

Temporary

Name Green Spring FarmsAddress 8930 Suver Rd.  
Monmouth, OR 97361  
klehar@greenspringfarms.comChange in POU, POD  
Date Filed 8/19/2024  
Initial notice date 8/27/2024  
DPD issued date \_\_\_\_\_  
PD issued date \_\_\_\_\_  
PD notice date \_\_\_\_\_  
Date of FO 12/11/2024 Vol 133 Page 511-516C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Kimberly Grigsby  
kgrigsby@gsiws.com

CWRE \_\_\_\_\_

CC's list Polk County Planning Division

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream Luckiamute RiverTrib. of Willamette RiverUse Irrigation County Polk

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# S-51087 Per # S-37832 Cert # 89189 PR Date 8-20-1973App# S-25428 Per # S-19903 Cert # 26578 PR Date 11-10-1950App# S-38367 Per # S-28593 Cert # 32343 PR Date 1-18-1963 Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

Date 8-19-24 Amount 2,036.53 Receipt # 143585

## FEES REFUNDED

Amount \_\_\_\_\_ Receipt # \_\_\_\_\_





# 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](http://www.oregon.gov/owrd)

December 11, 2024

Green Spring Farms  
8930 Suver Rd  
Monmouth, OR 97361

REFERENCE: District Temporary Transfer Application T-14520

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

The temporary change shall be effective at the **beginning of the 2024 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2026 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.m.smith@water.oregon.gov](mailto:Joan.m.smith@water.oregon.gov).

Sincerely,

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

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)  
Kimberly Grigsby, Agent  
Polk County Planning Department, Local Government

Enclosure



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

|                                       |   |                                     |
|---------------------------------------|---|-------------------------------------|
| In the Matter of Transfer Application | ) | FINAL ORDER APPROVING TEMPORARY     |
| T-14520, Polk County                  | ) | CHANGES IN PLACES OF USE AND POINTS |
|                                       | ) | OF DIVERSION                        |

**Authority**

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

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

**Applicant**

GREEN SPRING FARMS  
8930 SUVER RD  
MONMOUTH, OR 97361

**Findings of Fact**

1. On August 19, 2024, GREEN SPRING FARMS filed an application to temporarily change the places of use and to change the points of diversion to serve the proposed places of use under Certificates 26578, 32343, and 89189 for a period of 3 years. The Department assigned the application number T-14520.
2. Notice of the application for transfer was published on August 27, 2024, pursuant to OAR 690-380-4000.
3. Temporary Transfer T-14296 includes a portion of Certificate 32343 involved in this application; however, the applicant has requested that T-14296 be terminated and included the statement "water has not been used under T-14296".

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



4. Temporary Transfer T-14296 was Terminated on October 7, 2024, as evidenced in Special Order Volume 133, Page 162.

5. The portion of the first right to be temporarily transferred is as follows:

**Certificate:** 26578 in the name of V. L. MATHANY (perfected under Permit S-19903)

**Use:** IRRIGATION of 54.29 ACRES

**Priority Date:** NOVEMBER 10, 1950

**Rate:** 0.63 CUBIC FOOT PER SECOND

**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 and shall be still further limited to a diversion of not to exceed 0.63 cubic foot per second.

**Source:** BIG LUCKIAMUTE RIVER a tributary of WILLAMETTE RIVER

**Authorized Points of Diversion:**

| Twtp | Rng | Mer | Sec | Q-Q   | GLot | Name |
|------|-----|-----|-----|-------|------|------|
| 9 S  | 6 W | WM  | 24  | SE SE |      | M2   |
| 9 S  | 6 W | WM  | 24  | SW SE | 4    | M1   |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |      |       |
|------------|-----|-----|-----|-------|------|-------|
| Twtp       | Rng | Mer | Sec | Q-Q   | GLot | Acres |
| 9 S        | 5 W | WM  | 19  | SW SW |      | 23.09 |
| 9 S        | 5 W | WM  | 19  | SE SW |      | 11.40 |
| 9 S        | 6 W | WM  | 24  | SW SE | 4    | 19.60 |
| 9 S        | 6 W | WM  | 25  | NW NE | 1    | 0.20  |
| Total      |     |     |     |       |      | 54.29 |

6. Temporary Transfer Application T-14520 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |     |       |
|------------|-----|-----|-----|-------|-----|-------|
| Twtp       | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 9 S        | 4 W | WM  | 32  | SW NE | 69  | 17.0  |
| 9 S        | 4 W | WM  | 32  | SE NE | 69  | 4.51  |
| 9 S        | 4 W | WM  | 32  | SE NW | 69  | 3.18  |
| 9 S        | 4 W | WM  | 32  | NE SW | 69  | 3.60  |
| 9 S        | 4 W | WM  | 32  | NE SE | 69  | 5.50  |
| 9 S        | 4 W | WM  | 32  | NW SE | 69  | 20.5  |
| Total      |     |     |     |       |     | 54.29 |



7. The change in point of diversion is necessary to convey the water to the proposed temporary places of use. Temporary Transfer Application T-14520 proposes to move the authorized point of diversion approximately 7.75 miles from the authorized M2 POD and 7.43 miles from the authorized M1 POD downstream to:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|-----|-----|-----|-----|-------|---|
| 9 S | 4 W | WM  | 29  | NE SW | PPOD 1 - 1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46 |

8. The portion of the second right to be temporarily transferred is as follows:

**Certificate:** 32343 in the name of V.L. MATHANY (perfected under Permit S-28593)

**Use:** IRRIGATION of 63.2 ACRES

**Priority Date:** JANUARY 18, 1963

**Rate:** 0.79 CUBIC FOOT PER SECOND

**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:** BIG LUCKIAMUTE RIVER a tributary of WILLAMETTE RIVER

**Authorized Points of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | GLot | Name |
|-----|-----|-----|-----|-------|------|------|
| 9 S | 5 W | WM  | 19  | NW SW |      | M3   |
| 9 S | 6 W | WM  | 24  | SE SE |      | M2   |
| 9 S | 6 W | WM  | 24  | NW SE | 3    | M1   |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |      |       |
|------------|-----|-----|-----|-------|------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | GLot | Acres |
| 9 S        | 5 W | WM  | 30  | NE NW |      | 14.4  |
| 9 S        | 5 W | WM  | 30  | NW NW |      | 23.9  |
| 9 S        | 6 W | WM  | 25  | NE NE |      | 6.4   |
| 9 S        | 6 W | WM  | 25  | NW NE | 1    | 18.5  |
| Total      |     |     |     |       |      | 63.2  |

9. Temporary Transfer Application T-14520 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |     |       |
|------------|-----|-----|-----|-------|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 9 S        | 4 W | WM  | 32  | NE NE | 69  | 11.3  |
| 9 S        | 4 W | WM  | 32  | NW NE | 69  | 14.9  |
| 9 S        | 4 W | WM  | 32  | SW NE | 69  | 22.9  |
| 9 S        | 4 W | WM  | 32  | SE NE | 69  | 6.39  |
| 9 S        | 4 W | WM  | 32  | NE NW | 69  | 3.79  |
| 9 S        | 4 W | WM  | 32  | SE NW | 69  | 3.92  |



| IRRIGATION |     |     |     |     |     |       |
|------------|-----|-----|-----|-----|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q | DLC | Acres |
| Total      |     |     |     |     |     | 63.2  |

10. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14520 proposes to move the authorized points of diversion approximately 10.8 miles from the authorized M1 POD and 10.4 miles from the authorized M2 POD and 7.21 miles from the authorized M3 POD downstream to:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|-----|-----|-----|-----|-------|---|
| 9 S | 4 W | WM  | 29  | NE SW | PPOD 1 - 1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46 |

11. The portion of the third right to be temporarily transferred is as follows:

**Certificate:** 89189 in the name of PHILLIP AND DELIA SPERLING (perfected under Permit S-37832)

**Use:** IRRIGATION of 55.3 ACRES

**Priority Date:** AUGUST 20, 1973

**Rate:** 0.69 CUBIC FOOT PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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:** LUCKIAMUTE RIVER a tributary of WILLAMETTE RIVER

**Authorized Point of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | DLC | Measured Distances   |
|-----|-----|-----|-----|-------|-----|--|
| 9 S | 4 W | WM  | 20  | SW NW | 63  | POD 4 - 2530 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER OF VANDERPOOL DLC 63 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |     |       |
|------------|-----|-----|-----|-------|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 9 S        | 4 W | WM  | 17  | SE SW | 63  | 10.1  |
| 9 S        | 4 W | WM  | 20  | NE NW | 63  | 30.4  |
| 9 S        | 4 W | WM  | 20  | NW NW | 63  | 7.5   |
| 9 S        | 4 W | WM  | 20  | SE NW | 63  | 7.3   |
| Total      |     |     |     |       |     | 55.3  |



12. Temporary Transfer Application T-14520 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |     |       |
|------------|-----|-----|-----|-------|-----|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | DLC | Acres |
| 9 S        | 4 W | WM  | 29  | SE SW | 69  | 0.6   |
| 9 S        | 4 W | WM  | 29  | SW SE | 69  | 22.9  |
| 9 S        | 4 W | WM  | 29  | SE SE | 69  | 6.7   |
| 9 S        | 4 W | WM  | 32  | NW NE | 69  | 25.1  |
| Total      |     |     |     |       |     | 55.3  |

13. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14520 proposes to move the authorized point of diversion approximately 1.36 miles downstream to:

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|-----|-----|-----|-----|-------|---|
| 9 S | 4 W | WM  | 29  | NE SW | PPOD 1 - 1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46 |

#### ***Temporary Transfer Review Criteria***

14. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
16. The proposed changes would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
17. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

#### **Conclusions of Law**

The temporary changes in places of use and points of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-14520 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

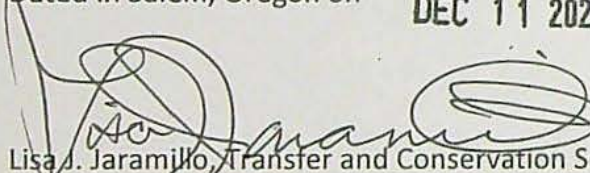
1. The temporary change in place of use and change in points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14520 are approved.



2. The former place of use **shall not** be irrigated as part of these water rights during the 2024, 2025, and 2026 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2026 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted at the proposed temporary points of diversion shall not exceed the quantity of water lawfully available at the original points of diversion.
6. A subsequent application for permanent transfer of Certificates 26578, 32343, and 89189 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 26578, 32343, and 89189.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. The use of the remaining water rights described by Certificates 26578, 32343, and 89189 shall continue to be in accordance with the terms and conditions of Certificates 26578, 32343, and 89189.

