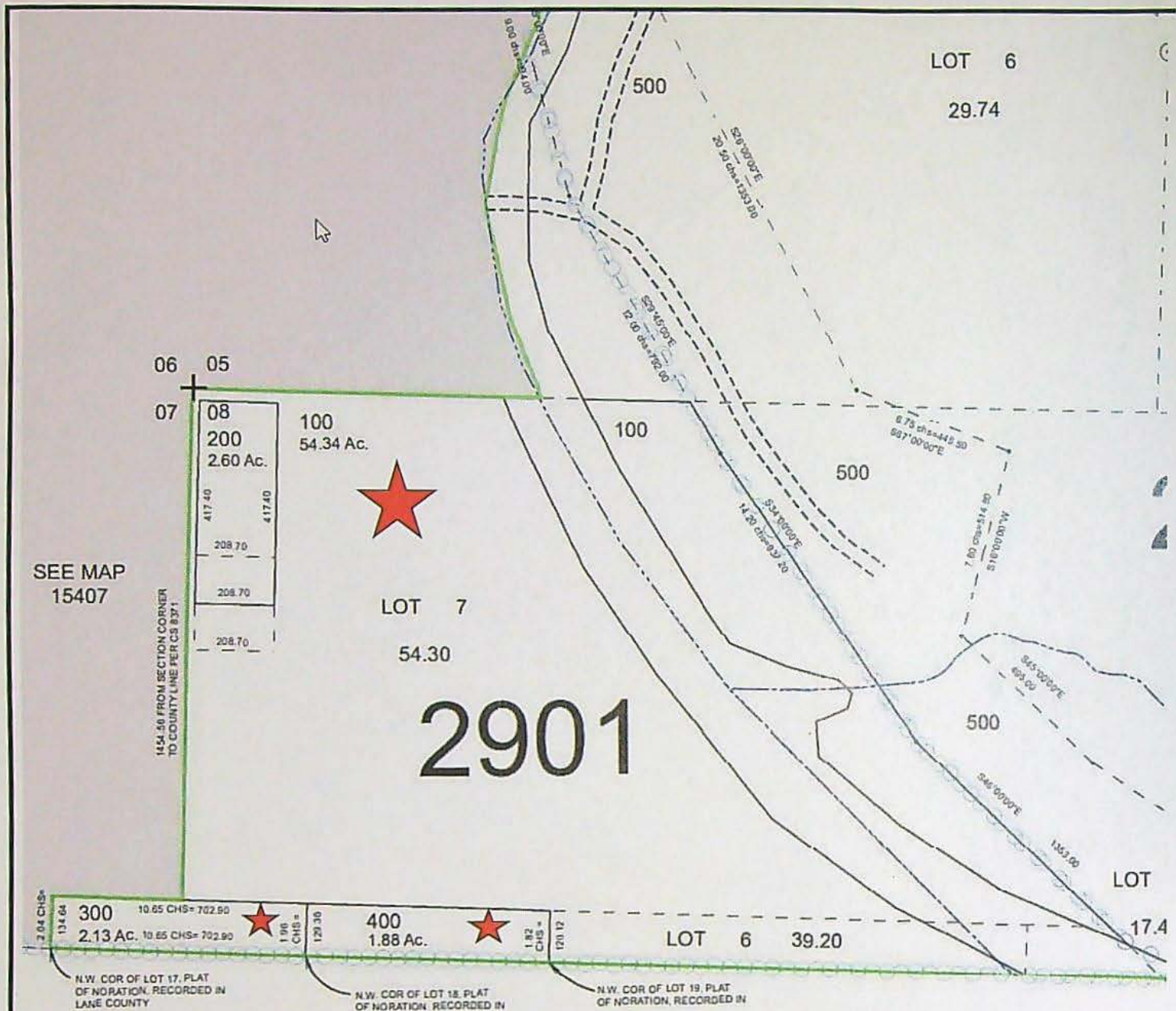
DEC 09 2024

Salem, OR



Various
Monroe, OR 97456

THIS MAP IS FURNISHED AS AN
ACCOMMODATION STRICTLY FOR THE
PURPOSES OF GENERALLY LOCATING
THE LAND. IT DOES NOT REPRESENT A
SURVEY OF THE LAND OR IMPLY ANY
REPRESENTATIONS AS TO THE SIZE,
AREA OR ANY OTHER FACTS RELATED TO
THE LAND SHOWN THEREOF



Received by OWRD

DEC 09 2024

Salem, OR



Various
Monroe, OR 97456

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF

After recording, return to:

Arthur J. Clark
Hershner Hunter, LLP
P.O. Box 1475
Eugene, OR 97440

Until a change is requested,
mail all tax statements to:

No change.

Tax Account No. N/A
Map & Tax Lot No. 19-12-23-4TL100

BENTON COUNTY, OREGON 2015-538938
DE-BS
Cnt=1 Stn=51 MR 12/02/2015 02:23:48 PM
\$15.00 \$11.00 \$22.00 \$10.00 \$20.00 \$78.00



00311896201505389380030039

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



Received by OWRD

DEC 09 2024

BARGAIN AND SALE DEED

Salem, OR

Meredith H. Morgan, Claiming Successor to the estate of Linda K. Hubbard, and Meredith H. Morgan and Kara H. Baldino, Co-Trustees of the Linda K. Hubbard Trust dated November 14, 2001, Grantors, convey to Meredith H. Morgan and Kara H. Baldino, Co-Trustees of the Linda K. Hubbard Trust dated November 14, 2001, Grantees, the real property situated in Benton County, state of Oregon, described on the attached Exhibit A.

The true consideration for this conveyance is none.

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.

01131726.DOC

DATED: 11/14/, 2015.

M. H. Morgan
Meredith H. Morgan, as Claiming Successor and as
Co-Trustee of the Linda K. Hubbard Trust dated
November 14, 2001

10/12/15

Kara H. Baldino
Kara H. Baldino, Co-Trustee of the Linda K. Hubbard
Trust dated November 14, 2001

STATE OF IL)
) ss.
COUNTY OF COOK)

This instrument was acknowledged before me on Nov 14th, 2015, by
Meredith H. Morgan, Claiming Successor and Co-Trustee of the Linda K. Hubbard Trust dated
November 14, 2001.



Cristian Buzdugan
Notary Public for: IL, COOK
My commission expires: 10/16/16

STATE OF CA)
) ss.
COUNTY OF Los Angeles)

This instrument was acknowledged before me on October 12, 2015, by
Kara H. Baldino, Co-Trustee of the Linda K. Hubbard Trust dated November 14, 2001.



Georgina N. Gossom
Notary Public for: Georgina N. Gossom
My commission expires: 2119446, JULY 14, 2019

Received by OWRD

DEC 09 2024

Salem, OR

EXHIBIT A

PARCEL 1 (Tax Account No. 207369):

The following described property in Benton County, Oregon:

Beginning at a point 20 chains West of the Northeast corner of Section 7 in township 15 South, Range 4 West of the Willamette Meridian; thence West, along the North line of said Section, 5.50 chains; thence South 22.54 chains; thence East 5.50 chains; thence North 22.54 chains to the place of beginning. ✓

EXCEPTING THEREFROM the South 20 feet.

ALSO EXCEPTING a strip of land 20 feet wide extending from the Southeast corner of said tract North to a point 30 feet North of the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 7, in Benton County, Oregon.

PARCEL 2 (Tax Account No. 207435):

Beginning at the Northwest corner of Lot No. 19 of the plat of NORATON, as platted and recorded in Page 79 of Book 4, Lane County, Oregon, Record of Plats, and being in Section 8, Township 16 South, Range 4 West, Willamette Meridian; and running thence East 15.53 chains to the Northeast corner of said Lot; thence North 1.59 chains to the South line of County Survey 52; thence West, along the South line of said survey, 15.53 chains; thence South 1.82 chains to the place of beginning, in Benton County, Oregon. ✓

Received by OWRD

DEC 09 2024

Salem, OR

WA 310830-01

✓ After recording, return to:

Arthur J. Clark
Hershner, Hunter, Andrews,
Neill & Smith, LLP
180 East 11th Avenue
Eugene, Oregon 97401

Until a change is requested,
mail all tax statements to:

Hubbard Family LLC
c/o Meredith H. Morgan
1151 Raleigh Road
Glenview, IL 60025-3041

Received by OWRD

DEC 09 2024

Salem, OR

WARRANTY DEED

Linda K. Hubbard (who may have taken title as Linda Hubbard, Linda K. Richmond or Linda K. Richmond Hubbard), Grantor, conveys and warrants to Hubbard Family LLC, an Oregon limited liability company, Grantee, the real property described on the attached Exhibit A, free of encumbrances except as specifically set forth herein.

The true consideration for this conveyance is none.

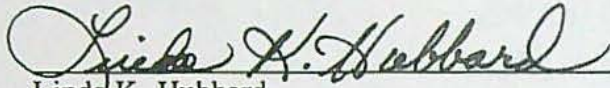
The liability and obligations of Grantor to Grantee and Grantee's successors and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature, and terms of any title insurance coverage available to Grantor under any title insurance policy, and Grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any title insurance policy. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND

TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

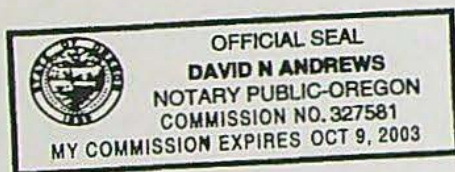
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

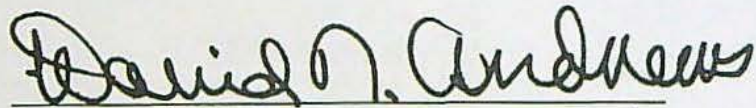
DATED: November 14, 2001.


Linda K. Hubbard

STATE OF OREGON)
) ss.
COUNTY OF LANE)

This instrument was acknowledged before me on November 14, 2001, by Linda K. Hubbard.




Notary Public for Oregon
My commission expires: ~~June 17, 2004~~ 10/9/2003

Received by OWRD

DEC 09 2024

Salem, OR

Received by OWRD

DEC 09 2024

Salem, OR

EXHIBIT A

Parcel 1 (Tax Account No. 0322111):

Government Lots 10 and 11, Section 5, Township 15 South, Range 4 West of the Willamette Meridian, in Benton County, Oregon.

Parcel 2 (Tax Account No. 207450):

A part of Sections 7 and 8, Township 15 South, Range 4 West of the Willamette Meridian, more particularly described as follows: Beginning at the Northwest corner of Lot No. 17 of the Plat of Noraton, as platted and recorded in Book 4, page 79, Lane County Plat Records, and being in Section 7, Township 15 South, Range 4 West of the Willamette Meridian, and running thence East 10.65 chains to the Northeast corner of said Lot No. 17, thence North 1.96 chains to the South line of Benton County Survey No. 52; thence West along the South line of said Survey 10.65 chains; thence South 2.04 chains to the place of beginning, in Benton County, Oregon.

Parcel 3 (Tax Account No. 207369):

The Northeast 1/4 of the Northeast 1/4 of Section 7 and a strip 5 chains wide off the entire South side of the Southeast 1/4 of the Southeast 1/4 of Section 6, all in Township 15 South, Range 4 West of the Willamette Meridian; EXCEPTING therefrom a right of way for road purposes along the West 20 feet, in Benton County, Oregon.

Parcel 4 (Tax Account No. 207435):

Lot 7 in Section 8, Township 15 South, Range 4 West of the Willamette Meridian; EXCEPT 2 acres conveyed to Roy B. Dailey et ux, by deed recorded May 18, 1938, Book 93, page 366(a) Deed Records, in Benton County, Oregon.

EXHIBIT A

309067

STATE OF OREGON }
County of Benton } ss.

I hereby certify that the within instrument
was received for record

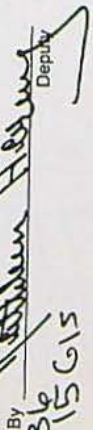
PM 2:50 '01DEC31

AND
ASSIGNED
M310830

In the microfilm records of said county

Witness My Hand and Seal of County Affixed

JAMES V. MORALES
County Clerk

By  Deputy
36
15615

After recording return to:

Hubbard Family LLC
1145 Raleigh Rd
Glenview, Illinois 60025
NAME, ADDRESS, ZIP

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

Hubbard Family LLC
1145 Raleigh Rd
Glenview, Illinois 60025
NAME, ADDRESS, ZIP

BENTON COUNTY, OREGON 2022-633588
DE-QCD
Cnt=1 Str=47 COUNTER1 12/09/2022 02:14:46 PM
\$10.00 \$11.00 \$62.00 \$10.00 \$20.00 \$113.00



00455360202206335880020020

I, James V. Morales, County Clerk for Benton
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

James V Morales - County Clerk



Received by OWRD

DEC 09 2024

QUITCLAIM DEED

Salem, OR

Benton County, a political subdivision of the state of Oregon Grantor(s),
releases and quitclaims to Hubbard Family LLC, an Oregon Domestic Limited
Liability Company, all right, title and interest in and to the following
described real property situated in Benton County, Oregon, to-wit:

See attached Exhibit "A"

Before signing or accepting this instrument, the person transferring fee title should inquire
about the person's rights, if any, under Chapter 1, Oregon Laws 2005 (Ballot Measure 37 (2004)).
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 approved uses [and], 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 Chapter 1, Oregon Laws 2005 (Ballot Measure 37 (2004)). Conveyance of the
real property described herein does not guarantee development or building rights.