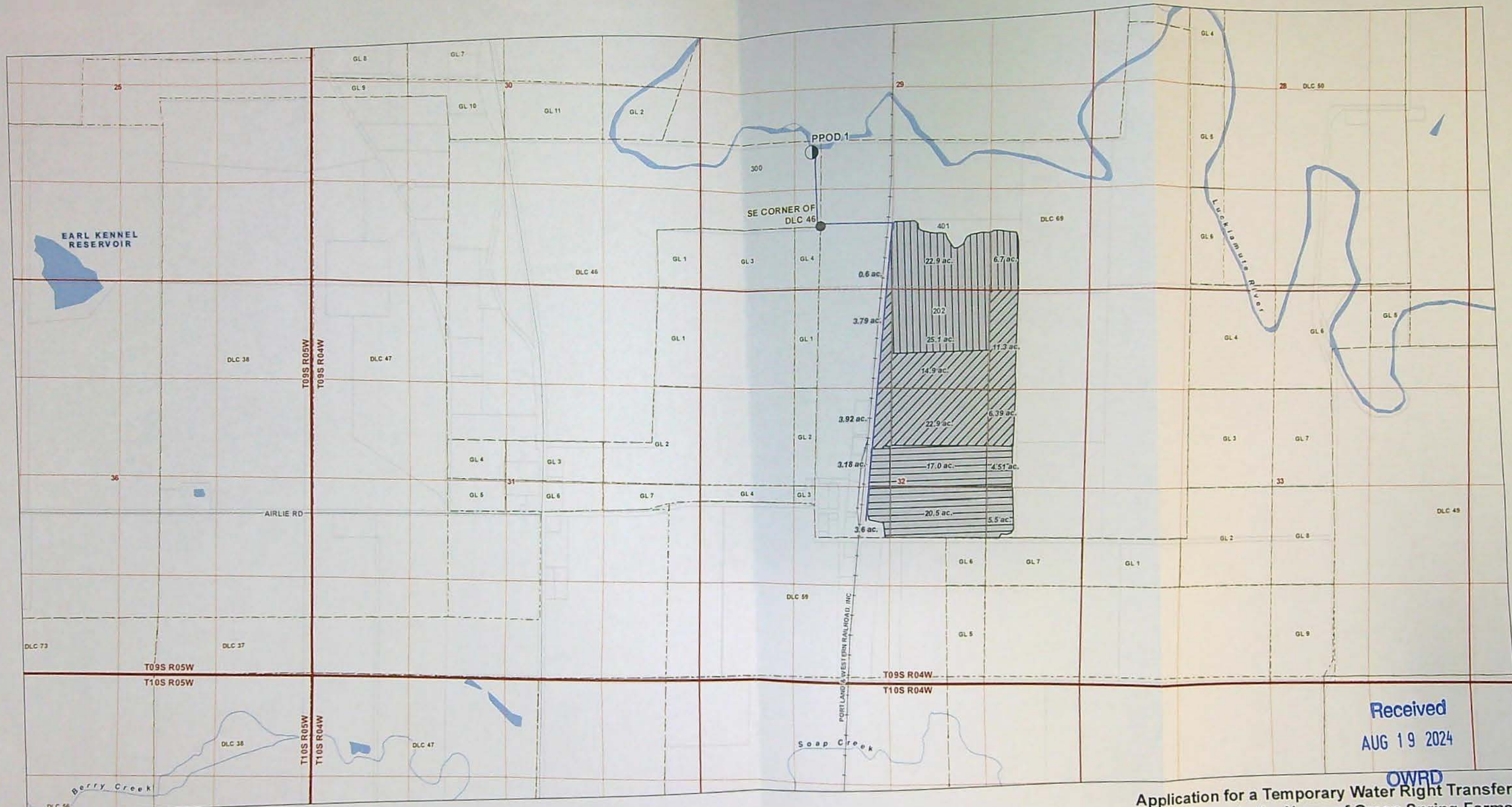
Dated in Salem, Oregon on

DEC 11 2024

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

Mailing Date: DEC 12 2024





Received  
AUG 19 2024

OWRD

**Application for a Temporary Water Right Transfer  
in the Name of Green Spring Farms  
Proposed Place of Use/Point of Diversion**

Certificates 26578, 32343, and 89189

**LEGEND**

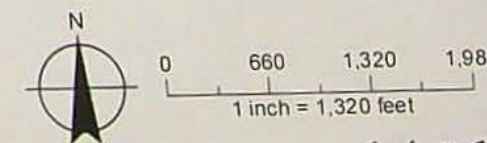
- Proposed Point of Diversion (POD)
- Conveyance Line
- Proposed Place of Use (POU)**
  - ▨ Certificate 26578 To Lands, 54.29 acres
  - ▩ Certificate 32343 To Lands, 63.2 acres
  - ▧ Certificate 89189 To Lands, 55.3 acres
- All Other Features**
  - ▭ Tax Lot
  - Major Road
  - Railroad
  - Watercourse
  - Waterbody

**LOCATION DESCRIPTION**

**Proposed POD**  
Located 1000 feet North and 100 feet West from the SE corner of DLC 46, Section 29, Township 9 South, Range 4 West (W.M.)

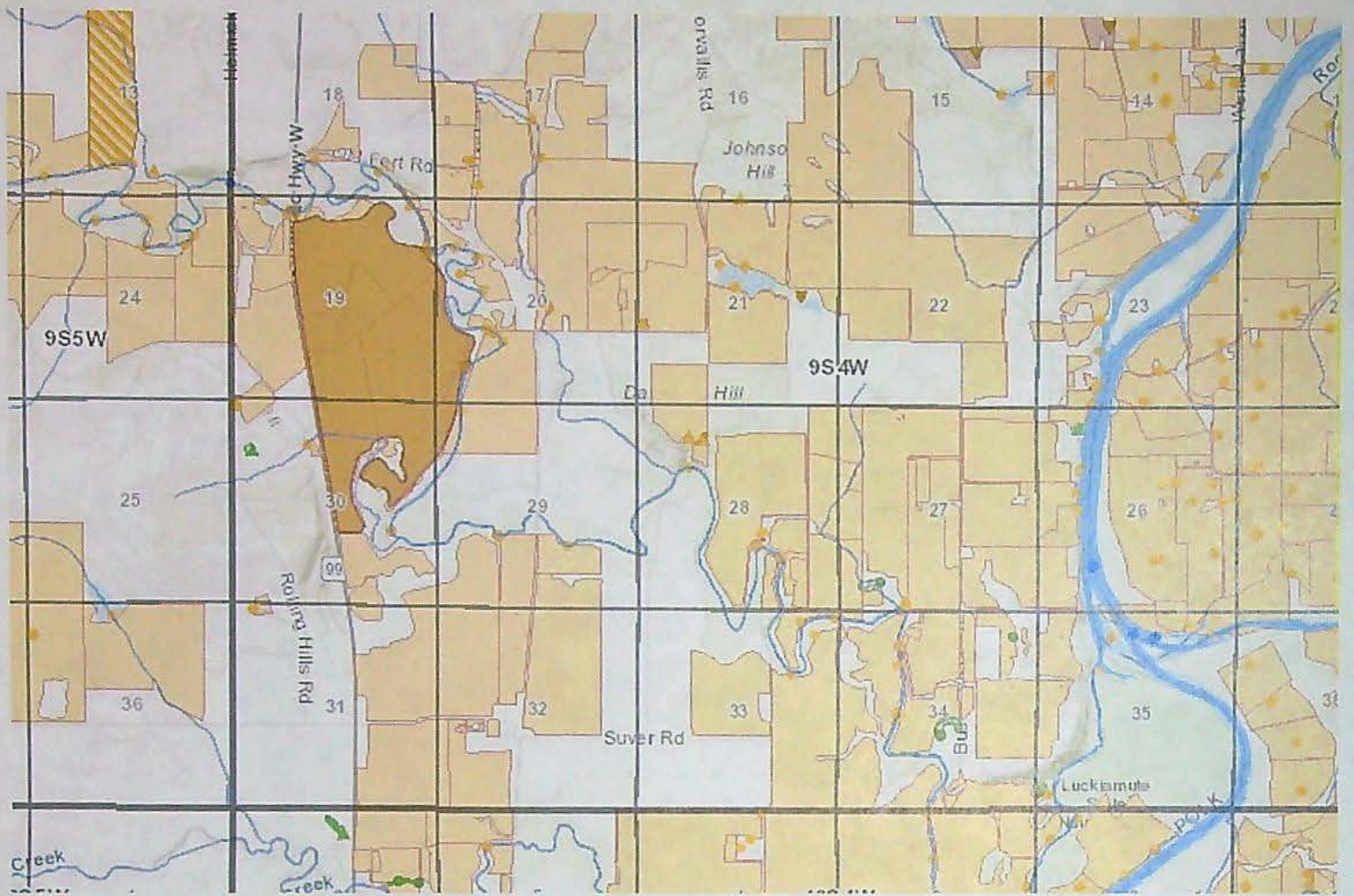
**DISCLAIMER**

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.  
Date: July 22, 2024  
Data Sources: BLM, ESRI, OWRD, USGS