(IF SPACE INSUFFICIENT, ATTACH LEGAL DESCRIPTION ON SEPARATE PAGE)

The true consideration for this conveyance is \$ 2,500.00 Hereby comply with
the requirements of ORS 93.030)
Dated this 8th day of December, 2022.

THIS INSTRUMENT WILL NOT ALLOW USE OF
THE PROPERTY DESCRIBED IN THIS INSTRUMENT
IN VIOLATION OF APPLICABLE LAND USE LAWS
AND REGULATIONS. BEFORE SIGNING OR ACCEPTING
THIS INSTRUMENT. THE PERSON ACQUIRING FEE
TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT
TO VERIFY APPROVED USES.

Nancy Wyse, Chair

Name

Benton County Board of Commissioners

Title

STATE OF OREGON, County of Benton) ss.

December 8, 2022

Personally appeared Nancy Wyse, Chair, Benton County Commissioners and
acknowledged the foregoing instrument to be a voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: April 27, 2024

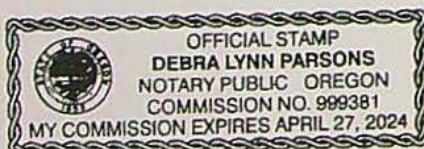


Exhibit "A" Legal Descriptions

TAX MAP 15-4-08 TAX LOT 400

A STRIP OF LAND LOCATED IN THE NORTHWEST ONE- QUARTER OF SECTION 8 OF TOWNSHIP 15 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BOUNDED ON THE SOUTH BY THE BENTON-LANE COUNTY LINE AND ON THE NORTH BY THE SOUTH LINE OF GOVERNMENT LOT 7, AND ON THE WEST BY THE EAST LINE OF PARCEL 18 AS DESCRIBED BY DEED IN M-88041-87 BENTON COUNTY DEED RECORDS, AND ON THE EAST BY THE WEST LINE OF PARCEL 23 AS DESCRIBED BY SAID DEED IN M-88041-87.

TAX MAP 15-4-07 TAX LOT 700

A STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7 OF TOWNSHIP 15 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BOUNDED ON THE SOUTH BY THE BENTON-LANE COUNTY LINE, ON THE NORTH BY THE SOUTH LINE OF PARCEL 3 AS DESCRIBED BY DEED M-310830-01 OF THE BENTON COUNTY DEED RECORDS, ON THE EAST BY THE WEST LINE OF PARCEL 2 OF SAID DEED M-310830-01, AND ON THE WEST BY THE EAST LINE OF THAT PROPERTY DESCRIBED BY DEED 2015-526964 OF THE BENTON COUNTY DEED RECORDS.

Received by OWRD

DEC 09 2024

Salem, OR

After recording, return to:

Arthur J. Clark
Hershner Hunter, LLP
P.O. Box 1475
Eugene, OR 97440

Until a change is requested,
mail all tax statements to:

No change.

Tax Account No. N/A
Map & Tax Lot No. 19-12-23-4TL100

BENTON COUNTY, OREGON 2015-538939
DE-BS
Cnt=1 Stn=51 MR 12/02/2015 02:26:48 PM
\$15.00 \$11.00 \$22.00 \$10.00 \$20.00 \$78.00



00311697201505389390030038

I, James V. Morales, County Clerk for Benton
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

James V. Morales - County Clerk



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Salem, OR

BARGAIN AND SALE DEED

Meredith H. Morgan and Kara H. Baldino, Co-Trustees of the Linda K. Hubbard Trust dated November 14, 2001, Grantors, convey to Hubbard Family LLC, an Oregon limited liability company, Grantee, the real property situated in Benton County, state of Oregon, described on the attached Exhibit A.

The true consideration for this conveyance is none.

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.

01133291.DOC

DATED: 11/14, 2015.

Meredith H. Morgan
Meredith H. Morgan, Co-Trustee of the Linda K.
Hubbard Trust dated November 14, 2001

10/12/15

Kara H. Baldino
Kara H. Baldino, Co-Trustee of the Linda K. Hubbard
Trust dated November 14, 2001

STATE OF IL)
COUNTY OF COOK) ss.

This instrument was acknowledged before me on Nov 14th, 2015, by
Meredith H. Morgan, Co-Trustee of the Linda K. Hubbard Trust dated November 14, 2001



Cristian Buzdugan
Notary Public for: IL, COOK
My commission expires: 10/16/16

STATE OF CA)
COUNTY OF Los Angeles) ss.

This instrument was acknowledged before me on October 12, 2015, by
Kara H. Baldino, Co-Trustee of the Linda K. Hubbard Trust dated November 14, 2001

Georgina N. Gosson
Notary Public for: Georgina N. Gosson
My commission expires: 219446, July 14, 2019



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EXHIBIT A

PARCEL 1 (Tax Account No. 207369):

The following described property in Benton County, Oregon:

Beginning at a point 20 chains West of the Northeast corner of Section 7 in township 15 South, Range 4 West of the Willamette Meridian; thence West, along the North line of said Section, 5.50 chains; thence South 22.54 chains; thence East 5.50 chains; thence North 22.54 chains to the place of beginning. ✓

EXCEPTING THEREFROM the South 20 feet.

ALSO EXCEPTING a strip of land 20 feet wide extending from the Southeast corner of said tract North to a point 30 feet North of the Southeast corner of the Northwest quarter of the Northeast quarter of said Section 7, in Benton County, Oregon.

PARCEL 2 (Tax Account No. 207435):

Beginning at the Northwest corner of Lot No. 19 of the plat of NORATON, as platted and recorded in Page 79 of Book 4, Lane County, Oregon, Record of Plats, and being in Section 8, Township 16 South, Range 4 West, Willamette Meridian; and running thence East 15.53 chains to the Northeast corner of said Lot; thence North 1.59 chains to the South line of County Survey 52; thence West, along the South line of said survey, 15.53 chains; thence South 1.82 chains to the place of beginning, in Benton County, Oregon. ✓

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Salem, OR



STATUS OF RECORD TITLE REPORT

GELARDI LAW P.C.
ATTN: MIKE GELARDI
4710 VILLAGE PLAZA LOOP, SUITE 165
EUGENE, OR 97401

Date: DECEMBER 04, 2024
Our No: CT-0346170
Your No: --
Charge: \$300.00

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

(A T T A C H E D)

and as of: NOVEMBER 21, 2024 at 8:00 A.M., we find the following: Received by OWRD

Vestee:

HUBBARD FAMILY LLC,
AN OREGON LIMITED LIABILITY COMPANY

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Salem, OR

Said property is subject to the following on record matters:

1. Taxes, Account No. 0002038, Assessor's Map No. 15 04 07 0 0, #100, Code 155-00, 2024-2025, a balance due of \$96.21, PLUS INTEREST. (Tax was \$288.63) (Parcel 1)
Taxes, Account No. 1238334, Assessor's Map No. 15 04 08 0 0, #201, Code 155-00, 2024-2025, a balance due of \$54.18, PLUS INTEREST. (Tax was \$162.54) (Parcel 2)
Taxes, Account No. 0002319, Assessor's Map No. 15 04 08 0 0, #300, Code 155-00, 2024-2025, a balance due of \$158.67, PLUS INTEREST. (Tax was \$476.00) (Parcel 3)
Taxes, Account No. 0002327, Assessor's Map No. 15 04 08 0 0, #400, Code 155-00, 2024-2025, a balance due of \$57.83, PLUS INTEREST. (Tax was \$173.49) (Parcel 4)
2. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
3. Rights of the public and governmental bodies in and to any portion of the premises herein described now or at any time lying below high water mark of the Willamette River and/or its meander channels, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the high water mark. (Parcels 2, 3 and 4)
4. The rights of fishing, navigation and commerce in the State of Oregon and the Federal Government and the rights of the public in and to that portion thereof lying now or at any time below the ordinary high water mark of the Willamette River and/or its meander channels. (Parcels 2, 3 and 4)

MAIN OFFICE

675 OAK STREET, SUITE 100
EUGENE, OREGON 97401
PH: (541) 687-2233 * FAX: (541) 485-0307

FLORENCE OFFICE

715 HWY 101 * FLORENCE, OREGON 97439
MAILING: PO BOX 508 * FLORENCE, OREGON 97439
PH: (541) 997-8417 * FAX: (541) 997-8246

VILLAGE PLAZA OFFICE

4750 VILLAGE PLAZA LOOP, SUITE 100
EUGENE, OREGON 97401
PH: (541) 653-8622 * FAX: (541) 844-1626

5. Any adverse claim based upon the assertion that some portion of said land has been removed or brought within the boundaries thereof by an avulsive movement of the Willamette River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created. (Parcels 2, 3 and 4)
6. The property is within the Willamette River Greenway and is subject to all laws and regulations pertaining thereto, including, but not limited to ORS 390.310 through 390.368, inclusive. (Parcels 2, 3 and 4)
7. Rights of the public in and to any portion lying within streets, roads and highways.
8. Easement for power line anchor with the necessary wires and fixtures thereon, including the terms and provisions thereof, granted Mountain States Power Company, a Delaware corporation, by instrument recorded July 29, 1942, Reception No. B234 P262, Lane County Oregon Deed Records.
9. Easement for Road Usage, including the terms and provisions thereof, granted Darrel D. Anderson and Lois M. Anderson, et al, by instrument recorded April 25, 2002, Reception No. 2002-032481, Lane County Deeds and Records. (Parcel 1)
10. Access Easement, including the terms and provisions thereof, dated January 17, 2020, between Hubbard Family LLC, and Paul B. Freeman, recorded February 14, 2020, Reception No. 2020-007505, Lane County Deeds and Records. (Parcel 1)
11. The public record does not disclose if the premises herein described have a means of ingress and egress to and from a legally dedicated road or highway. Notwithstanding Paragraph 4 of the insuring clauses of any policy or policies that may be issued, any policy or policies will not insure against loss arising by reason of any lack of a right of access to and from the land. (Parcels 3 and 4)
12. Subject to the terms and provisions of the Articles of Organization and Operating Agreement of the Hubbard Family LLC.

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

ec/rh: Title Officer: DEBBIE FORSTROM

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Salem, OR

PROPERTY DESCRIPTION

PARCEL 1:

Beginning at the Northwest corner of Lot 17 of PLAT OF NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records; and running thence South 0° 25' West along the West line of said Lot 17, a distance of 19.45 chains; thence East parallel with the North line of said Lot, 10.93 chains to the East line of said Lot; thence North 0° 25' East 19.45 chains to the Northeast corner of said Lot; and thence West along the North line of said Lot 10.65 chains to the place of beginning, in Lane County, Oregon.

EXCEPTING THEREFROM: That portion conveyed to Western Feeders, Inc., by Warranty Deed recorded September 7, 1989, Reception No. 8940268, Lane County Official Records, in Lane County, Oregon.

PARCEL 2:

Beginning at the Southwest corner of Lot 21 in the PLAT OF NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records; thence North 1° 55' 22" East (relative to the Oregon State Coordinate System, South Zone) 1664.63 feet to the Northwest corner of said Lot 21; thence South 88° 24' 34" East 268.62 feet to the North-Northeast corner of said Lot 21; thence South 2° 04' 46" West 1668.85 feet to the Northeast corner of Lot 20; thence North 87° 29' 55" West 264.08 feet to the place of beginning, in Lane County, Oregon.

PARCEL 3:

Beginning at a point on the North boundary of Lot No. 19 of the PLAT OF NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, 4.00 chains East of the Northwest corner of said Lot 19; and running thence East along the North boundary of said Lot, 11.53 chains to the Northeast corner of said Lot 19; thence South 0° 22' West along the East boundary of said Lot 19 a distance of 24.87 chains to a point 20 feet North 0° 22' East of the Southeast corner of said Lot 19; thence North 89° 04' West 11.19 chains; thence North 0° 25' West parallel to the West line of said Lot 19, a distance of 24.74 chains to the place of beginning, in the PLAT OF NORATON, Lane County, Oregon.

PARCEL 4:

Beginning at the Northwest corner of Lot 19 of the PLAT OF NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records; and running thence South 0° 25' East along the Western boundary of said Lot, 24.99 chains to the Southwest corner of said Lot 19; thence South 89° 04' East along the South boundary of said Lot 19, 4.00 chains; thence North 0° 25' West parallel to the West boundary of said Lot, 25.04 chains to the North boundary thereof; thence West on the said North boundary 4.00 chains to the place of beginning, in the PLAT OF NORATON, Lane County, Oregon.