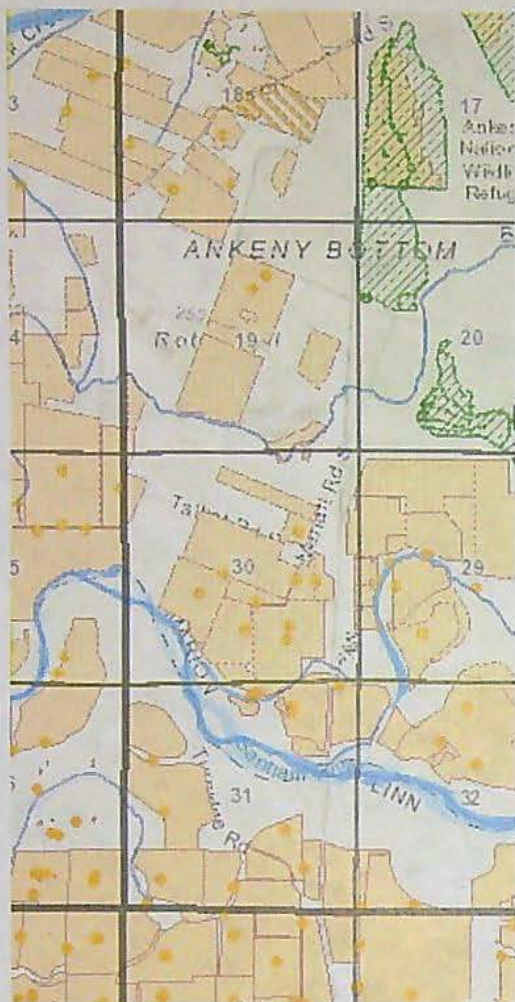


14520 -

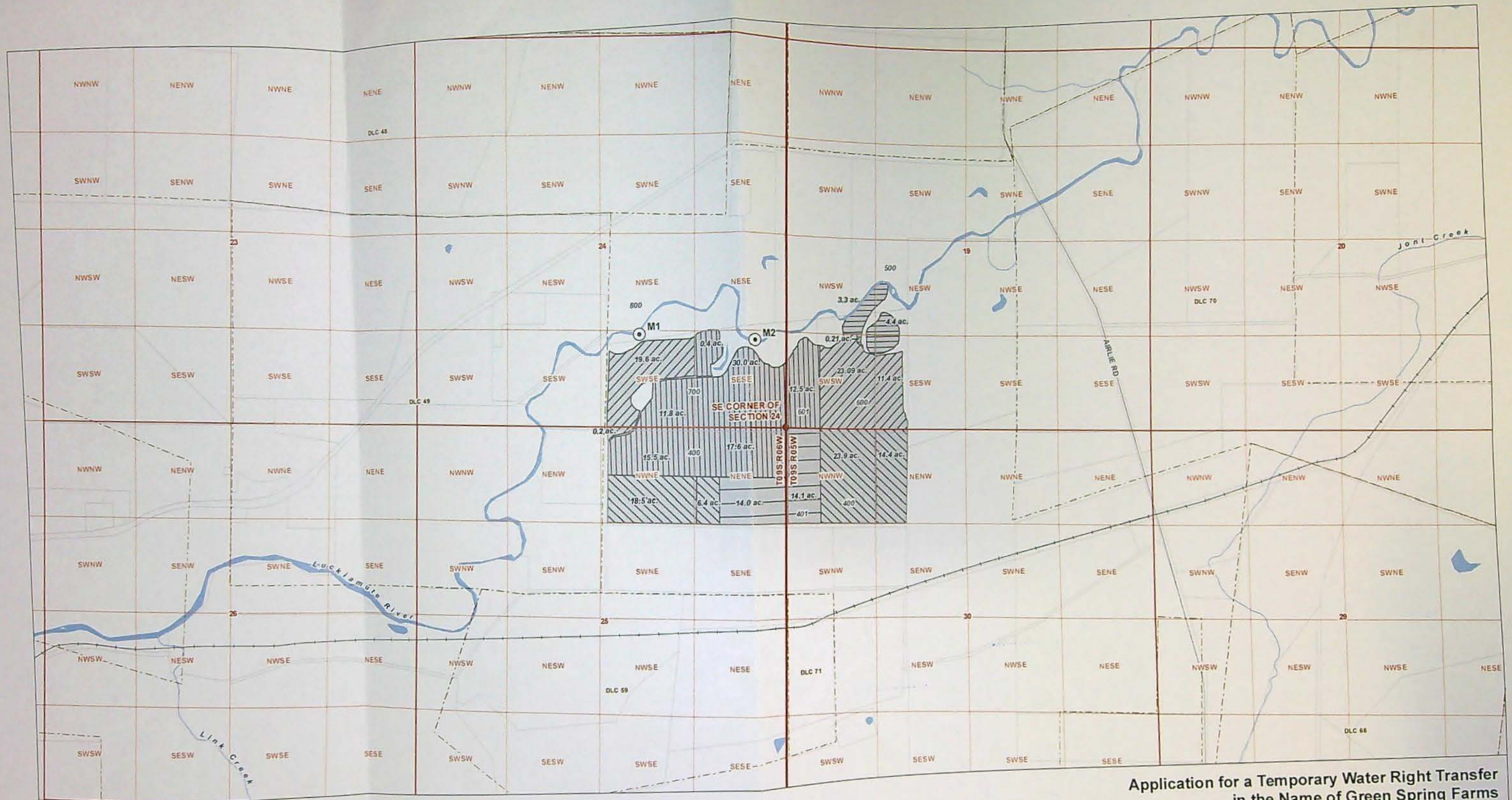












# LEGEND

- Point of Diversion (POD)
- Place of Use (POU)
  - From Lands, Certificate 26578, 54.29 acres
  - From Lands, Certificate 32343, 63.2 acres
  - Remaining Lands, Certificate 26578, 7.91 acres
  - In Temporary Transfer T-13185, Certificate 26578, 87.8 acres
  - In Temporary Transfer T-13815, Certificate 32343, 28.1 acres

## All Other Features

- Tax Lot
- Government Lot (GL)
- Donation Land Claim (DLC)
- Major Road
- Railroad
- Watercourse
- Waterbody

## LOCATION DESCRIPTION

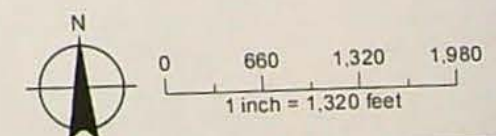
**M1**  
Located 1,340 feet North and 2,130 feet West from the SE corner of Section 24, Township 9 South, Range 6 West (W.M.)

**M2**  
Located 1,250 feet North and 500 feet West from the SE corner of Section 24, Township 9 South, Range 6 West (W.M.)

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Date: July 22, 2024  
Data Sources: BLM, ESRI, OWRD, USGS

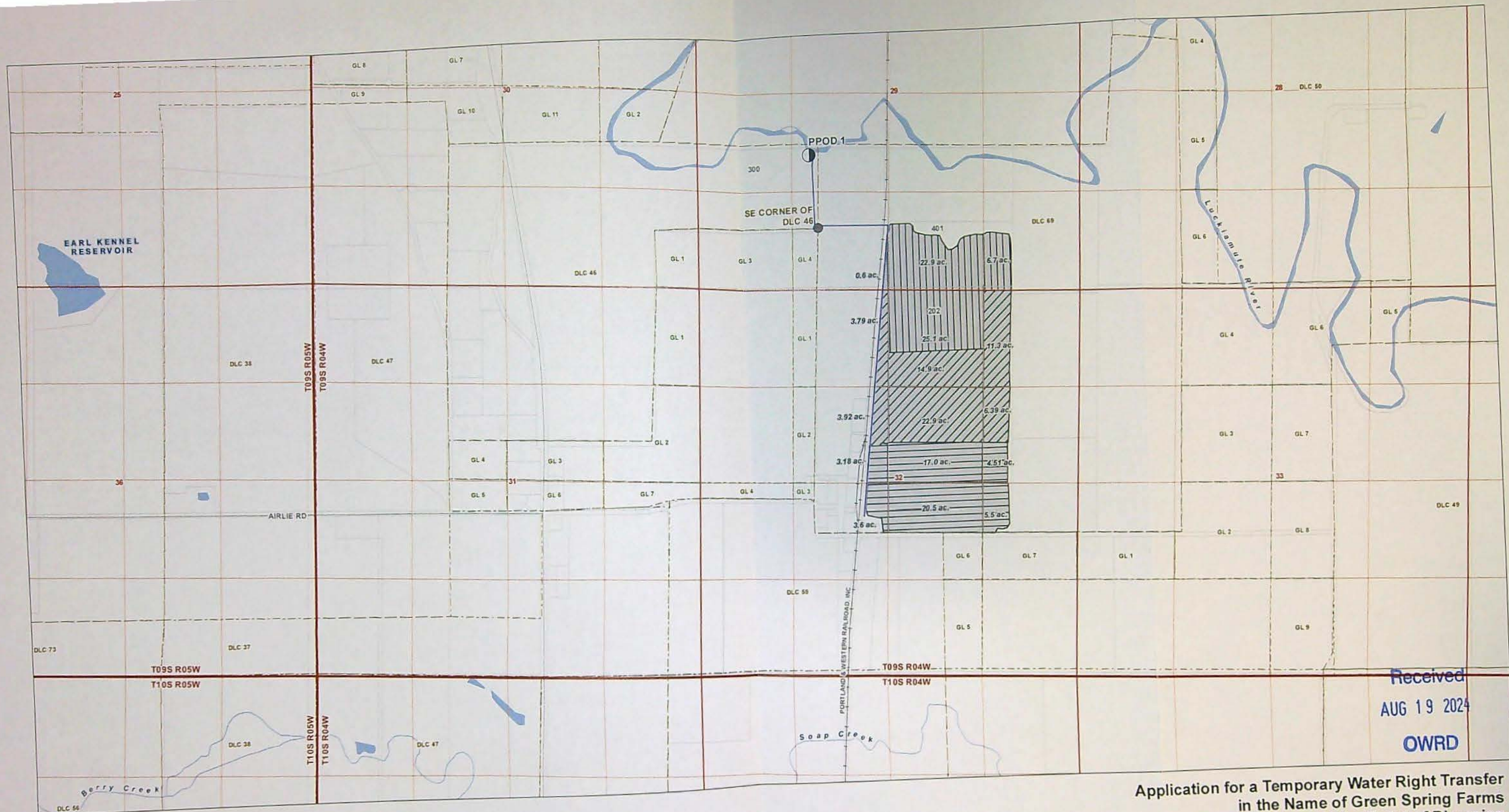
Application for a Temporary Water Right Transfer  
in the Name of Green Spring Farms  
Authorized Place of Use/Point of Diversion 2 of 2  
Certificates 26578 and 32343



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AUG 19 2024

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AUG 19 2024  
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#### LEGEND

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>Proposed Point of Diversion (POD)</li> <li>Conveyance Line</li> <li>Proposed Place of Use (POU) <ul style="list-style-type: none"> <li>Certificate 26578 To Lands, 54.29 acres</li> <li>Certificate 32343 To Lands, 63.2 acres</li> <li>Certificate 89189 To Lands, 55.3 acres</li> </ul> </li> </ul> | <b>All Other Features</b> <ul style="list-style-type: none"> <li>Tax Lot</li> <li>Major Road</li> <li>Railroad</li> <li>Watercourse</li> <li>Waterbody</li> </ul> |
|--|---|

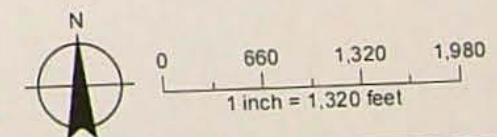
#### LOCATION DESCRIPTION

**Proposed POD**  
Located 1000 feet North and 100 feet West from the SE corner of DLC 46, Section 29, Township 9 South, Range 4 West (W.M.)

#### DISCLAIMER

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Date: July 22, 2024  
Data Sources: BLM, ESRI, OWRD, USGS

Application for a Temporary Water Right Transfer  
in the Name of Green Spring Farms  
Proposed Place of Use/Point of Diversion  
Certificates 26578, 32343, and 89189



14520 -



## 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](http://www.oregon.gov/OWRD)

Transfer Application: T-14527

Review Due Date:

Applicant Name: Green Spring Farms

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

Reviewer(s): Joel Plahn

Date of Review: 09/20/2024

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:  
Water rights junior to 6/22/1964 have been regulated off for senior water rights in recent years.
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-

☐ In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ 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:

District:

Address:

City/State/Zip:

Phone:

Email:

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

\*\*\*\*\*

**Approval of an Alternate Measurement Device**      T-  
*(to be filled out after consultation with the applicant, or after a site visit)*

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

---

---

---

Watermaster signature

---

District

---

Date

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

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





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 21, 2024

Green Spring Farms  
8930 Suver Rd.  
Monmouth, OR 97361

Reference: Application T-14520

On August 19, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$2036.53. Receipt number 143585 is enclosed.