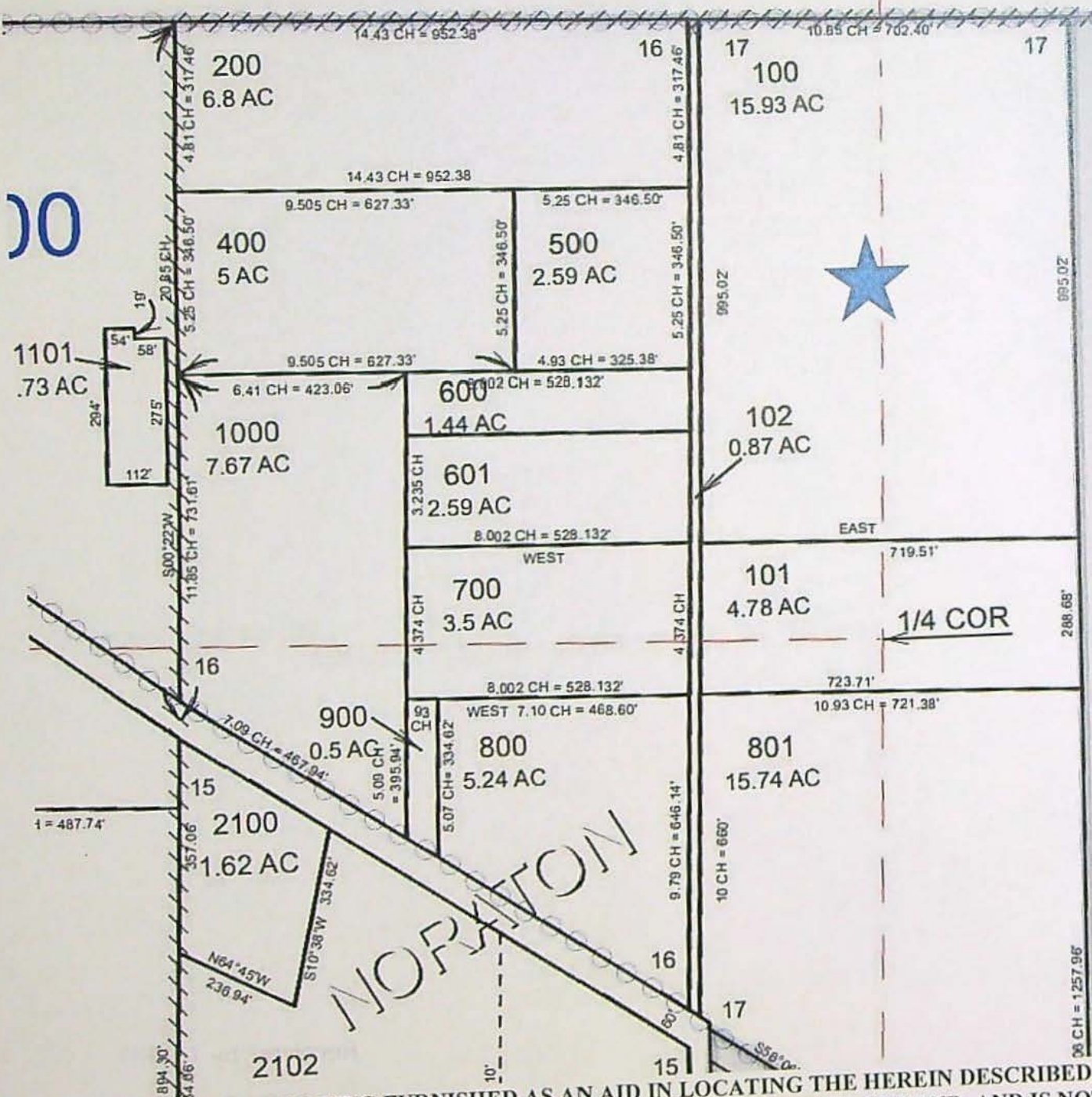
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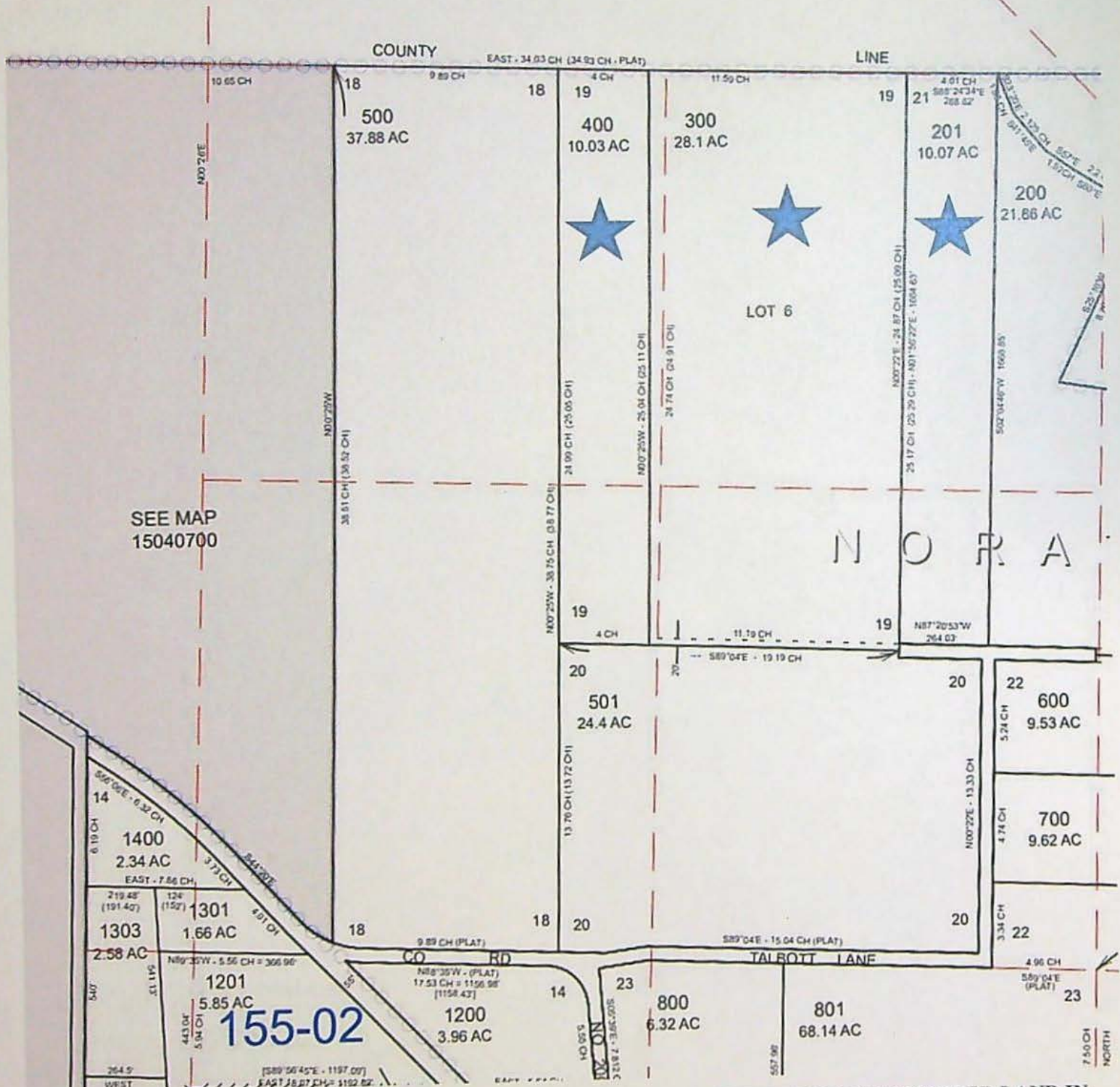


THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS. ACREAGE OR OTHER MATTERS SHOWN THEREON.



Salem, OR

MAP NO.
15-04-08-00



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS. ACREAGE OR OTHER MATTERS SHOWN THEREON.

For and in consideration of the sum of ^{Five} ~~One~~ Dollar (\$5.00), receipt whereof is hereby acknowledged, a right-of-way is hereby granted to Mountain States Power Company, a Delaware corporation, its successors and assigns forever, with the right to erect and maintain

One Electric Power Line Pole Anchor

with the necessary wires and fixtures thereon, and to keep same free from foliage across that property belonging to

M. C. Adams 440 Corbett, Hillsboro

and situated in the County of *Linn*, State of *Oregon*, and described as follows:

*Port of the N/2 4 of the S/2 1/4 Sec 8
Twp 5S R 4E S 1/4*

It is understood that the employees of the Mountain States Power Company, its successors and assigns, shall at any time when necessary, have access to said right-of-way and the equipment thereon, for the purpose of repairs, etc., provided always that said Mountain States Power Company, its successors and assigns, shall be held responsible for any damage which may be unnecessarily done to the property above described.

WITNESS my hand and seal this *22nd* day of *Dec*, 19*22*.

Done in the presence of:

[Signature]
[Signature]

M. C. Adams (Seal)
John H. Adams (Seal)

Received by OWRD

DEC 09 2024

Salem, OR

STATE OF OREGON,)
County of Lane) ss.

BE IT REMEMBERED, That on this 22nd day of July
A. D. 1972, before me, the undersigned, a Notary Public, in and
for the said County and State, personally appeared the within
named M. C. Adams & Corretta Adams ^{Husband & wife}
who are known to me to be the identical individual who
executed the within instrument and acknowledged to me that they
executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and
Notarial Seal the day and year last above written.

(Signature)
Notary Public for Oregon.

My Commission Expires:

and
Recorded
in Book _____ on Page _____
Lane County _____ Records
W. B. DILLARD, County Clerk
By _____ Deputy

JUL 28 1972 AM



State of Oregon
County of Lane—ss
I, W. B. Dillard, County Clerk and ex
officio Recorder of Deeds, do hereby certify that the within
instrument was received for record at

(Handwritten notes)
Lantern State Records
1031.60871
admitted

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Salem, OR

After Recording Return To:
Kent Anderson
888 W. Park Street
Eugene, OR 97401

Division of Chief Deputy Clerk
Lane County Deeds and Records

2002-032481



\$71.00

00287790200200324810100109

04/25/2002 03:07:48 PM

RPR-ESMT Cnt=1 Stn=7 CASHIER 07

\$50.00 \$10.00 \$11.00

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Salem, OR

EASEMENT FOR ROAD USAGE

In consideration of reciprocal easements granted to each other, Grantors, whose names are listed in the attached Exhibit "A", hereby quitclaim and convey to each other Grantor, as Grantee herein subject to the terms and conditions of this easement, their heirs, successors, and assigns, a perpetual, non-exclusive easement to use a strip of land described in the attached Exhibit "B" in Lane and Benton Counties, Oregon.

The terms of this easement are as follows:

1) Grantee, Grantee's agents, independent contractors, business and personal invitees shall use the easement strip for road purposes only, for access to their respective properties over the existing roadway to include the drainage ditches, culverts, bridges, and other ancillary structures adjacent thereto, and in conjunction therewith may reconstruct, maintain, and repair the road thereon. Grantee agrees to indemnify and defend Grantor from any loss, claim, or liability to Grantor arising in any manner out of Grantee's use of the easement strip. Grantee assumes all risk arising out of this use of the easement strip and Grantor shall have no liability to Grantee or others for any condition existing thereon.

2) This easement is appurtenant to the real estate owned by Grantor and described in the attached Exhibit "C"; however, in the event any such subdivision or sale of any portion of such property, this easement shall remain appurtenant to each parcel, and owners of the other parcels into which the property described in Exhibit "C" may be divided shall have all of Grantee's rights to the use of the easement strip. Grantor agrees, in the event of an error in the description of any property served herein, to execute a corrected easement upon written request of any Grantee.

3) The easement shall be perpetual. This easement is granted subject to all prior easements or encumbrances of record.

4) No person or entity named herein shall be entitled to any rights hereunder as Grantee until and unless said person or entity has fully executed and acknowledged this document or executed, acknowledged and recorded a copy hereof.

In witness whereof, Grantors have caused this instrument to be executed the day and year opposite their names.

Harold Bliss

10/25/01
DATE

Leota R Bliss

10/25/01
DATE

Charlotte Cook

10/25/01
DATE

(Additional Signatures Appear on the Following Page)

Exhibit "A"

Darrel D Anderson
Lois M Anderson
Garold L Bliss
Charlotte Burns
Paul B Freeman
~~Leonard Freeman~~
~~Wade M Hansey~~
Linda Hubbard
~~Jim A Sues~~
~~Stefanie K Sues~~
~~James B Strasheim~~
~~Trina Strasheim~~
~~Janet Strasheim~~
~~Jeffrey D Strasheim~~
~~Carrie Strasheim~~
Roger Wheeler
Diana Wheeler

LRB

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Salem, OR

EXHIBIT:

A

PAGE:

1 of 1

Charlotte Burns

Oct. 25, 01
DATE

Paul B. Freeman

Oct. 25 - 01
DATE

Linda K. Hubbard

Dec. 4, 2001
DATE

Diana K. Wheeler

Apr. 1 2002
DATE

Roger A. Wheeler

Apr 1 2002
DATE

Darrell D. Anderson

Apr 5, 2002
DATE

Tim M. Anderson

Apr 5, 2002
DATE

DATE

DATE

DATE

DATE

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DATE

Salem, OR

DATE

DATE

DATE

DATE

STATE OF Oregon)
County of Lane) ss.

Personally appeared the above named Gerald Hesto Bliss and acknowledged this document as their voluntary act and deed,
Before me this 25th day of October, 2001.



[Signature]
NOTARY PUBLIC FOR Oregon

STATE OF Oregon)
County of Lane) ss.

Personally appeared the above named Charlotte Burns aka. Charlotte Cook and acknowledged this document as her voluntary act and deed,
Before me this 25th day of October, 2001.



[Signature]
NOTARY PUBLIC FOR Oregon

STATE OF Oregon)
County of Lane) ss.

Personally appeared the above named Paul B Freeman and acknowledged this document as his voluntary act and deed,
Before me this 25th day of October, 2001.



[Signature]
NOTARY PUBLIC FOR Oregon

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STATE OF Oregon)
) ss.
County of Lincoln)

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DEC 09 2004

Salem, OR

Personally appeared the above named Linda K. Hubbard and acknowledged this document as Her voluntary act and deed,
Before me this 4th day of December, 2001.



Terri J. Osborne
NOTARY PUBLIC FOR Oregon

STATE OF Oregon)
) ss.
County of Linn)

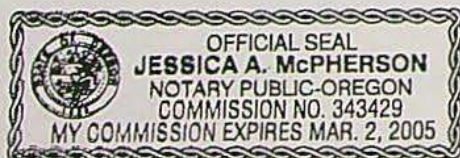
Personally appeared the above named Quiana K. + Roger A. Wheeler and acknowledged this document as their voluntary act and deed,
Before me this 1 day of April, 2003.



Debra L. Seidemann
NOTARY PUBLIC FOR Oregon

STATE OF Oregon)
) ss.
County of Lane)

Personally appeared the above named Darrel D. Anderson and acknowledged this document as his voluntary act and deed,
Before me this 5 day of April, 2002.



Jessica A. McPherson
NOTARY PUBLIC FOR Oregon

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STATE OF Oregon)
County of Lane) ss.

Personally appeared the above named Lois M Anderson and acknowledged this document as her voluntary act and deed,
Before me this 5 day of April, 2002



Jessica A. McPherson
NOTARY PUBLIC FOR Oregon

STATE OF _____)
County of _____) ss.

Personally appeared the above named _____ and acknowledged this document as _____ voluntary act and deed,
Before me this _____ day of _____, 200__.

NOTARY PUBLIC FOR _____

STATE OF _____)
County of _____) ss.

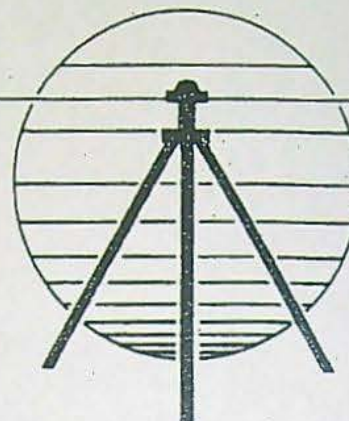
Personally appeared the above named _____ and acknowledged this document as _____ voluntary act and deed,
Before me this _____ day of _____, 200__.

NOTARY PUBLIC FOR _____

SKINNER & ASSOCIATES, INC.

LAND SURVEYING

321 HOLLY STREET P.O. BOX 321
JUNCTION CITY OREGON 97448
(541) 998-2453 FAX (541) 998-1648



EASEMENT DESCRIPTION

A parcel of land located in the Northeast 1/4 and Southeast 1/4 of Section 7, Township 15 South, Range 4 West, Willamette Meridian, Lane County, Oregon and in the Southwest 1/4 of Section 5, the Southeast 1/4 of Section 6, the Northeast 1/4 of Section 7 and the Northwest 1/4 of Section 8, Township 15 South, Range 4 West, Willamette Meridian, Benton County, Oregon. Said parcel being a strip of land, 20.00 feet in width, 10.00 feet on either side of, when measured at right angles to, the following described centerline:

Commencing at the Lane County Brass Cap marking the corner common to Sections 7, 8, 17 and 18, Township 15 South, Range 4 West, Willamette Meridian; thence North $2^{\circ}04'38''$ East, along the East line of said Section 7, 1899.26 feet; thence North $87^{\circ}55'22''$ West, 353.41 to a point on the centerline of County Road No. 200, (Noraton Road) and the TRUE POINT OF BEGINNING; thence North $1^{\circ}53'00''$ East, 192.00 feet; thence North $1^{\circ}26'00''$ East, 269.50 feet; thence North $2^{\circ}16'00''$ East, 309.30 feet; thence North $3^{\circ}10'00''$ East, 173.60 feet; thence North $1^{\circ}46'00''$ East, 457.20 feet; thence North $3^{\circ}03'00''$ East, 321.80 feet; thence North $1^{\circ}34'00''$ East, 254.60 feet; thence North $10^{\circ}33'00''$ East, 46.30 feet; thence North $36^{\circ}50'00''$ East, 55.60 feet; thence North $75^{\circ}00'00''$ East, 71.30 feet; thence South $83^{\circ}33'00''$ East, 136.20 feet; thence North $83^{\circ}50'00''$ East, 65.00 feet; thence North $47^{\circ}10'00''$ East, 73.40 feet; thence North $12^{\circ}00'00''$ East, 66.00 feet; thence North $2^{\circ}27'00''$ West, 180.60 feet; thence North $1^{\circ}53'00''$ East, 302.80 feet; thence North $4^{\circ}39'00''$ East, 147.50 feet; thence North $1^{\circ}06'00''$ East, 178.00 feet; thence North $1^{\circ}59'00''$ East, 411.00 feet; thence North $2^{\circ}42'00''$ East, 209.00 feet; thence North $1^{\circ}15'00''$ West, 54.00 feet; thence North $14^{\circ}30'00''$ West, 59.50 feet; thence North $15^{\circ}35'00''$ West, 54.50 feet; thence North $1^{\circ}40'00''$ West, 62.00 feet, and there ending, all in Lane and Benton Counties, Oregon.

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Salem, OR

EXHIBIT: B

PAGE: 1 of 1

Tax Lot: 15-04-07 #200 Lane County

Beginning at the Northwest corner of Lot 16 of the Plat of Noraton, as platted and recorded in Book 4, Page 79 of Lane County Oregon Records of Plats, and running thence South $0^{\circ} 25'$ West along the West boundary of Lot 16, 4.81 chains, thence East 14.43 chains to a point 0.30 chains West of the East line of said Lot 16, thence North $0^{\circ} 25'$ East 4.81 chains to the North line of Lot 16, thence West along said North line of said Lot 16, 14.43 chains to the place of beginning, in the Plat of Noraton.

Tax Lot: 15-04-07 #500 Lane County

Beginning at a point which is West 20 feet from the East line of Lot 16 and South $0^{\circ} 25'$ West 317.46 feet (4.81 chains) from the Northeast corner of Lot 16, NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, in Lane County, Oregon; thence South $0^{\circ} 25'$ West parallel to the East line of Lot 16 and West 20 feet from that line, 346.5 feet (5.25 chains); thence West 325.38 feet (4.93 chains); thence North $0^{\circ} 25'$ East parallel of the East line of Lot 16, a distance of 346.50 feet (5.25 chains); thence East 325.38 feet (4.93 chains) to the point of beginning, in Lane County, Oregon.

Tax Lot: 15-04-07 #600 Lane County

Beginning at a point which is West 20 feet and South $00^{\circ} 25'$ West 995.016 feet (15.076 chains) from the Northeast corner of Lot 16, NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, in Lane County, Oregon; thence West 528.132 feet (8.002 chains); thence North $00^{\circ} 25'$ East 331.056 feet (5.016 chains); thence East 528.132 feet (8.002 chains); thence South $00^{\circ} 25'$ West 331.056 feet (5.016 chains) to the point of beginning, in Lane County, Oregon.

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Salem, OR

EXHIBIT:

Tax Lot: 15-04-07 #601 Lane County

Parcel No. 4: Beginning at a point 20 feet West and 15.076 chains South $0^{\circ} 25'$ West of the Northeast corner of Lot No. 16 of the Plat of Noraton as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, and running thence West 8.002 chains, thence North $0^{\circ} 25'$ East 3.235 chains, thence East 8.002 chains, thence South $0^{\circ} 25'$ West 3.235 chains to the place of beginning, in Lot 16, of the Plat of Noraton, Lane County, Oregon.

Tax Lot: 15-04-07 #700 Lane County

Parcel No. 2: Beginning at a point 20 feet West and 15.076 chains South $0^{\circ} 25'$ West from the Northeast corner of Lot 16 of the Plat of Noraton, as platted and recorded at page 79, Volume 4, Lane County Oregon Plat Records, running thence West 8.002 chains, thence South 4.374 chains; thence East 8.00 chains, thence North 4.374 chains to the place of beginning, in Lot 16 of Noraton, Lane County, Oregon.

Tax Lot: 15-04-07 #800 Lane County

Parcel No. 6: Beginning at a point 20 feet West of a point on the East line of Lot 16 of the plat of Noraton, as platted and recorded at Page 79 of Volume 4, Lane County Oregon Plat Records, 19.45 chains, South $0^{\circ} 25'$ West from the Northeast corner of said Lot 16, and running thence West 7.10 chains to the Northeast corner of a tract of land heretofore deeded to Lane County, thence South $0^{\circ} 25'$ West 5.07 chains to the center of the County Road, thence along the center of the County Road South $64^{\circ} 45'$ East 0.67 chains, thence South $55^{\circ} 17'$ East 7.81 chains to a point 20 feet West of the East line of said Lot 16, thence North $0^{\circ} 25'$ East 9.79 chains to the place of beginning in Lane County, Oregon.

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Salem, OR

EXHIBIT

C
0-11A

Tax Lot: 15-04-07 #100 Lane County

Parcel No. 1: Beginning at the Northwest corner of Lot 17 of Plat of Noraton, as platted and recorded at page 79, Volume 4, Lane County Oregon Plat Records, and running thence South $0^{\circ} 25'$ West along the West line of said Lot 17, a distance of 19.45 chains, thence East parallel with the North line of said Lot, 10.93 chains to the East line of said Lot, thence North $0^{\circ} 25'$ East 19.45 chains to the Northeast corner of said Lot and thence West along the North line of said Lot 10.65 chains to the place of beginning, in Lane County, Oregon.

Tax Lot: 15-04-07 #101 Lane County

Beginning on the West line of Lot 17, NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, 660.00 feet North $0^{\circ} 25'$ East from the Southwest corner thereof; thence North $0^{\circ} 25'$ East, along said West line, 288.68 feet to a point which bears South $0^{\circ} 25'$ West 995.02 feet from the Northwest corner of said Lot 17, said point being referenced on the ground by a 1/2 inch iron rod bearing East 20.00 feet therefrom; thence East 719.51 feet to a 1/2 inch iron rod in the East line of said Lot 17; thence South $0^{\circ} 25'$ East, along said East line, 288.68 feet to a point which bears East from the place of beginning; thence West 723.71 feet to the place of beginning, in Lane County, Oregon.

Tax Lot: 14-04-07 #801 Lane County

Parcel No. 5: Beginning at the Southwest corner of Lot 17 of Plat of Noraton, as platted and recorded at page 79 of Volume 4, Lane County Oregon Plat Records, and running thence along the center of the County Road, South $56^{\circ} 06'$ East 6.32 chains, thence South $44^{\circ} 20'$ East 7.74 chains; thence North $89^{\circ} 35'$ East 0.52 chains to the Southeast corner of said Lot 17, thence North $0^{\circ} 25'$ West along the East line of Lot 17, a distance of 19.06 chains, thence West 10.93 chains to the West line of said Lot 17, thence South $0^{\circ} 25'$ West along the West line thereof, 10.00 chains to the place of beginning, in Lane County, Oregon.

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EXHIBIT: C

PAGE: 3 OF 10

After recording, return to:

Michael J. Gelardi
Gelardi Law P.C.
P.O. Box 8529
Coburg, OR 97408

Lane County Clerk
Lane County Deeds & Records

2020-007505

02/14/2020 11:04:41 AM

RPR-ESMT Cnt=1 Str=9 CASHIER 06 5pages
\$25.00 \$11.00 \$10.00 \$61.00

\$107.00

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ACCESS EASEMENT

This Access Easement (the "Easement") is granted by Hubbard Family LLC ("Grantor") to Paul B. Freeman ("Grantee"). Grantor and Grantee together are the "Parties" to this Easement.

RECITALS:

A. Grantor owns tax lots 100 and 300 in Section 8 of Township 15S, Range 4W, Willamette Meridian, as described in Instrument No. M310830, and tax lot 100 in Section 7 of Township 15S, Range 4W, as described in Instrument No. 2015-538939, all in Benton County, Oregon. Grantor also owns a strip of land described in Instrument No. 2018-026162, in Lane County, Oregon. Together this property is "Grantor's Property."

B. Adams Lane is a private roadway that runs through Grantor's Property.

C. Grantee is the owner of Tax Lot 600 in Section 5 of Township 15S, Range 4W, described as Parcel I in Instrument No. 2017-553626, and Tax Lot 701 in Section 6 of Township 15S, Range 4W, described as the "N. 3/4 of the S.E. 1/4 of the S.E. 1/4" of this section in Instrument No. M269823, in Benton County, Oregon. Together this property is "Grantee's Property." Grantee's Property takes access from Adams Lane.