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

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

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

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

Cc: Watermaster Dist. #22, Joel M. Plahn (via email)  
Kimberly Grigsby, Agent

Enclosure



| Invoice #  | Date       | Description | Account                      | Balance Due | Amount Paid |
|------------|------------|-------------|------------------------------|-------------|-------------|
| 2024.08.02 | 08/02/2024 |             | Water Rights, License, Fees  | 0.00        | 2,036.53    |
| Date:      | 08/02/2024 | Paid To:    | Oregon Water Resources Dept. | Check #:    | 010672      |
|            |            | Paid By:    | Green Spring Farms LLC       |             | \$2,036.53  |

Received

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STATE OF OREGON  
WATER RESOURCES DEPARTMENT725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 143585

INVOICE # \_\_\_\_\_

RECEIVED FROM: Green Spring Farms  
BY: on Behalf of VF LP and VF II, LLCAPPLICATION  
PERMIT  
TRANSFER T-14520CASH: ☐ CHECK # 10672 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 2,036.53

## 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 46110 \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

## WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$  
0203 GROUND WATER EXAM FEE 0204 \$  
0205 TRANSFER \$2036.53 EXAM FEE LICENSE FEE \$  
0218 WELL DRILL CONSTRUCTOR EXAM FEE 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: 143585

DATED 8.19.24BY: mmills



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



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

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

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

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. **The required application fee of \$2,036.53 is enclosed.**
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: 89189, 26578, and 32343 (Attachment A)**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2026.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

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

(For Staff Use Only)

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

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

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required ☐ Part \_\_\_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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



## FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS

|          |  |          |            |
|----------|--|----------|------------|
| <b>1</b> | Base Fee (includes temporary change to one water right for up to 1 cfs)  | <b>1</b> | \$950.00   |
| <b>2</b> | Number of water rights included in transfer: <u>3 (2a)</u><br>Subtract 1 from the number in 3a above: <u>2 (2b)</u> If only one water right this will be 0<br>Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »   | <b>2</b> | \$620.00   |
| <b>3</b> | Do you propose to change the place of use for a non-irrigation use?<br><input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____(3a)<br>Subtract 1.0 from the number in 3a above: _____(3b)<br>If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » »<br>If 3b is greater than 0, round up to the nearest whole number: _____(3c)<br>and multiply 4c by \$210.00, then enter on line 3 | <b>3</b> | \$0        |
| <b>4</b> | Do you propose to change the place of use for an irrigation use?<br><input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » »<br><input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>172.79 (4a)</u><br>Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »   | <b>4</b> | \$466.53   |
| <b>5</b> | Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:   | <b>5</b> | \$2,036.53 |
| <b>6</b> | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »<br>If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »   | <b>6</b> | \$0        |
| <b>7</b> | Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:  | <b>7</b> | \$2,036.53 |

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

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



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|   |                    |                     |  |                        |
|---|--------------------|---------------------|--|------------------------|
| APPLICANT/BUSINESS NAME<br><b>Green Spring Farms</b>  |                    |                     | PHONE NO.<br><b>503-838-7333</b>             | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>8930 Suver Road</b>   |                    |                     | FAX NO.                                      |                        |
| CITY<br><b>Monmouth</b>   | STATE<br><b>OR</b> | ZIP<br><b>97361</b> | E-MAIL<br><b>klehar@greenspringfarms.com</b> |                        |
| 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. |                    |                     |  |                        |

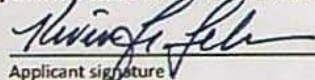
**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

|   |                    |                     |                                     |                        |
|---|--------------------|---------------------|-------------------------------------|------------------------|
| AGENT/BUSINESS NAME<br><b>GSI Water Solutions, Inc. Attn: Kimberly Grigsby</b>  |                    |                     | PHONE NO.<br><b>541-257-9004</b>    | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>1600 SW Western Blvd., Suite 240</b>  |                    |                     | FAX NO.                             |                        |
| CITY<br><b>Corvallis</b>  | STATE<br><b>OR</b> | ZIP<br><b>97333</b> | E-MAIL<br><b>kgrigsby@gsiws.com</b> |                        |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. |                    |                     |                                     |                        |

Explain in your own words what you propose to accomplish with this transfer application and why:  
The Applicant is proposing to temporarily change the place of use and the points of diversion for portions of Certificates 89189, 26578, and 32343 for the 2024 through 2026 irrigation seasons. A portion of Certificate 32343 included in this temporary transfer application was included in temporary transfer T-14296. The Applicant has requested that OWRD terminate T-14296 because the place of use for T-14296 now has a permanent water right. Water has not been used during the 2024 irrigation season at the authorized places of use for the water rights to be changed by this transfer or the place of use for temporary transfer T-14296.

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

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

  
Applicant signature

**Kevin Lehar, General Manager**  
Print Name (and Title if applicable)

**8/15/24**  
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Please see Attachment E

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

|                             |         |     |
|-----------------------------|---------|-----|
| DISTRICT NAME<br><b>N/A</b> | 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<br><b>N/A</b> | ADDRESS |     |
| CITY                      | STATE   | ZIP |



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

|   |                                   |                     |
|---|-----------------------------------|---------------------|
| ENTITY NAME<br><b>Polk County Planning Division</b> | ADDRESS<br><b>850 Main Street</b> |                     |
| CITY<br><b>Dallas</b>                               | STATE<br><b>OR</b>                | ZIP<br><b>97338</b> |

|             |         |     |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS |     |
| CITY        | STATE   | ZIP |

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## Part 5 of 5 – Water Right Information

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

### Water Right Certificate # 89189

#### Description of Water Delivery System

System capacity: 2.04 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped via a 75-hp pump into a 6-inch aluminum mainline, then into 4-inch hoses that distribute water to big guns.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?                    | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ | ¼  | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)                            |
|------------------------|---|--|-----|-----|-----|---|----|---------------------------|---|
| POD 4                  | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S   | 4   | W | 20 | SW NW                     | DLC 63<br>2,530 feet South and 30 feet East from NW Corner, DLC 63              |
| POD 5                  | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S   | 4   | W | 19 | NE NW                     | GL 1<br>7,120 feet North and 1,640 feet East from SE corner, Chamberlain DLC 42 |
| POD 6                  | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S   | 4   | W | 19 | SE NE                     | GL 5<br>6,130 feet North and 5,220 feet East from SE corner, Chamberlain DLC 42 |
| POD 7                  | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S   | 4   | W | 20 | SW SW                     | GL 4<br>3,170 feet North and 6,110 feet East from SE corner, Chamberlain DLC 42 |
| PPOD 1                 | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | N/A  | 9   | S   | 4   | W | 29 | NE SW                     | TL 400<br>1,000 feet North and 100 feet West from the SE corner of DLC 46       |

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

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

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

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

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

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

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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 89189**

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |    |            |                      |                     |   |  |               |                  |           | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |     |   |            |                      |       |                    |  |                  |      |            |        |           |  |  |
|--|-----|-----|-----|----|------------|----------------------|---------------------|---|--|---------------|------------------|-----------|---|---|-----|---|------------|----------------------|-------|--------------------|--|------------------|------|------------|--------|-----------|--|--|
| Twp  | Rng | Sec | ¼ ¼ |    | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres               | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s)<br>(name or<br>number from<br>Table 1) | Priority Date | Twp              | Rng       |   | Sec   | ¼ ¼ |   | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |      |            |        |           |  |  |
| EXAMPLE  |     |     |     |    |            |                      |                     |   |  |               |                  |           |   |   |     |   |            |                      |       |                    |  |                  |      |            |        |           |  |  |
| 2  | S   | 9   | E   | 15 | NE         | NW                   | 100                 |   | 15.0   | Irrigation    | POD #1<br>POD #2 | 1901      | POU/POD   | 2   | S   | 9 | E          | 1                    | NW    | NW                 | 500  | 1                | 10.0 |            | POD #5 | 1901      |  |  |
| "  | "   | "   | "   | "  | "          | "                    | "                   | "                                       | "  | EXAMPLE       | "                | "         | "   | 2   | S   | 9 | E          | 2                    | SW    | NW                 | 500  |                  | 5.0  |            | POD #6 | 1901      |  |  |
| 9  | S   | 4   | W   | 17 | SE         | SW                   | 700                 | DLC<br>63                               | 10.1   | Irrigation    | PODs 4-7         | 9/20/1973 | POU/POD   | 9   | S   | 4 | W          | 29                   | SE    | SW                 | 401  | DLC<br>69        | 0.6  | Irrigation | PPOD 1 | 9/20/1973 |  |  |
| 9  | S   | 4   | W   | 20 | NE         | NW                   | 300,<br>301,<br>302 | DLC<br>63                               | 30.4   |               |                  |           |   | 9   | S   | 4 | W          | 29                   | SW    | SE                 | 401  | DLC<br>69        | 22.9 |            |        |           |  |  |
| 9  | S   | 4   | W   | 20 | NW         | NW                   | 300                 | DLC<br>63                               | 7.5  |               |                  |           |   | 9   | S   | 4 | W          | 29                   | SE    | SE                 | 401  | DLC<br>69        | 6.7  |            |        |           |  |  |
| 9  | S   | 4   | W   | 20 | SE         | NW                   | 300                 | DLC<br>63                               | 7.3  |               |                  |           |   | 9   | S   | 4 | W          | 32                   | NW    | NE                 | 202  | DLC<br>69        | 25.1 |            |        |           |  |  |
| TOTAL ACRES  |     |     |     |    |            |                      |                     |   | 55.3   | TOTAL ACRES   |                  |           |   |   |     |   |            |                      |       |                    |  |                  |      | 55.3       |        |           |  |  |

Additional remarks: The remaining portion of the place of use for Certificate 89189 not included in this temporary transfer is included in another temporary transfer. The authorized place of use for Certificate 89189 has not been irrigated during the 2024 irrigation season.

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AUG 19 2024



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**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: Certificate 95687 is appurtenant to the "TO" Lands but has an irrigation season that ends June 30 each year.

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

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

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

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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## Part 5 of 5 – Water Right Information

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

Water Right Certificate # 26578

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### Description of Water Delivery System

System capacity: 1.75 cubic feet per second (cfs) (under this right) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped using a 75-hp pump into a 6-inch aluminum mainline, then into 4-inch hoses that distribute water to big guns.

**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)           |
|------------------------|---|--|-----|---|-----|---|-----|-----|----|---------------------------|--|
| M2                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S | 6   | W | 24  | SE  | SE | 700                       | (none provided in certificate)                                 |
| M1                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9   | S | 6   | W | 24  | SW  | SE | Lot 4                     | (none provided in certificate)                                 |
| PPOD 1                 | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | N/A  | 9   | S | 4   | W | 29  | NE  | SW | 400                       | 1000 feet North and 100 feet West from the SE corner of DLC 46 |

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

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

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

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

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

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



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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 26578**

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |            |                      |       |   |  |               |             |                  |            | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |            |                      |       |                    |  |               |     |           |      |            |        |            |
|--|-----|-----|-----|------------|----------------------|-------|---|--|---------------|-------------|------------------|------------|---|---|------------|----------------------|-------|--------------------|--|---------------|-----|-----------|------|------------|--------|------------|
| Twp  | Rng | Sec | ¼ ¼ | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s)<br>(name or<br>number from<br>Table 1) | Priority Date | Twp         | Rng              | Sec        |   | ¼ ¼   | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority Date |     |           |      |            |        |            |
| EXAMPLE  |     |     |     |            |                      |       |   |  |               |             |                  |            |   |   |            |                      |       |                    |  |               |     |           |      |            |        |            |
| 2  | S   | 9   | E   | 15         | NE                   | NW    | 100                                     |  | 15.0          | Irrigation  | POD #1<br>POD #2 | 1901       | POU/POD   | 2   | S          | 9                    | E     | 1                  | NW   | NW            | 500 | 1         | 10.0 |            | POD #5 | 1901       |
| "  | "   | "   | "   | "          | "                    | "     | "                                       | "  | "             | EXAMPLE     | "                | "          | "   | 2   | S          | 9                    | E     | 2                  | SW   | NW            | 500 |           | 5.0  |            | POD #6 | 1901       |
| 9  | S   | 5   | W   | 19         | SW                   | SW    | 600                                     | --   | 23.09         | Irrigation  | M2<br>M1         | 11/10/1950 | POU/POD   | 9   | S          | 4                    | W     | 32                 | SW   | NE            | 202 | DLC<br>69 | 17.0 | Irrigation | PPOD 1 | 11/10/1950 |
| 9  | S   | 5   | W   | 19         | SE                   | SW    | 600                                     | --   | 11.4          |             |                  |            |   | 9   | S          | 4                    | W     | 32                 | SE   | NE            | 202 | DLC<br>69 | 4.51 |            |        |            |
| 9  | S   | 6   | W   | 24         | SW                   | SE    | 700                                     | --   | 19.6          |             |                  |            |   | 9   | S          | 4                    | W     | 32                 | SE   | NW            | 202 | DLC<br>69 | 3.18 |            |        |            |
| 9  | S   | 6   | W   | 25         | NW                   | NE    | 400                                     | --   | 0.2           |             |                  |            |   | 9   | S          | 4                    | W     | 32                 | NE   | SW            | 202 | DLC<br>69 | 3.6  |            |        |            |
|  |     |     |     |            |                      |       |   |  |               |             |                  |            |   | 9   | S          | 4                    | W     | 32                 | NE   | SE            | 202 | DLC<br>69 | 5.5  |            |        |            |
|  |     |     |     |            |                      |       |   |  |               |             |                  |            |   | 9   | S          | 4                    | W     | 32                 | NW   | SE            | 202 | DLC<br>69 | 20.5 |            |        |            |
| TOTAL ACRES  |     |     |     |            |                      |       |   |  | 54.29         | TOTAL ACRES |                  |            |   |   |            |                      |       |                    |  |               |     | 54.29     |      |            |        |            |

Additional remarks: The authorized place of use for Certificate 26578 has not been irrigated during the 2024 irrigation season.

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**For Place of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: Certificate 95687 is appurtenant to the "TO" Lands but has an irrigation season that ends June 30 each year.

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

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

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

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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

Water Right Certificate # **32343**

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AUG 19 2024

**Description of Water Delivery System**

System capacity: **1.14** cubic feet per second (cfs) (under this right) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped via a 75hp pump into a 6-inch aluminum mainline, then into 4-inch hoses that distribute water to big guns.**

**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)           |
|------------------------|---|--|-----|-----|-----|-------|---------------------------|--|
| M3                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9 S | 5 W | 19  | NW SW | 600                       | None provided in certificate                                   |
| M2                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9 S | 6 W | 24  | SE SE | 700                       | None provided in certificate                                   |
| M1                     | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A  | 9 S | 6 W | 24  | NW SE | Lot 3                     | None provided in certificate                                   |
| PPOD 1                 | <input type="checkbox"/> Authorized<br><input checked="" type="checkbox"/> Proposed | N/A  | 9 S | 4 W | 27  | SE SW | DLC 67                    | 1000 feet North and 100 feet West from the SE corner of DLC 46 |

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

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

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

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

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

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



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

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

**Table 2. Description of Temporary Changes to Water Right Certificate # 32343**

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

| AUTHORIZED (the "from" or "off" lands)<br>The listing that appears on the Certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |            |            |                      |       |   |  |                  |         |     |             | Proposed<br>Changes (see<br>"CODES" from<br>previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |            |                      |       |                    |  |                  |  |  |  |  |
|--|-----|-----|------------|------------|----------------------|-------|---|--|------------------|---------|-----|-------------|---|---|------------|----------------------|-------|--------------------|--|------------------|--|--|--|--|
| Twp  | Rng | Sec | ¼ ¼        | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s)<br>(name or<br>number from<br>Table 1) | Priority<br>Date | Twp     | Rng | Sec         |   | ¼ ¼   | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s)/<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |  |  |  |  |
| EXAMPLE  |     |     |            |            |                      |       |   |  |                  |         |     |             |   |   |            |                      |       |                    |  |                  |  |  |  |  |
| 2  | S   | 9   | E 15 NE NW | 100        |                      | 15.0  | Irrigation                              | POD #1<br>POD #2   | 1901             | POU/POD | 2   | S           | 9   | E 1 NW NW   | 500        | 1                    | 10.0  |                    | POD #5   | 1901             |  |  |  |  |
| "  | "   | "   | " " " "    | "          | "                    | "     | EXAMPLE                                 | "  | "                | "       | 2   | S           | 9   | E 2 SW NW   | 500        |                      | 5.0   |                    | POD #6   | 1901             |  |  |  |  |
| 9  | S   | 5   | W 30 NE NW | 400        | --                   | 14.4  | Irrigation                              | M1, M2.<br>M3  | 1/18/63          | POU/POD | 9   | S           | 4   | W 32 NE NE  | 202        | DLC<br>69            | 11.3  | Irrigation         | PPOD 1   | 1/18/63          |  |  |  |  |
| 9  | S   | 5   | W 30 NW NW | 400        | --                   | 23.9  |   |  |                  |         | 9   | S           | 4   | W 32 NW NE  | 202        | DLC<br>69            | 14.9  |                    |  |                  |  |  |  |  |
| 9  | S   | 6   | W 25 NE NE | 400        | --                   | 6.4   |   |  |                  |         | 9   | S           | 4   | W 32 SW NE  | 202        | DLC<br>69            | 22.9  |                    |  |                  |  |  |  |  |
| 9  | S   | 6   | W 25 NW NE | 400        | --                   | 18.5  |   |  |                  |         | 9   | S           | 4   | W 32 SE NE  | 202        | DLC<br>69            | 6.39  |                    |  |                  |  |  |  |  |
|  |     |     |            |            |                      |       |   |  |                  |         | 9   | S           | 4   | W 32 NE NW  | 202        | DLC<br>69            | 3.79  |                    |  |                  |  |  |  |  |
|  |     |     |            |            |                      |       |   |  |                  |         | 9   | S           | 4   | W 32 SE NW  | 202        | DLC<br>69            | 3.92  |                    |  |                  |  |  |  |  |
| TOTAL ACRES  |     |     |            |            |                      | 63.2  |   |  |                  |         |     | TOTAL ACRES |   |   |            |                      |       | 63.2               |  |                  |  |  |  |  |

Additional remarks: A 24.9 acre portion of Certificate 32343, which is included in this transfer application, was included in the Applicant's temporary transfer T-14296, but the Applicant requested that OWRD terminate the temporary transfer. The authorized place of use for Certificate 32343 has not been irrigated, and water has not been used under temporary transfer T-14296 during the 2024 irrigation season.

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AUG 19 2024

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AUG 19 2024

Water Right Certificate # 32343

For Place of Use Changes

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Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No Certificate 95687 is appurtenant to the "TO" Lands but has an irrigation season that ends June 30 each year.

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

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

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

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

AND/OR

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

**Table 3. Construction of Point(s) of Appropriation**

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

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



## STATE OF OREGON

## COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP AND DELIA SPERLING  
8675 PARKER RD  
INDEPENDENCE OR 97351

confirms the right to use the waters of LUCKIAMUTE RIVER, tributary of WILLAMETTE RIVER, for IRRIGATION of 126.0 ACRES.

This right was perfected under Permit S-37832. The date of priority is AUGUST 20, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.58 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q   | DLC | Measured Distances   |
|-----|-----|-----|-----|-------|-----|--|
| 9 S | 4 W | WM  | 20  | SW NW | 63  | 2530 FEET SOUTH & 30 FEET EAST FROM NW CORNER, VANDERPOOL DLC 63 |

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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.

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

A description of the place of use is as follows:

| Twp | Rng | Mer | Sec | Q-Q   | GLot | DLC | Acres |
|-----|-----|-----|-----|-------|------|-----|-------|
| 9 S | 4 W | WM  | 17  | SW NW | 2    |     | 0.7   |
| 9 S | 4 W | WM  | 17  | SE NW | 1    |     | 8.0   |
| 9 S | 4 W | WM  | 17  | NE SW |      |     | 24.0  |
| 9 S | 4 W | WM  | 17  | NW SW | 3    |     | 7.8   |
| 9 S | 4 W | WM  | 17  | SW SW | 4    |     | 1.2   |
| 9 S | 4 W | WM  | 17  | SW SW |      | 63  | 7.0   |
| 9 S | 4 W | WM  | 17  | SE SW | 5    |     | 7.1   |
| 9 S | 4 W | WM  | 17  | SE SW |      | 63  | 25.0  |
| 9 S | 4 W | WM  | 20  | NE NW |      | 63  | 30.4  |
| 9 S | 4 W | WM  | 20  | NW NW |      | 63  | 7.5   |
| 9 S | 4 W | WM  | 20  | SE NW |      | 63  | 7.3   |

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## NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

T-8749-cf-45572.klk

Page 1 of 2

Certificate 89189

14520 -



The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available from the original points of diversion described as follows:

| Twp | Rng | Mer | Sec | Q-Q   | GLot | Measured Distances   |
|-----|-----|-----|-----|-------|------|--|
| 9 S | 4 W | WM  | 19  | NE NW | 1    | 7120 FEET NORTH AND 1640 FEET EAST<br>FROM SE CORNER, CHAMBERLAIN DLC 42 |
| 9 S | 4 W | WM  | 19  | SE NE | 5    | 6130 FEET NORTH AND 5220 FEET EAST<br>FROM SE CORNER, CHAMBERLAIN DLC 42 |
| 9 S | 4 W | WM  | 20  | SW SW | 4    | 3170 FEET NORTH AND 6110 FEET EAST<br>FROM SE CORNER, CHAMBERLAIN DLC 42 |

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.


Water shall be acquired from the same surface source as the original point of diversion.

The water user shall maintain a fish screen or fish by-pass device.

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.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 15, 2002, at Special Order Volume 56, Page 292, approving Transfer Application 8749, together with Certificate 79471, supercedes Certificate 45572, State record of Water Right Certificates.

Issued MAY 09 2014

  
Dwight V. French  
Administrator, Water Right Services, for  
Phillip C. Ward, Director  
Oregon Water Resources Department

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AUG 19 2024  
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STATE OF OREGON  
COUNTY OF POLK  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That V. L. KATHARY**

of Route 1, Box 225, Koommouth, 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 Big Lucklamute River, a tributary of Willamette River, for the purpose of irrigation of 150.0 acres.

under Permit No. 19903 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 November 10, 1950.

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 1.75 cubic feet per second.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  & Lot 4 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 24, Township 9 South, Range 6 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year and shall be still further limited to a diversion of not to exceed 1.75 cubic feet per second.

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:

4.4 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
3.3 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
35.8 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
11.4 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 19  
Township 9 South, Range 5 West, W.M.  
0.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
31.4 acres Lot 4 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ )  
30.0 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 24  
17.6 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
15.7 acres NE $\frac{1}{4}$  Lot 1 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 25  
Township 9 South, Range 6 West, W.M.

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

WITNESS the signature of the State Engineer, affixed

this date. FEBRUARY 26 1960

.....LEWIS A. STANLEY.....  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 26578

14520 -



STATE OF OREGON  
COUNTY OF POLK  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That V. L. MATHANY**

of Route 1, Box 225, Monmouth, 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 Big Luckiamute River

a tributary of Willamette River  
irrigation of 91.3 acres

for the purpose of

under Permit No. 28593 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 January 18, 1963

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 1.11 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19, T. 9 S., R. 5 W., W. M.; SE $\frac{1}{4}$  SE $\frac{1}{4}$  and Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 21, T. 9 S., R. 6 W., W. M.

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

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

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

20.4 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
18.5 acres Lot 1 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ )  
Section 25  
T. 9 S., R. 6 W., W. M.

14.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
38.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 30  
T. 9 S., R. 5 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. August 9, 1965

CHRIS L. WHEELER

State Engineer



# 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 POLK)

I, KEVIN LEHAR, in my capacity as GENERAL MANAGER, GREEN SPRINGS FARMS,  
mailing address 8930 SUVER ROAD, MONMOUTH, OR 97361  
telephone number (503) 932-7307, 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 # 89189 AS MODIFIED BY TEMPORARY TRANSFER T-13467; 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<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|-------|-----|-----|-----|---------------------|--------------------------|
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |

OR

- ☐ Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; OR
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

Received

AUG 19 2024

TACS



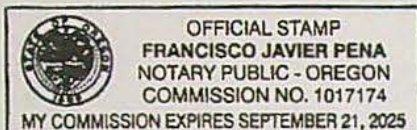
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

*Francisco Javier Pena*  
Signature of Affiant

6/28/24  
Date

Signed and sworn to (or affirmed) before me this 28 day of June, 2024.