D. Grantor and Grantee desire to clarify Grantee's right to use Grantor's Property to access Adams Lane.

GRANT OF EASEMENT:

In consideration of the Recitals stated above and other valuable consideration, the receipt and sufficiency of which are acknowledged by the Parties, Grantor grants to Grantee a permanent access easement across Grantor's Property, subject to the following terms and conditions.

1. EASEMENT AREA. The "Easement Area" encompasses the portion of Grantor's Property that is described in Exhibit A, which overlaps with the traveled roadway of Adams Lane. If any portion of the existing Adams Lane roadway is outside of Grantor's Property and Grantee

is prevented from accessing such portion of Adams Lane, then the Easement Area also includes any portion of Grantor's Property adjacent to Adams Lane that is necessary to provide access to Grantee's Property.

2. NATURE OF EASEMENT. This Easement is a private, non-exclusive easement for vehicular and pedestrian access to and from Grantee's Property over and across the Easement Area. This Easement is appurtenant to Grantee's Property, runs with the land, and is binding on any heirs, successors, and assigns of the Parties.

3. PERMITTED USES AND IMPROVEMENTS IN THE EASEMENT AREA. Grantee may use the Easement Area for personal, residential and agricultural purposes only. Grantee may not place any above ground structures, barriers, fences, buildings or other improvements on the Easement Area other than roadway surfaces and related improvements. Grantor reserves the right to install utilities, landscaping and other improvements, and to otherwise use the Easement Area so long as Grantor's activities do not interfere with Grantee's rights in this Easement.

4. CONDUCT ON ROADWAY. The speed limit is 10 miles per hour from the intersection of Adams Lane and Noraton Road to the northern boundary of Tax Lot 101 in Section 7 of Township 15S, Range 4W (a distance of approximately 950 feet). Grantee, and Grantee's tenants, agents, employees, contractors and guests must adhere to this speed limit, and must use reasonable care throughout Easement Area to avoid injury, damage to the roadway or other property, and disturbance to neighbors.

5. MAINTENANCE OF EASEMENT AREA. Grantee will work cooperatively to maintain the Easement Area with Grantor and the other property owners along the Adams Lane who have rights of access to all or part of the Easement Area. Grantee may not remove vegetation or other items from the Easement Area without Grantor's permission, but Grantor may not unreasonably withhold permission in light of Grantee's rights in the Easement.

6. GRANTOR'S INDEMNITY. Grantor agrees to indemnify, defend and hold Grantee harmless from any and all claims for loss, damage or expense, including, without limitation, reasonable legal fees and expenses, that may be caused by Grantor, or by tenants, agents, employees, contractors, or guests of Grantor.

7. GRANTEE'S INDEMNITY. Grantee agrees to indemnify, defend and hold Grantor harmless from any and all claims for loss, damage or expense, including, without limitation, reasonable legal fees and expenses caused by Grantee, or by tenants, agents, employees, contractors, or guests of Grantee.

8. WARRANTY OF AUTHORITY. Grantor and Grantee each represent and warrant that they respectively are duly authorized to execute this Easement and that the execution and delivery of this Easement is a lawful and voluntary act.

9. APPLICABLE LAW. This Easement is governed by and must be construed in accordance with the laws of the State of Oregon.

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Salem, OR

10. EFFECT OF WAIVER. Failure of either party at any time to require performance or any provision of this Easement shall not limit the Parties' right to later enforce any provision of this Easement, nor is any waiver of any breach of any provision of this Easement a waiver of any subsequent breach of any provision of this Easement.

11. SEVERABILITY. If any provision of this Easement is deemed invalid or unenforceable, such a determination does not affect the remainder of this Easement.

12. COUNTERPARTS; RECORDING. This Easement may be executed in several counterparts, each of which is deemed to be an original, and all such counterparts constitute one and the same document. This Easement is effective only when each Party has executed one or more counterparts, delivered an executed counterpart to the other Party, and Grantor has recorded the fully executed Easement in the real property records of Benton and Lane Counties.

13. MODIFICATION. No amendment or modification of this Easement is valid unless it is in writing and signed by both Parties. Grantee may, however, vacate this Easement in accordance with state law and local ordinance. This Easement will not be considered abandoned until Grantee has made such a declaration in writing.

DATED: Jan. 17, 2020.

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GRANTOR:

DEC 09 2024

HUBBARD FAMILY LLC

Salem, OR

Meredith Morgan
Meredith Morgan, Manager

STATE OF OREGON)
COUNTY OF COOK) ss.

This instrument was acknowledged before me on 01/17/2020, 2020, by Meredith Morgan, Manager of Hubbard Family LLC.



Ivette M. Martinez
Notary Public for Oregon
My commission expires: 3/20/21

[Additional signature on the following page]

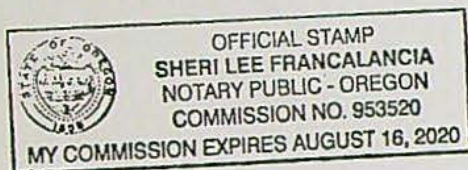
DATED: 1-31-1920 2020.

GRANTEE:

Paul B. Freeman
Paul B. Freeman

STATE OF OREGON)
) ss.
COUNTY OF Lane)

This instrument was acknowledged before me on 431, 2020, by Paul B. Freeman.



Sheri Lee Francalancia
Notary Public for Oregon
My commission expires: 8/16/20

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Salem, OR

EXHIBIT A

EASEMENT AREA 1:

A strip of land located in the Southwest 1/4 of Section 5, the Southeast 1/4 of Section 6, the Northeast 1/4 of Section 7 and the Northwest 1/4 of Section 8, Township 15 South, Range 4 West, Willamette Meridian, Benton County, Oregon. Said parcel being a strip of land, 20.00 feet in width, 10.00 feet on either side of, when measured at right angles to, the following described centerline:

Commencing at the Lane County Brass Cap marking the corner common to Sections 7, 8, 17 and 18, Township 15 South, Range 4 West, Willamette Meridian; thence North 2°04'38" East, along the East line of said Section 7, 1899.26 feet; thence North 87°55'22" West, 353.41 to a point on the centerline of County Road No. 200, (Noraton Road) and the TRUE POINT OF BEGINNING; thence North 1°53'00" East, 192.00 feet; thence North 1°26'00" East, 269.50 feet; thence North 2°16'00" East, 309.30 feet; thence North 3°10'00" East, 173.60 feet; thence North 1°46'00" East, 457.20 feet; thence North 3°03'00" East, 321.80 feet; thence North 1°34'00" East, 254.60 feet; thence North 10°33'00" East, 46.30 feet; thence North 36°50'00" East, 55.60 feet; thence North 75°00'00" East, 71.30 feet; thence South 83°33'00" East, 136.20 feet; thence North 83°50'00" East, 65.00 feet; thence North 47°10'00" East, 73.40 feet; thence North 12°00'00" East, 66.00 feet; thence North 2°27'00" West, 180.60 feet; thence North 1°53'00" East, 302.80 feet; thence North 4°39'00" East, 147.50 feet; thence North 1°06'00" East, 178.00 feet; thence North 1°59'00" East, 411.00 feet; thence North 2°42'00" East, 209.00 feet; thence North 1°15'00" West, 54.00 feet; thence North 14°30'00" West, 59.50 feet; thence North 15°35'00" West, 54.50 feet; thence North 1°40'00" West, 62.00 feet, and there ending, all in Benton County, Oregon.

EXCEPT that portion lying in Lane County, Oregon.

EASEMENT AREA 2:

That portion of Lot 16, NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, in Lane County, Oregon, lying East of the following described line: Beginning at a point on the North line of Lot 16, NORATON, as platted and recorded in Book 4, Page 79, Lane County Oregon Plat Records, in Lane County, Oregon, 20 feet West of the Northeast corner of said Lot 16; thence South 0° 25' West 29.25 chains to the center line of the County Road, at a point 24.3 feet North 55° 17' West of the Southeast corner of said Lot 16, in Lane County, Oregon, and there ending.

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DEC 09 2024

Salem, OR



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

November 21, 2024

VIA E-MAIL

HUBBARD FAMILY LLC
ATTN: MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

Reference: Water Right Transfer Application T-14089

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14089. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by December 21, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by December 21, 2024, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

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

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

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

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by December 21, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-14089
Lanaya F. Blakely, District 2 Watermaster *(via e-mail)*
Ted Ressler, Agent for the applicant *(via e-mail)*

encs

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14089

GW Reviewer Phillip I. Marcy Date Review Completed: 10/26/2023

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-14089

Applicant Name: Hubbard Family LLC

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☐ RA
☐ USE ☐ POU ☐ OTHER

Reviewer(s): Phillip I. Marcy

Date of Review: 10/26/2023

Date Returned to WRSD: 9/5/2024

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to change the point of appropriation for a portion of certificate 38019. This portion currently authorizes 3.81 CFS from wells 6, 7, and 8, to which a new POA is proposed (BENT 7623).
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Existing authorized POA wells and proposed POA well produce from alluvium.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No All wells are authorized to produce from alluvium.
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☐ Yes ☒ No Comments: The proposed POA location is closer to authorized POA 1 under GR-3549, at a distance of 1,600'.
b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: At the distance between the proposed POA well and the nearest GW right, the character of the target aquifer (high storativity), and the proximity to Perkins Slough, production from this well is not anticipated to substantially increase interference to any nearby right.

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

☒ Yes ☐ No Comments: The proposed POA is closer to Perkins Slough than any existing authorized POA involved in this transfer.

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

Stream: Perkins Slough

☒ Minimal ☐ Significant

Stream: _____

☐ Minimal ☐ Significant

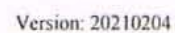
Provide context for minimal/significant impact: Though interference may increase in the short term, all nearby wells producing from alluvium are producing from the same unconfined to poorly confined flow system that contributes to local surface water.

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

☐ Yes ☐ No Comments: NA

7. What conditions or other changes in the application are necessary to address any potential issues identified above: None

8. Any additional comments: _____



Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14089

Review Due Date:

Applicant Name: Hubbard Family LLC

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

Reviewer(s): L. Blakely

Date of Review:

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

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

i. "Injury" will occur to other water rights that share the same source?
☐ Yes ☐ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?
☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14089



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



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



at each new point of diversion/appropriation.

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

Watermaster name: L. Blakely

District: 2

Address: 125 E. 8th Ave

City/State/Zip: Eugene, OR 97478

Phone: 541-682-3620

Email: Lanaya.F.Blakely@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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

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.

RECEIVED

JAN 23 2023

OWRD

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: 38019**
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.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ 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.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ 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.

(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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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
2	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> Multiply line 2b by \$1090 and enter »	2	\$0
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	\$0
4	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 checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0 (4b)</u> Add line 4a to line 4b and enter »	4	\$480
5	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*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 »	5	\$0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,840
7	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	\$0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$1,840

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*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	NA

Part 4 of 5 – Applicant Information and Signature**Applicant Information**

APPLICANT/BUSINESS NAME Hubbard Family LLC; Attn: Meredith Morgan (Please copy Doug Morgan on correspondence pertaining to this transfer application)			PHONE NO. 847-436-7099 (847-436-7098)	ADDITIONAL CONTACT NO.
ADDRESS 1145 Raleigh Road				FAX NO.
CITY Glenview	STATE IL	ZIP 60025	E-MAIL meredith@chicagomorgans.com (doug@chicagomorgans.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 Summit Water Resources, LLC; Attn: Ted Ressler			PHONE NO. 503-701-4535	ADDITIONAL CONTACT NO.
ADDRESS PO Box 11268				FAX NO.
CITY Portland	STATE OR	ZIP 97211	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:
Change the point of appropriation for a portion of Certificate 38019.

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

Check One Box

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

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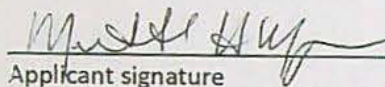
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By my signature below, I confirm that I understand:

- 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: Albany Democrat-Herald.
- 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

Meredith Morgan, Manager
Hubbard Family LLC

Print Name (and Title if applicable)

1/1/2023
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.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
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.)

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.

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 Benton County Community Development Department, Planning Division	ADDRESS 360 SW Avery Avenue	
CITY Corvallis	STATE OR	ZIP 97333
ENTITY NAME Lane County Land Management Division	ADDRESS 3050 N. Delta Hwy	
CITY Eugene	STATE OR	ZIP 97408

NOTE: the change requested by this transfer application is associated with land located only in Benton County.

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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 # 38019

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Description of Water Delivery System

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System capacity: 2.05 cubic feet per second (cfs) OR

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 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. Groundwater is appropriated using a 50 Hp centrifugal pump and conveyed by a closed pipe system to the place of use where the water is applied for irrigation using wheel lines.