*Francisco Javier Pena*  
Notary Public for Oregon

My Commission Expires: 09/21/2025

| 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"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>   |
| <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"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>   |
| <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.<br/>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:<br/>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br/>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br/>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br/>TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years  | Copy of instream lease or lease number   |



TEMPORARY TRANSFER T-13467 "TO LANDS" JULY 2021 – GOOGLE EARTH AERIAL IMAGERY



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AUG 19 2024



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# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
County of POLK) ss

I, KEVIN LEHAR, in my capacity as GENERAL MANAGER, GREEN SPRINGS FARMS,  
mailing address 8930 SUVER ROAD, MONMOUTH, OR 97361  
telephone number (503) 932-7307, 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  
Certificates # 26578 AS AUTHORIZED AND AS MODIFIED BY TEMPORARY TRANSFER T-13222, AND CERTIFICATE  
32343, AS MODIFIED BY TEMPORARY TRANSFER T-13222 AND A TERMINATED 24.9-ACRE PORTION OF TEMPORARY  
TRANSFER T-13815; 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<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|-------|-----|-----|-----|---------------------|--------------------------|
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |
|               |          |       |     |     |     |                     |                          |

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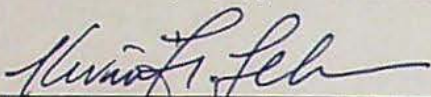
OR

- ☐ 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)




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

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

  
Signature of Affiant

6/28/24  
Date

Signed and sworn to (or affirmed) before me this 28 day of June, 2024.

  
Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

| 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 <b>confirming</b> 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"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>   |
| <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"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>   |
| <input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph                            | Multiple photos can be submitted to resolve different areas of a water right.<br>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.<br><br>Sources for aerial photos:<br>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br>TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years  | Copy of instream lease or lease number   |



# Evidence of Use for Certificate 26578

Authorized Place of Use  
Imagery Date: 6/23/2022

Little Luckiamute River

Dry Creek

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AUG 19 2024  
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Google Earth

Image © 2024 Maxar Technologies

2000 ft



14520 -



# Evidence of Use for Certificates 26578 and 32343

Temporary Transfer T-13222 TO Lands  
Imagery Date: 8/12/2020

Trailer Sales

Greenspring Farms (former location of)

Super

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Google Earth

1000 ft





# Evidence of Use for Certificate 32343

Temporary Transfer T-13185 TO Lands

Imagery Date: 8/30/2022



S Pacific Hwy W

Maxar (WV02) image captured on Aug 30, 2022 as shown in the 2023-02-23 version of the World Imagery map.

**Resolution:** Pixels in the source image represent a ground distance of 0.5 meters.

**Accuracy:** Objects displayed in this image are within 5 meters of true location.

x: -123.2255 y: 44.7599

Rolling Hills Rd

S Pacific Hwy W

Airline Rd

95W

Suver Rd

Suver

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S Pacific Hwy W



FIRST AMERICAN TITLE 2974278

**After Recording Return to:**

Kami Anderson  
First American Title Insurance Company  
807 Main Street  
Dallas, OR 97338

**Grantor's Name and Address:**

McKee Properties, L.L.C., an Oregon  
limited liability company  
ATTN: Bruce McKee, Manager  
23350 SW McKee Road  
Amity, OR 97101

**Grantee's Name and Address:**

Wendell P. Sperling and Sherry L. Sperling  
8835 Parker Road  
Independence, OR 97351

**After Recording, Future Tax Statements  
to be Sent to:**

Wendell P. Sperling and Sherry L. Sperling  
8835 Parker Road  
Independence, OR 97351

**Tax Account Nos.:** 212625; and 218122

**MAP NOS:** 09420-00-00300 AND 09417-00-00700

**CODE NOS.:** 1305 and 1308

**Consideration:** \$600,000.00

RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

**2018-003728**

03/28/2018 09:09:54 AM

REC-WD Cnt=1 Str=5 C. PARIS  
\$20.00 \$11.00 \$10.00 \$20.00 \$5.00

**\$66.00**

**STATUTORY WARRANTY DEED**

McKee Properties, L.L.C., an Oregon limited liability company, Grantor, conveys and warrants to, Wendell P. Sperling and Sherry L. Sperling, husband and wife, Grantee, the following described real property:

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

Subject to easements, conditions and restrictions of record, including the following:

1. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm. Use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Unnamed Creek.



4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Unnamed Creek 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.

The true and actual consideration paid for this conveyance in dollars is \$600,000.00.

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 THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. 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. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 27 day of March, 2018.

McKee Properties, L.L.C.,  
an Oregon limited liability company

Bruce McKee, Manager  
Bruce McKee, Manager

Douglas McKee (Manager)  
Douglas McKee, Manager

STATE OF OREGON       )  
                                  ) ss.  
County of Polk        )

Received

AUG 19 2024

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This instrument was acknowledged before me on March 27, 2018, by Bruce McKee, Manager of McKee Properties, L.L.C., an Oregon limited liability company.



Kami J. Anderson  
Notary Public for Oregon  
My commission expires: 3-6-22



STATE OF OREGON       )  
                                      ) ss.  
County of Polk         )

This instrument was acknowledged before me on March 27<sup>th</sup>, 2018, by Douglas McKee, Manager of McKee Properties, L.L.C., an Oregon limited liability company.



Kami J. Anderson  
Notary Public for Oregon  
My commission expires: 3-6-22

N:\ATTY\MGC\LLC\McKee Properties, LLC\2<sup>nd</sup> Loan to Sperling\Statutory Warranty Deed.docx

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**Exhibit "A"**

Real property in the County of Polk, State of Oregon, described as follows:

COMMENCING AT THE NORTHWEST CORNER OF THE MEDDERS VANDERPOOL DONATION LAND CLAIM NO. 63, NOTIFICATION NO. 1539, IN TOWNSHIP 9 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, IN POLK COUNTY, OREGON;  
THENCE RUNNING SOUTH 7° WEST 32.81 CHAINS;  
THENCE SOUTH 70° EAST 4.30 CHAINS;  
THENCE SOUTH 45° EAST 3.00 CHAINS;  
THENCE SOUTH 63° EAST 5.00 CHAINS;  
THENCE 21-1/2° EAST 8.00 CHAINS TO A STONE;  
THENCE NORTH 87° EAST 12.00 CHAINS TO A STONE;  
THENCE NORTH ALONG THE RIGHT OF WAY OF THE OREGON AND CALIFORNIA RAILROAD 40.00 CHAINS;  
THENCE NORTH 4° WEST 5.00 CHAINS TO THE NORTH LINE OF THE VANDERPOOL DONATION LAND CLAIM;  
THENCE WEST 21.23 CHAINS TO THE PLACE OF BEGINNING.

SAVING AND EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY 1.24 ACRES OF LAND DEEDED BY EMANUEL KING AND BERTHA R. KING, HIS WIFE, TO POLK COUNTY, OREGON, ON SEPTEMBER 26, 1913, BY DEED RECORDED OCTOBER 1, 1913, IN VOLUME 57, PAGE 631, OF DEED RECORDS OF POLK COUNTY, OREGON.

ALSO SAVING AND EXCEPTING A STRIP 60 FEET WIDE OFF THE EAST SIDE OF THE ABOVE DESCRIBED LAND, RUNNING PARALLEL WITH THE OREGON AND CALIFORNIA RAILROAD, DEEDED TO POLK COUNTY FOR ROAD PURPOSES.

ALSO SAVE AND EXCEPT THAT PORTION CONVEYED TO POLK COUNTY BY DEED RECORDED SEPTEMBER 23, 1957, IN BOOK 165, PAGE 77, DEED RECORDS OF POLK COUNTY, OREGON.

NOTE: This Legal Description was created prior to January 01, 2008.

Received

AUG 19 2024

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RECORDED IN POLK COUNTY  
Valerie Unger, County Clerk

2017-001478

02/06/2017 11:54:59 AM

REC-WD Cnt=1 Str=0 C. PARIS  
\$20.00 \$11.00 \$10.00 \$20.00 \$5.00

\$66.00

### STATUTORY WARRANTY DEED

**UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:**

Mathany Family Farms, LLC  
11600 Staats Road  
Monmouth, OR 97361

**AFTER RECORDING,  
RETURN TO:**

Con P. Lynch, Attorneys at Law, PC  
841 Saginaw St. S.  
Salem, OR 97302

**JULE A. MATHANY and ALLAN R. MATHANY, Trustees, or their successors in trust, under the JULE A. MATHANY LIVING TRUST, dated January 16, 2002, and any amendments thereto, Grantor, conveys and warrants to MATHANY FAMILY FARMS, LLC, an Oregon Limited Liability Company, Grantee, all right, title and interest in the real property owned by Grantor, located in Polk County, Oregon, and described as follows:**

**See the legal description attached hereto as Exhibit A and by this reference incorporated herein.**

**SUBJECT TO:** All liens and encumbrances of record or apparent on the property by inspection.

The true and actual consideration for this conveyance consists of or includes other property or value given as provided which is the whole consideration.

The liability and obligations of Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to Grantee at the time Grantor acquired such property. 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.

14520 -



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.

Received  
AUG 19 2024  
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JULE A. MATHANY LIVING TRUST dated January 16, 2002, and any amendments thereto

DATED: February 6, 2017

Allan R. Mathany  
ALLAN R. MATHANY, Trustee

DATED: February 6, 2017

Jule A. Mathany  
JULE A. MATHANY, Trustee

STATE OF OREGON           )  
  ) ss.  
COUNTY OF MARION       )

On February 6, 2017 personally appeared the above-named JULE A. MATHANY and ALLAN R. MATHANY, Trustees, or their successors in trust, under the JULE A. MATHANY LIVING TRUST dated January 16, 2002, and any amendments thereto, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Donna Marie Isabell  
Notary Public for Oregon  
My Commission Expires: 5-5-2019



Received

AUG 19 2024

Tax Acct#  
564844

## EXHIBIT A

OWRD

Beginning at a rock at the Southeast corner of the John M. Zumwalt D.L.C., Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, running thence North on the East line of said D.L.C. No. 49, 22.00 chains to an iron pipe in the center of the County Road; thence West 13.75 chains to an iron pipe; thence South 22.00 chains to an iron pipe on the South line of said D.L.C. No. 49; thence East 13.75 chains to the place of beginning.

SAVE AND EXCEPTING from the above-described property the following: Beginning at a point which is 22 chains North of the Southeast corner of the John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, and running thence West 13.75 chains; thence South 3.64 chains; thence East 13.75 chains; thence North 3.64 chains to the place of beginning.

ALSO the following: Beginning at an iron pipe on the South line of the John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, range 6 West of the Willamette Meridian, which pipe is 13.75 chains West of the Southeast corner of said Claim No. 49; thence West 16.50 chains to the center of the channel of the Luckiamute River; thence down the center of said river following as of this date which is 3 rods from the right bank of said river, the meander of which is as follows: Beginning 15.84 chains West of the place of beginning; thence North 56° 30' West 2.64 chains; North 24° East 2.42 chains; North 62° East 2.17 chains; North 72° 30' East 1.43 chains; South 86° 45' East 3.55 chains; North 75° 30' East 3.16 chains; South 86° 30' East 1.43 chains; North 42° East 2.19 chains; North 19° East 2.62 chains; North 22° 30' West 3.20 chains; North 76° West 3.27 chains; North 74° 15' West 1.23 chains; North 18° West 1.76 chains; North 6° 30' East 1.63 chains; North 52° 30' East 2.63 chains; North 48° East 2.69 chains; North 45° East 1.61 chains; North 31° East 1.85 chains; North 31° 30' East 2.41 chains; North 31° East 2.27 chains; North 58° 45' East 1.09 chains to an iron pipe on right bank of said river; thence leaving river South 0° 55' West 27.60 chains to the place of beginning, and being a part of said D.L.C. No. 49. SAVE AND EXCEPTING therefrom the following described tract: Beginning at an iron pipe on the South line of John M. Zumwalt D.L.C. Not. No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, in Polk County, Oregon, which iron pipe is 16.614 chains South 89° 40' West from the Southeast corner of said Zumwalt D.L.C., and also 9.905 chains North 89° 40' East from the Northwest corner of the William Sebring Claim No. 59; and running thence South 89° 40' West 13.636 chains to the center of the channel of the Luckiamute River; thence down the center of said river which is 3 rods from the right bank of said river, the meander of which is as follows: Beginning at a point 12.976 chains South 89° 40' West of the place of beginning; North 56° 30' West 2.64 chains; North 24° East 2.42 chains; North 62° East 2.17 chains; North 72° 30' East 1.43 chains; South 86° 45' East 3.55 chains; North 75° 30' East 3.16 chains; South 86° 30' East 1.43 chains; North 42° East 2.19 chains; thence leaving river North 88° 55' East 1.387 chains to an iron pipe; thence South 0° 15' East 7.197 chains to the place of beginning, in the County of Polk and State of Oregon.

SUBJECT TO the rights of the public in and to any portion of said property lying within the boundaries of roads and highways.

14520 -



Property ID Numbers: 184324, 451215, 451228, 451202, 417486, 417556

**Parcel 1**

Beginning at a point 26.50 chains South from the Northeast corner from the J. N. Zumwalt Donation land Claim No. 49 in Township 9 South, Range 6 West of the Willamette Meridian in Polk County, Oregon, at a stake on the south bank of the Luckiamute River; and running thence South along the east line of said Zumwalt Donation Land Claim No. 49, 2461.14 feet to the Southwest corner of that tract of land conveyed to Virgil L. Mathany and Frances L. Mathany by deed recorded in Book 144, Page 391, Deed Records of Polk County, Oregon; thence East along the South line of said Mathany tract, 2966.91 feet; thence North, parallel with the East line of said Zumwalt Donation Land Claim, 2845.58 feet to the North line of said Mathany tract; thence South 82°37' West 2991.71 feet to the point of beginning.

SUBJECT TO the rights of the public in and to that portion of the above described parcel lying within public roads and highways.

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

**Parcel 2**

A part of the Donation land Claim of John M. Zumwalt and wife, Notification No. 5076, Claim No. 49, in Township 9 South, Range 6 West of the Willamette Meridian, described as beginning at a point 34 chains North from the Southeast corner of said claim, and running thence West 13.75 chains; thence South 15.64 chains; thence East 13.75 chains; thence North 15.64 chains to the place of beginning.

Received  
AUG 19 2024  
OWRD



# Application for Water Right Transfer



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

## Consent by Deeded Landowner

State of Oregon )  
County of Polk )ss  
)

I Wendell Sperling & Sherry Sperling in my/our capacity as landowner,

mailing address 8835 Parker Rd. Independence, OR 97351,

telephone number 503-838-2704, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 89189

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

(transfer number, if known)

submitted by Green Spring Farms

on the property in tax lot number(s) 202,700, 300, 301, 302

Section 32 17, 20 Township 9S North/South Range 4W East/West, W.M.,

located at 8930 Suver Rd., Monmouth, OR 97361

(site address)

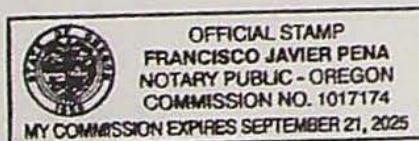
Wendell P Sperling  
Signature of Affiant

7-22-24  
Date

Sherry A Sperling  
Signature of Affiant

7-22-24  
Date

Subscribed and Sworn to before me this 22 day of July, 2024.



[Signature]  
Notary Public for Oregon

My commission expires 09/21/2025

Received  
AUG 19 2024

OWRD



# Application for Water Right Transfer



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

## Consent by Deeded Landowner

State of Oregon )  
 )ss  
County of Polk )

I Allan R. Mathany and Jule A. Mathany (Trustees, Jule A. Mathany Living Trust and Allan R. Mathany Living Trust in my/our capacity as landowners,

mailing address 11600 Staats Road, Monmouth, OR 97361,

telephone number 503-931-6773, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 26578 & 32343

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

(transfer number, if known)

submitted by Green Spring Farms,

on the property in tax lot number(s) 600,700, 400, 400

Section 19, 30/ 24, 25 Township 9 North/South Range 05/06 East/West, W.M.,

located at 11600 Staats Road, Monmouth, OR 97361.  
(site address)

Allan R. Mathany  
Signature of Affiant

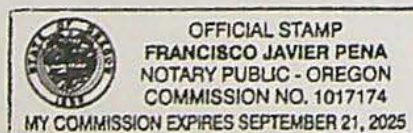
6/14/24  
Date

Jule A. Mathany  
Signature of Affiant

Date 6-14-24

Received  
AUG 19 2024  
OWRD

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



\_\_\_\_\_  
Notary Public for Oregon

My commission expires 09/21/2025.



# Land Use Information Form



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

|                                    |             |              |                       |  |
|------------------------------------|-------------|--------------|-----------------------|--|
| NAME<br>Green Spring Farms         |             |              | PHONE<br>503-838-7333 |  |
| MAILING ADDRESS<br>8930 Suver Road |             |              |                       |  |
| CITY<br>Monmouth                   | STATE<br>OR | ZIP<br>97361 | EMAIL                 |  |

## 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<br>(e.g., Rural<br>Residential/RR-5) | Water to be:   | Proposed<br>Land Use: |
|----------|-------|---------|-----------------------|-----------|---|--|-----------------------|
| 9 S      | 4 W   | 29      | E ½ of<br>the SW<br>¼ | 401       | EFU   | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Irrigation            |
| 9 S      | 4 W   | 29      | S ½ of<br>the SE ¼    | 401       | EFU   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used                       | Irrigation            |
| 9 S      | 4 W   | 32      | NE ¼                  | 202       | EFU   | <input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used                       | Irrigation            |
| 9 S      | 4 W   | 32      | E ½ of<br>the NW<br>¼ | 202       | EFU   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used            | Irrigation            |
| 9 S      | 4 W   | 32      | NE SW                 | 202       | EFU   | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used            | Irrigation            |
| 9 S      | 4 W   | 32      | N ½ of<br>the SE ¼    | 202       | EFU   | <input type="checkbox"/> Diverted <input 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:

|             |
|-------------|
| Polk County |
|-------------|

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

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2.16   ☒ 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 proposing to temporarily change the place of use and point of diversion for portions of three water rights (Certificates 89189, 26578, and 32343) to allow irrigation of different lands. The proposed point of diversion is already in use. *The irrigation will be for farm use.*

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

See Page 4 →

Received  
AUG 19 2024  
OWRD



## 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.

Received

AUG 19 2024

Please check the appropriate box below and provide the requested information

OWRD

☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PC 20 136.030(A)

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

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

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

|  |
|--|
|  |
|--|

Name: Eric Knudson Title: Senior Planner

Signature: [Signature] Date: 8/7/24

Governmental Entity: Polk County Phone: 503-623-9237

### Receipt Acknowledging Request for Land Use Information

#### Note to Local Government Representative:

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

Applicant Name: \_\_\_\_\_

Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_





August 7, 2024

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

Re: Temporary Transfer Application for Certificates 89189, 26578, and 32343 – Green Spring Farms

Dear Lisa:

Green Spring Farms (Applicant) is applying for a temporary transfer to change the place of use and points of diversion for portions of Certificates 89189, 26578, and 32343 for the 2024 through 2026 irrigation seasons. A portion of Certificate 32343 included in this temporary transfer application was included in temporary transfer T-14296. The Applicant has requested that OWRD terminate T-14296 because the place of use for T-14296 now has a permanent water right. Water has not been used during the 2024 irrigation season at the authorized places of use for the water rights to be changed by this transfer or the place of use for temporary transfer T-14296.

Please find enclosed a temporary transfer application, attachments, and a check for the application fee in the amount of \$2,036.53.

If you have any questions regarding this application, please contact me at 541-257-9004.

Sincerely,

A handwritten signature in black ink that reads "Kimberly Grigsby". The signature is written in a cursive, flowing style.

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Temporary transfer application  
Check in the amount of \$2,036.53

Received

AUG 19 2024

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# TRANSFER COVER SHEET

Transfer: T-14520

GR Application #: GR-

File Assigned- Transfer Specialist: Joan M. Smith

Transfer Type: Temporary Transfer

Reimbursement Authority? ☐

|   |   |  |
|---|---|--|
| <b>Applicant:</b><br>Green Spring Farms<br>8930 Suver Rd.<br>Monmouth, OR 97361                               | <b>Receiving Landowner:</b><br><br>   | <b>CWRE</b><br><b>Agent:</b> Kimberly Grigsby<br>1600 SW Western Blvd., Suite 240<br>Corvallis, OR 97333 |
| <b>Interested Parties:</b><br>BOR (date): _____<br>Tribal Gov't: _____<br>Gov'ts: Polk County<br>County: POLK | <b>Irrigation District:</b><br><br>Check area of interest on map <input type="checkbox"/> | <b>Additional Contact Information:</b><br><br>   |

## Key Dates & Initial Actions (Support Staff)

|   |   |  |           |
|---|---|--|-----------|
| Type of change(s) proposed- attach additional review checklists as necessary  |   |  |           |
| POINT OF DIVERSION; PLACE OF USE  |   |  |           |
| If change is Historic or Substitution, application will go directly to Final Order. Add'l questions on last page for Historic and Gov't Action. |   |  |           |
| Fees Pd:  | \$2036.53   | WM Review request date sent - WM District: | 8/21/2024 |
| Received Date:  | August 19, 2024   | WM Review - date received:                 |           |
| Acknowledgement Letter Sent   | Date: 8/21/2024   | GW Review - date sent:                     |           |
| County sent cc: of Ack Letter   | Date: 8/21/2024   | GW Review - date received:                 |           |
| Initial Public Notice Date:   | 8/27/2024   | ODFW Review - date sent: ODFW District:    |           |
| Comments Received:  | Yes <input type="checkbox"/> No: <input type="checkbox"/> | ODFW Review - date received:               |           |

## Water Rights Affected

| File Marked              | No. | App. File # or Decree Name | Permit  | Certificate | RR/CR Needed  | RR/CR Nos. |
|--------------------------|-----|----------------------------|---------|-------------|---|------------|
| <input type="checkbox"/> | 1   | S-51087                    | S-37832 | 89189       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |
| <input type="checkbox"/> | 2   | S-25428                    | S-19903 | 26578       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |
| <input type="checkbox"/> | 3   | S-38367                    | S-28593 | 32343       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |