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)
Adams Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	BENT 7623	15	S	4	W	8	NW	NW	GL7	4785 feet north and 10 feet east from SW corner of Section 8
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	Unknown, see Table 3	15	S	4	W	8	NW	SW		2540 feet north and 30 feet east from SW corner of Section 8
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	BENT 7624*	15	S	4	W	8	NW	SW		1380 feet north and 1100 feet east from SW corner of Section 8
Well 8 (Paine Well #4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 6008	15	S	4	W	8	SW	SE		800 feet north and 3230 feet east from SW corner of Section 8
Certificate 38019 also includes Wells 1, 2, 3, 4, and 5 as POAs; however, these wells are associated with irrigation of the portion of the POU located on the east side of the slough; no changes are proposed for this portion of the water right.											
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15	S	4	W	5	SE	NW	GL10	8830 feet north and 1970 feet east from SW corner of Section 8
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15	S	4	W	5	NW	SE	DLC 37	7380 feet north and 3240 feet east from SW corner of Section 8
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15	S	4	W	5	SE	SW	GL6	5940 feet north and 2180 feet east from SW corner of Section 8
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15	S	4	W	8	NW	NE	GL1	4860 feet north and 2950 feet east from SW corner of Section 8
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15	S	4	W	5	SW	NE		8830 feet north and 3220 feet east from SW corner of Section 8

*Well log association based on location of the well per GWIS, the owner listed on well log being the water right holder of record for Certificate 38019, a construction date being prior to the date of the Final Proof Survey for Certificate 38019, and well casing diameter and depth consistent with information provided in the Final Proof Survey for Certificate 38019. The well logs lists the well as being in Benton County, however, this is considered erroneous based on the other stated attributes of the well.

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 checked="" 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 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.

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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 Changes to Water Right Certificate # 38019

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. 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				
15	S	4	W	6	SE	SE	100		10.0	IS	Well 6 Well 7 Well 8	8/19/1968	POA	15	S	4	W	6	SE	SE	100		10.0	No Change in Use	Adams Well	8/19/1968
15	S	4	W	7	NW	NE	100		11.0	IS	"	"	POA	15	S	4	W	7	NW	NE	100		11.0	"	"	"
15	S	4	W	7	NE	NE	100		39.5	IS	"	"	POA	15	S	4	W	7	NE	NE	100		39.5	"	"	"
15	S	4	W	7	SE	NE	300 700 100		9.6	IS	"	"	POA	15	S	4	W	7	SE	NE	300 700 100		9.6	"	"	"
15	S	4	W	7	SW	NE	100		0.8	IS	"	"	POA	15	S	4	W	7	SW	NE	100		0.8	"	"	"
15	S	4	W	8	NW	NW	100	7	29.2	IS	"	"	POA	15	S	4	W	8	NW	NW	100	7	29.2	"	"	"
15	S	4	W	8	NE	NW	100	7	4.0	IS	"	"	POA	15	S	4	W	8	NE	NW	100	7	4.0	"	"	"
15	S	4	W	8	SE	NW	100 201 300	6	7.0 20.8	IR IS	"	"	POA	15	S	4	W	8	SE	NW	100 201 300	6	7.0 20.8	"	"	"
15	S	4	W	8	SW	NW	100 400 300		2.68 16.3	IR IS	"	"	POA	15	S	4	W	8	SW	NW	100 400 300		2.68 16.3	"	"	"

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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		
15	S	4	W	8	NW	SW	400			3.1	IS	"	"	POA	15	S	4	W	8	NW	SW	400			3.1	"	"	"		
15	S	4	W	8	NE	SW	201 300			2.4 7.7	IR IS	"	"	POA	15	S	4	W	8	NE	SW	201 300			2.4 7.7	"	"	"		
TOTAL ACRES:										164.08						TOTAL ACRES:										164.08				

Additional remarks: Certificate 38019 authorizes the use of 3.76 cfs from Wells 1 through 5 for primary irrigation of 300.5 acres, and 3.81 cfs from Wells 6, 7, and 8 for primary irrigation of 89.0 acres and supplemental irrigation of 216.1 acres. This transfer application proposes to make changes to the portion of the water right associated with Wells 6, 7, and 8. Specifically, this application requests to change the point of appropriation for a 164.08-acre portion, being 12.08 acres of primary irrigation and 152.0 acres of supplemental irrigation. The rate of the water right associated with this 164.08-acre portion is 2.03 cfs based on the following:

3.81 cfs is authorized for use from Wells 6, 7, and 8 for irrigation of 305.1 acres (89.0 IR + 216.1 IS), which equates to 0.0125 cfs per acre; the rate for 164.08 acres = 0.0125 cfs/acres * 164.08 acres = 2.05 cfs.

Because this transfer involves less than 67% of the water right (164.08 acres of the 605.6 total acres of the permit, or 27 % of the entire place of use), the transfer application map shows only the portion of the water right NOT involved in the transfer (i.e., remaining lands) that are located in the same quarter-quarter sections as the proposed transfer - OAR 690-380-3100(2)(f).

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Certificate # **38019****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: **17111 and 14153 (Note: this transfer does not involve a change in place of use, so the layering of 38019 with 17111 and 14153 is unaffected by the 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.

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

RECEIVED**JAN 23 2023****OWRD****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 1*	Yes		~30 ft	10"				10 ft	gravel	0.87
Well 2*	Yes		~30 ft	10"				10 ft	gravel	0.57
Well 3*	Yes		~30 ft	10"				10 ft	gravel	0.82
Well 4*	Yes		~30 ft	10"				10 ft	gravel	0.93

Well 5*	Yes		~30 ft	10"				10 ft	gravel	0.57
Well 6*	Yes		~30 ft	10"				10 ft	gravel	1.63
Well 7 BENT 7624	Yes		27 ft	10"	+1-27 ft	18 ft	18-27 ft	5 ft (4-9-68)	gravel	1.36
Well 8 LANE 6008	Yes		30 ft	4"	0-30 ft		25-30 ft		gravel	1.36
Adams Well BENT 7623	Yes		25.5 ft	10"	+1-25.5 ft	18 ft	19.5-25.5 ft	15.5 ft (7-19-68)	gravel	1.36

*Information listed was obtained from the Final Proof Survey for Certificate 38019, completed by L.E. Gould (Field Engineer) on June 3, 1970.

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Permit A-2-1M-7-70

STATE OF OREGON
COUNTY OF BENTON, LANE, LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CARSON G. ADAMS

of Route 3, Junction City, 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 eight wells

a tributary of Willamette River for the purpose of irrigation of 389.5 acres and supplemental irrigation of 216.1 acres under Permit No. G-4176 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 August 19, 1968

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 7.57 cubic feet per second, being 0.87 cubic foot per second from Well No. 1, 0.57 cubic foot per second from Well No. 2, 0.82 cubic foot per second from Well No. 3, 0.93 cubic foot per second from Well No. 4, 0.57 cubic foot per second from Well No. 5, 1.63 cubic foot per second from Well No. 6, 1.36 cubic foot per second from Well No. 7, and 0.82 cubic foot per second from Paine Well No. 4,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 11 (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Lot 10 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Rodgers DLC 37, Section 5; Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T. 15 S., R. 4 W., W. M. Wells located below:

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:

Wells No. 1 through 5 Wells No. 6, 7
Faine Well No. 4

<u>Primary</u>	<u>Primary</u>	<u>Supplemental</u>
24.0 acres		Lot 11 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
16.0 acres		SW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Rodgers DLC 37
4.7 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Rodgers DLC 37
0.5 acre		Lot 11 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)
8.4 acres		Lot 9 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
40.0 acres		Lot 10 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
40.0 acres		Lot 5 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
6.2 acres		Lot 5 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
6.9 acres		Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
39.7 acres		Lot 6 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
		Section 5
		T. 15 S., R. 4 W., W. M.

Wells located: Well No. 1 - 8830 feet North and 1970 feet East; Well No. 2 - 7,380 feet North and 3240 feet East; Well No. 3 - 5940 feet North and 2180 feet East; Well No. 4 - 4860 feet North and 2950 feet East; Well No. 5 - 8830 feet North and 3220 feet East; Well No. 6 - 2540 feet North and 30 feet East; Well No. 7 - 1380 feet North and 1100 feet East; and Paine Well No. 4 - 800 feet North and 3230 feet East; all from SW Corner, Section 8.

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Wells No.
1 through 5

Wells No. 6, 7
Paine Well No. 4

<u>Primary</u>	<u>Primary</u>	<u>Supplemental</u>
4.0 acres		NE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Rodgers DLC 37
37.6 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Rodgers DLC 37
3.0 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Rodgers DLC 37
0.8 acre		SW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Roth DLC 38
13.7 acres		Lot 13 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
		Section 5
	10.0 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 6
	39.5 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
	11.0 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	0.8 acre	SW $\frac{1}{4}$ NE $\frac{1}{4}$
	11.2 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
	6.2 acres	0.5 acre NE $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 7
6.3 acres		Lot 2 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
30.4 acres		Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
5.0 acres		Lot 5 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
3.9 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
9.4 acres		Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
	4.0 acres	Lot 7 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
	29.2 acres	Lot 7 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 11.7 layered with 17111, 17.5 layered with 14153
22.0 acres	18.0 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres	20.8 acres	Lot 6 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
20.6 acres	9.4 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
33.2 acres	4.0 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
	28.6 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	5.4 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	23.7 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
		Section 8
		T. 15 S., R. 4 W., W. M.

Wells No. 1 through 5	Wells No. 6, 7, 8
IR	IS
TOTALS 300.5 acres	89.0 acres 216.1 acres

Rate of Wells 1 through 5 = $0.87 + 0.57 + 0.82 + 0.93 + 0.57 = 3.76$ cfs

Rate of wells 6, 7, and 8 = $1.63 + 1.36 + 0.82 = 3.81$ cfs

Rate per acre for Wells 1 through 5 = $3.76 / 300.5 = 0.0125$ cfs/ac

Rate per acre for Wells 6, 7, and 8 = $3.81 / 305.1 = 0.0125$ cfs/ac

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 28th day of February, 19 72

CHRIS L. WHEELER
State Engineer

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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 LANE

I, RUSS CROWSON, in my capacity as GENERAL MANAGER OF CROWSON FARMS (OPERATOR OF THE FARMING OPERATION ON THE LAND ASSOCIATED WITH CERTIFICATE 38019),

mailing address 96505 NORATON ROAD, JUNCTION CITY, OR 97448

telephone number (541)844-4131, 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)
38019	15	S	4	W	WM	6	SE	SE		10.0 (IS)
38019	15	S	4	W	WM	7	NW	NE		11.0 (IS)
38019	15	S	4	W	WM	7	NE	NE		39.5 (IS)
38019	15	S	4	W	WM	7	SE	NE		9.6 (IS)
38019	15	S	4	W	WM	7	SW	NE		0.8 (IS)
38019	15	S	4	W	WM	8	NW	NW	7	29.2 (IS)
38019	15	S	4	W	WM	8	NE	NW	7	4.0 (IS)
38019	15	S	4	W	WM	8	SE	NW	6	7.0 (IR) 20.8 (IS)
38019	15	S	4	W	WM	8	SW	NW		2.68 (IR) 16.3 (IS)
38019	15	S	4	W	WM	8	NW	SW		3.1 (IS)
38019	15	S	4	W	WM	8	NE	SW		2.4 (IR) 7.7 (IS)

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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)

3. The water right was used for: (e.g., crops, pasture, etc.): PRIMARY AND SUPPLEMENTAL* IRRIGATION OF ROW CROPS AND PASTURE.

* With regard to the supplemental irrigation authorized under Certificate 38019, the irrigation system was ready, willing, and able to use the supplemental groundwater source when the primary surface water source was not available.

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

Signature of Affiant

Date

State of Oregon
County of Lane

Signed and sworn to (or affirmed) before me this 10th day of January, 2023.
by Russell John Crawford



Notary Public for Oregon

My Commission Expires: 1-20-2026

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

	<ul style="list-style-type: none"> • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>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</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Place of Use, Google Earth 7/22/2021



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

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Applicant

NAME Hubbard Family, LLC; Attn: Meredith Morgan Please copy Doug Morgan on correspondence pertaining to this application)		PHONE (HM) -
PHONE (WK)	CELL 847-436-7099 (847-436-7098)	FAX -
ADDRESS 1145 Raleigh Road		
CITY Glenview	STATE IL	ZIP 60025
E-MAIL* meredith@chicagomorgans.com (doug@chicagomorgans.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:
15 S	4 W	7	NE NE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

Benton County

B. Description of Proposed Use

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

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

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

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 requesting to change the point of appropriation (well) for a 162.2-acre portion of an existing water right, Certificate 38019. The new well to be added to the water right is located on the tax lot listed above. Groundwater pumped from this well will be used for irrigation of the existing farm land in the amount authorized by the water right (2.03 cfs on 162.2 acres of land).

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

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BCC Chapter 55 Exclusive Farm Use
- ☐ 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JAN 23 2023	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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.

NAME Inga Williams		TITLE: Associate Planner
SIGNATURE APPROVED <small>By Inga Williams at 9:59 am, Aug 26, 2022</small>	PHONE: 541-766-6027	DATE: 8/26/22
GOVERNMENT ENTITY Benton County Community Development Department		

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

STATE ENGINEER
Salem, OregonLANE
6008

Well Record

STATE WELL NO. 15/4W-8Q
COUNTY Lane
APPLICATION NO. GR-4175

OWNER: Roscoe B. Paine

MAILING

ADDRESS: 80 Talbot Lane

LOCATION OF WELL: Owner's No. # 3

CITY AND

STATE: Junction City, Oregon

SW 1/4 SE 1/4 Sec. 8 T. 15 N. S. R. 4 E. W. M.

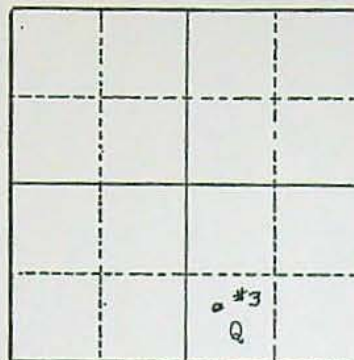
Bearing and distance from section or subdivision

corner 12 chains North and 31 chains West from
the SE Corner, Section 8

Altitude at well 300 feet

TYPE OF WELL: Driven Date Constructed 1950

Depth drilled 30 feet Depth cased 30 feet



Section 8

CASING RECORD:

4-inch casing set from 0 to 30 feet

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FINISH:

Perforated 1/2 in. slots from 25 to 30 feet

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AQUIFERS:

silt, gravel, and sand

WATER LEVEL:

PUMPING EQUIPMENT: Type Pacific H.P.
Capacity 400 G.P.M.

WELL TESTS:

Drawdown 15 ft. after hours 450 G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION GR-4068

DRILLER or DIGGER

ADDITIONAL DATA:

Log x Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

silt	8	8
gravel	3	11
silt	10	21
sand	5	26
gravel	4	30

Wells: All 10" Casing, Approx. 30' Deep.

Pumps: 4 - 40 H.P. G.E., 3 phase, 3500 R.P.M.,
Dir. Dr. Cornoll 4" x 5"

4 - 30 H.P. Westinghouse, 3ph. 3450 R.P.M.,
Dir. Dr. Gould Cent. 4" x 5"

Pipe: 3 miles - 6" Alum
4 miles - 3" "

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Heads: ~~560~~ R.B. #30 - $\frac{3}{16} \times \frac{3}{32}$

Note: 40 H.P. Pumps operate approx. 75 Heads ea. ^{Max.}
30 " " " " 65 " ^{Max.}

Crop: Row crop, mint & grass seed.

Lift: Suction 10' Discharge 0' to 5'

Tie: Wells Tied to S.W. Cor. Sec. 8 - Stone } 1970-T
Photo " " " " " " }

Note: Gary Adams said that it was impossible to determine acreage irrigated by each well because all the 5 wells on the island are usually manifolded together on one Main. Also the 4 wells & 2 50 H.P. pumps on the Slough are connected to one Main.

June 3, 1970, L.E. Gould
Field Engineer



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January 18, 2023

Mr. P. Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: **Revised** Application for a Permanent Water Right Transfer
Transfer T-14089 involving a portion of Certificate 38019; Hubbard Family LLC

Mr. Starnes:

On behalf of the applicant, Hubbard Family LLC, please find enclosed a **revised** Application for a Permanent Water Right Transfer involving a portion of Certificate 38019. The enclosed application is submitted to replace the version of the application on file for Transfer T-14089, which was filed with the Department on September 19, 2022.

The revised application includes an additional 1.88-acre portion Certificate 38019. This revision does not change the fee required by the application (the \$1,840 fee previously paid is the amount of the required fee for the revised transfer application).

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.

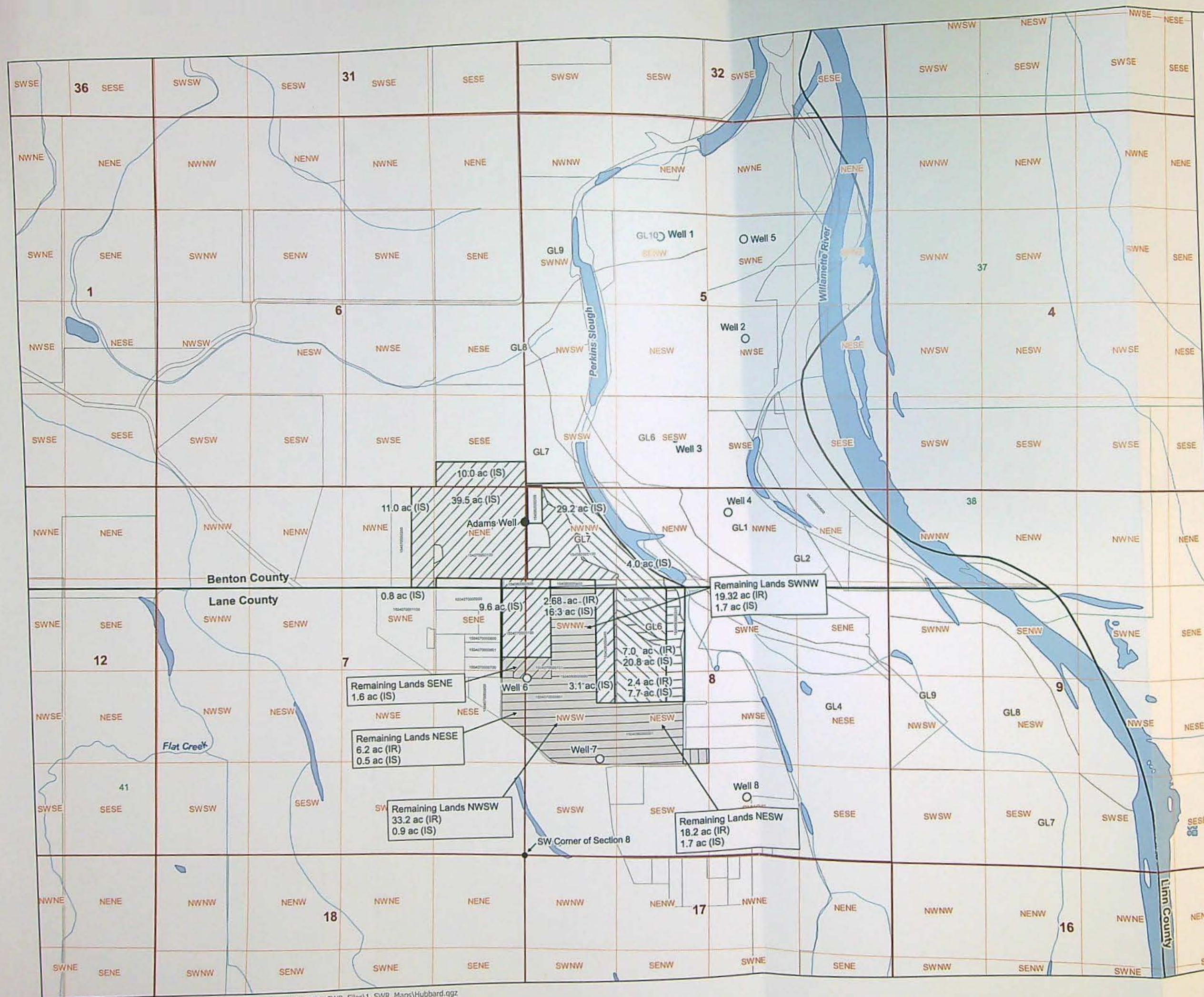
Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC.

Cc: Meredith Morgan – Hubbard Family LLC
Doug Morgan

Enclosures:

Revised Application for a Permanent Water Right Transfer, Transfer T-14089 (involving Certificate 38019)



LEGEND

- Authorized Point of Appropriation (POA)
- Proposed POA
- ▨ POU, 38019, IR, Wells 6-8
- ▩ POU, 38019, IS, Wells 6-8 (IR under 17111)
- ▩ POU, 38019, IS, Wells 6-8 (IR under 14153)
- ▩ POU, 38019, IS, Wells 6-9 (IR under GR-4174, Cert. GR-4067)
- ▨ Remaining Lands
- ▨ Sections
- ▨ Donation Land Claims (DLCs)
- ▨ Government Lots (GLs)
- ▨ Property Lines
- ▨ Hubbard Family LLC Owned Property
- ▨ Waterbodies

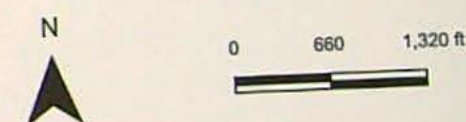
POA Location Description

Well 1: 8830 feet north and 1970 feet east from SW corner of Section 8
 Well 2: 7380 feet north and 3240 feet east from SW corner of Section 8
 Well 3: 5940 feet north and 2180 feet east from SW corner of Section 8
 Well 4: 4860 feet north and 2950 feet east from SW corner of Section 8
 Well 5: 8830 feet north and 3220 feet east from SW corner of Section 8
 Well 6: 2540 feet north and 30 feet east from SW corner of Section 8
 Well 7: 1380 feet north and 1100 feet east from SW corner of Section 8
 Well 8: 800 feet north and 3230 feet east from SW corner of Section 8
 Adams Well: 4785 feet north and 10 feet west from SW corner of Section 8



RENEWS: 12-31-2024
 CWRE Seal and Signature

Notes:
 This map was prepared for the purpose of identifying the location of a water right only and is not intended to provide legal dimensions or location of property ownership lines.



Data Sources: Washington County, METRO
 Date: 12/29/2022

Application for a Permanent Water Right Transfer Certificate 38019

A Water Right held by Hubbard Family LLC
 Township 15 S, Range 4 W, Sections 5-8 (W.M.)
 Benton and Lane County

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Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

September 27, 2022

HUBBARD FAMILY LLC
ATTN MEREDITH MORGAN
1145 RALEIGH RD
GLENVIEW, IL 60025

Reference: Application T-14089

On September 19, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Our receipt number 139159 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #2, Lanaya F. Blakely (*via email*)
Summit Water Resources, LLC, Ted Ressler
Benton County
Lane County

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **139159**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Hubbard Family LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14089

CASH: ☐ CHECK: # 1476 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1,840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: **139159**

DATED: 9-19-2022 BY: [Signature]

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

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- ☒ 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: 38019
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.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ 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.
- ☒ ☐ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ 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.

(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: ____/____/____

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Part 2 of 5 – Transfer Application Map

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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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

[illegible]

*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, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
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	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Hubbard Family LLC; Attn: Meredith Morgan (Please copy Doug Morgan on correspondence pertaining to this transfer application)			PHONE NO. 847-436-7099 (847-436-7098)	ADDITIONAL CONTACT NO.
ADDRESS 1145 Raleigh Road				FAX NO.
CITY Glenview	STATE IL	ZIP 60025	E-MAIL meredith@chicagomorgans.com (doug@chicagomorgans.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 Summit Water Resources, LLC; Attn: Ted Ressler			PHONE NO. 503-701-4535	ADDITIONAL CONTACT NO.
ADDRESS PO Box 11268				FAX NO.
CITY Portland	STATE OR	ZIP 97211	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:
Change the point of appropriation for a portion of Certificate 38019.

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

Check One Box

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

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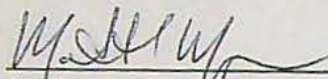
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By my signature below, I confirm that I understand:

- 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: Albany Democrat-Herald.
- 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

Meredith Morgan, Manager
Hubbard Family LLC
Print Name (and Title if applicable)

8/29/22
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.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
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	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 Benton County Community Development Department, Planning Division	ADDRESS 360 SW Avery Avenue	
CITY Corvallis	STATE OR	ZIP 97333
ENTITY NAME Lane County Land Management Division	ADDRESS 3050 N. Delta Hwy	
CITY Eugene	STATE OR	ZIP 97408

NOTE: the change requested by this transfer application is associated with land located only in Benton County.

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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 # **38019**

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Description of Water Delivery System

System capacity: **2.03** cubic feet per second (cfs) OR

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_____ 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. Groundwater is appropriated using a 50 Hp centrifugal pump and conveyed by a closed pipe system to the place of use where the water is applied for irrigation using wheel lines.

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)
Adams Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	BENT 7623	15 S	4 W	8	NW	NW	GL7	4785 feet north and 10 feet east from SW corner of Section 8
Well 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	Unknown, see Table 3	15 S	4 W	8	NW	SW		2540 feet north and 30 feet east from SW corner of Section 8
Well 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	BENT 7624*	15 S	4 W	8	NW	SW		1380 feet north and 1100 feet east from SW corner of Section 8
Well 8 (Paine Well #4)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LANE 6008	15 S	4 W	8	SW	SE		800 feet north and 3230 feet east from SW corner of Section 8
Certificate 38019 also includes Wells 1, 2, 3, 4, and 5 as POAs; however, these wells are associated with irrigation of the portion of the POU located on the east side of the slough; no changes are proposed for this portion of the water right.									
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15 S	4 W	5	SE	NW	GL10	8830 feet north and 1970 feet east from SW corner of Section 8
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15 S	4 W	5	NW	SE	DLC 37	7380 feet north and 3240 feet east from SW corner of Section 8
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15 S	4 W	5	SE	SW	GL6	5940 feet north and 2180 feet east from SW corner of Section 8
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15 S	4 W	8	NW	NE	GL1	4860 feet north and 2950 feet east from SW corner of Section 8
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		15 S	4 W	5	SW	NE		8830 feet north and 3220 feet east from SW corner of Section 8

*Well log association based on location of the well per GWIS, the owner listed on well log being the water right holder of record for Certificate 38019, a construction date being prior to the date of the Final Proof Survey for Certificate 38019, and well casing diameter and depth consistent with information provided in the Final Proof Survey for Certificate 38019. The well logs lists the well as being in Benton County, however, this is considered erroneous based on the other stated attributes of the well.

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 checked="" 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 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.

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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 Changes to Water Right Certificate # 38019

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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
15	S	4	W	6	SE	SE	100		10.0	IS	Well 6 Well 7 Well 8	8/19/1968	POA	15	S	4	W	6	SE	SE	100		10.0	No Change in Use	Adams Well	8/19/1968
15	S	4	W	7	NW	NE	100		11.0	IS	"	"	POA	15	S	4	W	7	NW	NE	100		11.0	"	"	"
15	S	4	W	7	NE	NE	100		39.5	IS	"	"	POA	15	S	4	W	7	NE	NE	100		39.5	"	"	"
15	S	4	W	7	SE	NE	300 100		9.6	IS	"	"	POA	15	S	4	W	7	SE	NE	100		9.6	"	"	"
15	S	4	W	7	SW	NE	100		0.8	IS	"	"	POA	15	S	4	W	7	SW	NE	100		0.8	"	"	"
15	S	4	W	8	NW	NW	100	7	29.2	IS	"	"	POA	15	S	4	W	8	NW	NW	100	7	29.2	"	"	"
15	S	4	W	8	NE	NW	100	7	4.0	IS	"	"	POA	15	S	4	W	8	NE	NW	100	7	4.0	"	"	"
15	S	4	W	8	SE	NW	100 201 300	6	7.0 20.8	IR IS	"	"	POA	15	S	4	W	8	SE	NW	100 201 300	6	7.0 20.8	" "	"	"
15	S	4	W	8	SW	NW	100 400 300 100		0.8 16.3	IR IS	"	"	POA	15	S	4	W	8	SW	NW	100 400		0.8 16.3	" "	"	"

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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				
15	S	4	W	8	NW	SW	400		3.1	IS	"	"	POA	15	S	4	W	8	NW	SW	400		3.1	"	"	"
15	S	4	W	8	NE	SW	201 300		2.4 7.7	IR IS	"	"	POA	15	S	4	W	8	NE	SW	201 300		2.4 7.7	"	"	"
TOTAL ACRES:							162.2						TOTAL ACRES:							162.2						

Additional remarks: Certificate 38019 authorizes the use of 3.76 cfs from Wells 1 through 5 for primary irrigation of 300.5 acres, and 3.81 cfs from Wells 6, 7, and 8 for primary irrigation of 89.0 acres and supplemental irrigation of 216.1 acres. This transfer application proposes to make changes to the portion of the water right associated with Wells 6, 7, and 8. Specifically, this application requests to change the point of appropriation for a 162.2-acre portion, being 10.2 acres of primary irrigation and 152.0 acres of supplemental irrigation. The rate of the water right associated with this 162.2-acre portion is 2.03 cfs based on the following:

3.81 cfs is authorized for use from Wells 6, 7, and 8 for irrigation of 305.1 acres (89.0 IR + 216.1 IS), which equates to 0.0125 cfs per acre; the rate for 162.2 acres = 0.0125 cfs/acres * 162.2 acres = 2.03 cfs.

Because this transfer involves less than 67% of the water right (162.2 acres of the 605.6 total acres of the permit, or 27 % of the entire place of use), the transfer application map shows only the portion of the water right NOT involved in the transfer (i.e., remaining lands) that are located in the same quarter-quarter sections as the proposed transfer - OAR 690-380-3100(2)(f).

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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: 17111 and 14153 (Note: this transfer does not involve a change in place of use, so the layering of 38019 with 17111 and 14153 is unaffected by the 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.

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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*	Yes		~30 ft	10"				10 ft	gravel	0.87
Well 2*	Yes		~30 ft	10"				10 ft	gravel	0.57
Well 3*	Yes		~30 ft	10"				10 ft	gravel	0.82
Well 4*	Yes		~30 ft	10"				10 ft	gravel	0.93

Well 5*	Yes		~30 ft	10"				10 ft	gravel	0.57
Well 6*	Yes		~30 ft	10"				10 ft	gravel	1.63
Well 7 BENT 7624	Yes		27 ft	10"	+1-27 ft	18 ft	18-27 ft	5 ft (4-9-68)	gravel	1.36
Well 8 LANE 6008	Yes		30 ft	4"	0-30 ft		25-30 ft		gravel	1.36
Adams Well BENT 7623	Yes		25.5 ft	10"	+1-25.5 ft	18 ft	19.5-25.5 ft	15.5 ft (7-19-68)	gravel	1.36

*Information listed was obtained from the Final Proof Survey for Certificate 38019, completed by L.E. Gould (Field Engineer) on June 3, 1970.

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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 97301-126
(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 LAN

I, RUSS CROWSON, in my capacity as GENERAL MANAGER OF CROWSON FARMS (OPERATOR OF THE FARMING OPERATION ON THE LAND ASSOCIATED WITH CERTIFICATE 38019),

mailing address 96505 NORATON ROAD, JUNCTION CITY, OR 97448

telephone number (541)844-4131, being first duly sworn depose and say

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

☒ Personal observation

☐ Professional expertise

2. I attest that

☐ Water was used during the previous five years on the **entire** place of use
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)
38019	15	S	4	W	WM	6	SE	SE		10.0 (I)
38019	15	S	4	W	WM	7	NW	NE		
38019	15	S	4	W	WM	7	NE	NE		
38019	15	S	4	W	WM	7	SE	NE		9.6 (I)
38019	15	S	4	W	WM	7	SW	NE		0.8 (IS)
38019	15	S	4	W	WM	8	NW	NW	7	29.2 (IS)
38019	15	S	4	W	WM	8	NE	NW	7	4.0 (IS)
38019	15	S	4	W	WM	8	SE	NW	6	7.0 (I) 20.8 (IS)
38019	15	S	4	W	WM	8	SW	NW		0.8 (IR) 16.3 (IS)
38019	15	S	4	W	WM	8	NW	SW		3.
38019	15	S	4	W	WM	8	NE	SW		2.4 (I) 7.7 (IS)

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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)

3. The water right was used for: (e.g., crops, pasture, etc.): PRIMARY AND SUPPLEMENTAL* IRRIGATION OF ROW CROPS AND PASTURE.

* With regard to the supplemental irrigation authorized under Certificate 38019, the irrigation system was ready, willing, and able to use the supplemental groundwater source when the primary surface water source was not available.

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.

Russell John Crawson
Signature of Affiant

9-2-2022

Date

State of OR
County of Lane

Signed and sworn to (or affirmed) before me this 2nd day of September, 2022.
by Russell John Crawson.

Leah Geocaris
Notary Public for Oregon

My Commission Expires: 1-20-2026



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

	<ul style="list-style-type: none"> • Agricultural Stabilization Pla • CREP Repor
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail t establish location and date of photograph	<p>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.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.u Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Place of Use, Google Earth 7/22/2021



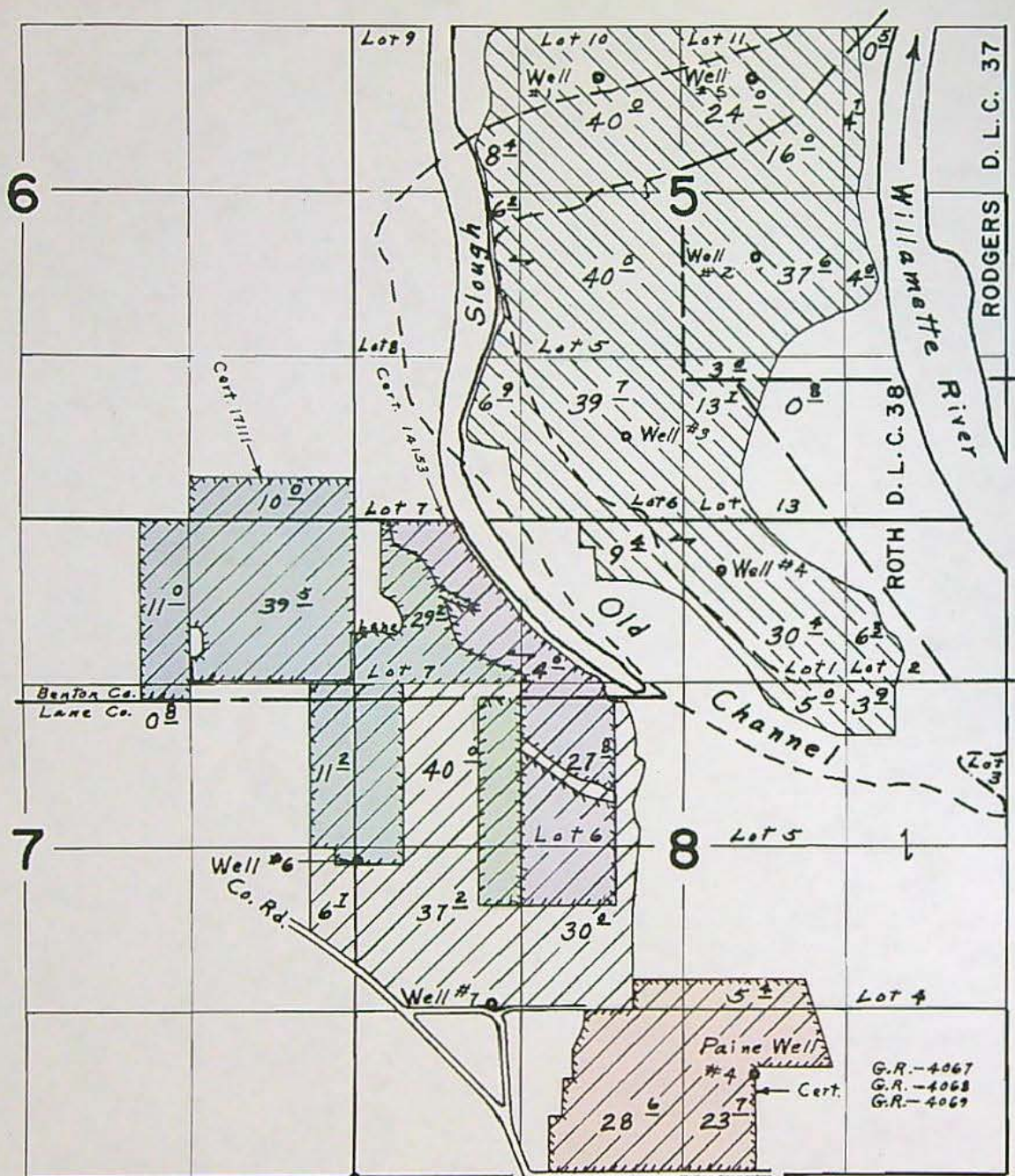
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SEP 19 2022

Certificate 38019

T. 15 S. R. 4 W. W. M.

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Wells located: #1, 8830' N. & 1970' E.; #2, 7380' N. & 3240' E.; #3, 5940' N. & 2180' E.; #4, 4860' N. & 2950' E.; #5, 8830' N. & 3220' E.; #6, 2540' N. & 30' E.; #7, 1380' N. & 1100' E.; Payne Well #4, 800' N. & 3230' E.; all from Common Corner to Sections 7, 8, 17 & 18

17111 primary

14153 primary

GR primary

FINAL PROOF SURVEY

UNDER

Application No. G-4433 Permit No. G-4176...

IN NAME OF

CARSON ADAMS

Surveyed June 3, 1970, by L. E. Gould

Wells 1-5

Wells 6, 7 & Payne #4

G.R.-4067
G.R.-4068
G.R.-4069

DBA-100-273 & 1974-T



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September 13, 2022

Mr. P. Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

Subject: Application for a Permanent Water Right Transfer
Certificate 38019, Hubbard Family LLC

Mr. Starnes:

On behalf of the applicant, Hubbard Family LLC, please find enclosed an Application for a Permanent Water Right Transfer involving a portion of Certificate 38019 accompanied by a check in the amount of \$1,840 for payment of the application filing fee.

If you have any questions regarding the enclosed application, you can reach me at 971-200-8509. Please copy me on any correspondence regarding this application.

Respectfully submitted,

Theodore Ressler, RG, CWRE
Summit Water Resources LLC.

Cc: Meredith Morgan – Hubbard Family LLC
Doug Morgan

Enclosures:

Application for a Permanent Water Right Transfer involving a portion of Certificate 38019
Check #1476 in the amount of \$1,840

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-14089

Checked by: <u>Jon</u> Date: <u>9/20/22</u>	Type of Change(s) mark the proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Fee Received: <u>1840.00</u>		Gov Action	Surface to Ground	<u>POA</u>		USE
Calculated Fee:		How many rights to be transferred? <u>4</u>				
Additional Observations:		Certificate# <u>38019</u>				

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, have the applicants completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificates are missing a separate Part 5 tables 1 & 2? _____
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☐ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

☐ This application is deficient, and **CANNOT** be accepted.

It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

_____ date _____

Permanent Transfer Application Checklist

[illegible]

1840 ✓