I have confirmed that the information on this document is correct (or has been corrected): initials

## Caseworker Actions:

|  |                         |                |
|--|-------------------------|----------------|
| Assigned in WRIS:  | DPD Workflow updated:   | WRIS Notes:    |
| PD and RR sent to Data Entry:  | Certified mail date:    |                |
| Newspaper notice needed: Yes <input type="checkbox"/> No: <input type="checkbox"/> | Name of Newspaper:      |                |
| PD notice email coordinator:   | PD notice Request Date: | Amount Due: \$ |
|  |                         | Received date: |
| Last day of publication:   | Affidavit received:     |                |

| DOCUMENT   | Drafted |          | Peer Review |          | Policy Review |          | Changes |          | ODFW contact info: <input type="checkbox"/> included NA: <input type="checkbox"/> |  |
|--|---------|----------|-------------|----------|---------------|----------|---------|----------|---|--|
|  | Date    | initials | Date        | initials | Date          | initials | Date    | initials | WM contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>   |  |
| DPD  |         |          |             |          |               |          |         |          |   |  |
| NOTICE   |         |          |             |          |               |          |         |          |   |  |
| PD   |         |          |             |          |               |          |         |          |   |  |
| FO   | 10/9/24 | Joan     | 10/9/24     | Arta     | 12/4/24       | Joan     | 12/4/24 | Joan     | 12/11/2024  |  |
| RR   |         |          |             |          |               |          |         |          |   |  |
| Special Issues: TEMP Transfer working with T-14296 ✓<br>To Be withdrawn * Special order Vol 133 page 162 ✓ |         |          |             |          |               |          |         |          |   |  |

Special Order Volume 133, Pages 511-516



## PERMANENT TRANSFER APPLICATION CHECKLIST

☐ RA

Transfer #: T-1452014520

| CW                       | PR                       | Coord                    |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> |                          | Save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_Within District Processing Checklist 9-5-2019)<br>If this is a Living Certificate – check with Ann Reece      See Supplemental Language document for language |

### Transfer Application Review and Deficiencies

| CW   | PR                       | Coord                    |   |                              |                             |
|--|--------------------------|--------------------------|---|------------------------------|-----------------------------|
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Are all applicants/agents listed in WRIS with email addresses, if available?                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Have all permit/certificates been entered in WRIS under Transfer #?                         | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Were timely Public Comments received? (if yes, enter commenter names/email on mailing list) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Add finding for any comments received (see Supplemental Language document) |                          |                          |   |                              |                             |

### Groundwater Modification Application Review and Deficiencies

| CW                       | PR                       | Coord                    | <input type="checkbox"/> N/A |   |                              |                             |
|--------------------------|--------------------------|--------------------------|------------------------------|---|------------------------------|-----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                              | If for a Groundwater Modification, were there any assignments?<br><i>All GR Mod applicants must be the holder of record.</i>                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                              | Are there any past GR Modifications and/or letters documenting changes to the GR<br><i>These must be accounted for in the GR Mod Order.</i> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

### Review "From" and "To" Lands and/or POD/POA

| CW                       | PR                       | Coord                    |  |                              |                             |
|--------------------------|--------------------------|--------------------------|--|------------------------------|-----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are only the authorized POD(s)/POA(s)/POU listed on the "from" map?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map match the certificate map? If No, what is different?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled.             |                              |                             |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Compare TO POU in Table 2 with the TO Lands on map (for accuracy)  |                              |                             |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any of the "from" lands being cancelled/diminished?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, were cancellation/diminution affidavits submitted? (see findings and <u>additional authority</u> in Supplemental Language doc)                         | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any instream water rights affected? If Yes, Cert #<br>(If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

### Layered/Supplemental Rights

| CW                       | PR                       | Coord                    | <input type="checkbox"/> N/A |   |                              |                             |
|--------------------------|--------------------------|--------------------------|------------------------------|---|------------------------------|-----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                              | Are there any layered irrigation rights?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                              | If Yes, were they included in application? If No, they must move with the primary, to a "like" primary, or they will be cancelled though the transfer process | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |                              | Layered right(s) Cert:  |                              |                             |



|                          |                          |                          |   |                              |                             |
|--------------------------|--------------------------|--------------------------|---|------------------------------|-----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any supplemental rights being transferred? (verify that it is <b>actually</b> a supplemental right) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are they being transferred to a "like" primary (i.e. similar reliability)?                      | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Notes:  |                              |                             |

| Transfer Review Criteria |                          |                          |   |                              |                             |
|--------------------------|--------------------------|--------------------------|---|------------------------------|-----------------------------|
| CW                       | PR                       | Coord                    |   |                              |                             |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Evidence of use and supporting documentation <input type="checkbox"/> Confirming (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610) |                              |                             |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Ready, Willing and Able – <input type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?                 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If injury, has WM or GW provided a list of injured water right holders? <input type="checkbox"/> N/A  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If POD/POA/APOD/APOA change, will it be from the same source? If No, deny per OAR 690-380-2110(2) <input type="checkbox"/> N/A  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Notes:  |                              |                             |

| Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font |                          |                          |   |
|--|--------------------------|--------------------------|---|
| CW   | PR                       | Coord                    |   |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare ModPod workareas  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare DPD (save as T-XXXXX-dpd-approve/deny (where XXXXX is the transfer number)  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare DPD Cover letter (save as T-XXXXX-dpd-cov)  |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare Public Notice <input type="checkbox"/> and/or <input type="checkbox"/> newspaper notice (if required) (save as T-XXXXX-pd-notice) |
| <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> | Prepare Remaining Right(s) (if applicable). Send with DPD, cover letter and notice for peer review.                                       |

| Issue Draft Preliminary Determination |  |
|---------------------------------------|--|
| CW                                    |  |
| <input type="checkbox"/>              | Copy DPD and cover letter for paper file |
| <input type="checkbox"/>              | Save DPD and cover letter as PDF         |
| <input type="checkbox"/>              | Mail/email to applicant/agent/WM         |
| <input type="checkbox"/>              | Add workflow item "Draft PD Issued"      |

| Report of Ownership Information (ROI) |                          |                          |   |  |
|---------------------------------------|--------------------------|--------------------------|---|--|
| CW                                    | PR                       | Coord                    |   |  |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Does legal description in ROI/Deed match "from" lands?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Have all owners on the ROI/Deed signed the application?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>              | <input type="checkbox"/> | <input type="checkbox"/> | Has a notarized statement of consent been submitted? (if applicable) <input type="checkbox"/> N/A | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Newspaper Notice (if required) |                          |                          |  |  |
|--------------------------------|--------------------------|--------------------------|--|--|
| CW                             | PR                       | Coord                    |  |  |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> N/A   |  |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | Prepare/send letter to applicant/agent regarding newspaper notice cost | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>       | <input type="checkbox"/> | <input type="checkbox"/> | TACS Support delivered receipted funds to caseworker                   | <input type="checkbox"/> Yes <input type="checkbox"/> No |



### Preliminary Determination and Cover Letter Preparation

| CW   | PR   | Coord                    |  |  |
|--|--|--------------------------|--|--|
|  |  |                          | See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions   |  |
| <input type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/> | Was application amended after DPD was issued? - <b>Make sure amended pages were scanned to WRIS (see support staff) and make sure you mark amended (replaced) pages with SUPERSEDED. Also make findings in PD.</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/> | If Yes, what was amended?  |  |
| <input type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/> | Did amendment change outcome from denial to approval? <i>If Yes, make findings in PD.</i>  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/> If POD/POA changes or changes in "from" lands – re-review required from WM<br><input type="checkbox"/> If POA changes – re-review required from GW  |  |
| <i>Note: If POD was amended and changed from a downstream move to upstream within an ISWR reach – Consent to Injury may be required.</i> |  |                          |  |  |
| <input type="checkbox"/>   | Save DPD as a new document (T-XXXXX-pd-approve/deny.doc) – <b>12 pt. Calibri font</b>  |                          |  |  |
| <input type="checkbox"/>   | Remove "Draft" from document   |                          |  |  |
| <input type="checkbox"/>   | Unhide hidden findings (cntrl-A, select Font, uncheck "hidden" box) and add dates  |                          |  |  |
| <input type="checkbox"/>   | If application was amended, add finding including date of amendment  |                          |  |  |
| <input type="checkbox"/>   | Change language resulting from any amendments in response to the DPD, including language under Determination and Proposed Action |                          |  |  |
| <input type="checkbox"/>   | Unhide appeal (protest) language at the end of the document  |                          |  |  |
| <input type="checkbox"/>   | Prepare PD Cover Letter (save as T-XXXXX-pd-cov)   |                          |  |  |
| <input type="checkbox"/>   | Check email address(s) for accuracy  |                          |  |  |
| <input type="checkbox"/>   | Notes:   |                          |  |  |
| <input type="checkbox"/>   | Send to caseworker/coordinator for Peer Review   |                          |  |  |

### Data Center Review of PD

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Email PD and RR(s)(with new cert numbers) to Data* for review – indicate if file is RA *email address is in key |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Data Center will send notification that file is complete  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Make any necessary changes to PD or prepare Revised DPD (if substantive changes)                                |

### Issue Preliminary Determination

| CW                       |  |
|--------------------------|--|
| <input type="checkbox"/> | Print PD and put in Manager's box for signature and issuance (support will print cover letter) |
| <input type="checkbox"/> | Add workflow notes   |

### Protest

| CW                       | PR                       | Coor                     |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have protests been received? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If YES, STOP! Coordinate with Protest section.</b> |



## Final Order

|   |   |
|---|---|
| <b>CW</b>   | See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions   |
| <b>Do not issue Final Order before this date:</b> (protest period end date or 30 days after date of last newspaper publication) |   |
| <input type="checkbox"/>  | If application had a newspaper notice, verify that Affidavit of Publication was received. Date:   |
| <input type="checkbox"/>  | Save PD as a new document (T-XXXXX-ord-approve (or deny))   |
| <input type="checkbox"/>  | Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box)                                      |
| <input type="checkbox"/>  | Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING   |
| <input type="checkbox"/>  | Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #) |
| <input type="checkbox"/>  | Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD)  |
| <input type="checkbox"/>  | Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph   |
| <input type="checkbox"/>  | Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:"   |
| <input type="checkbox"/>  | Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1").   |
| <input type="checkbox"/>  | Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"  |
| <input type="checkbox"/>  | Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria  |

## Remaining Rights

| CW                       | PR                       | Coord                    | <input type="checkbox"/> N/A   |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Make sure all RR certs have new cert numbers and are entered on the right side of the footer of each RR  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Update left side of footer to read: T-XXXXX.rr.YYYYYY.ini, where YYYYYY is original cert number and .ini stands for your initials. New certificate should be on the right. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Print RR on certificate paper and include with Final Order for signature   |

## Issue Final Order

|                          |  |
|--------------------------|--|
| <b>CW</b>                |  |
| <input type="checkbox"/> | Pull "Working Copy" folder from file   |
| <input type="checkbox"/> | Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance) |
| Notes:                   |  |



## TRANSFER APPLICATION CHECKLIST ADDENDUM – Multiple Certs

Transfer #:14520 T-14520

### Certificate #1

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Certificate: 89189  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <b>Type of Change(s) Proposed:</b><br><input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>Print for file or save certificate in electronic "T" folder. Highlight Priority Date, Rate, Use and Limit/Duty paragraph.</i>  |

### Review "From" and "To" Lands and/or POD/POA

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map identify the authorized POD(s)/POA(s)/POU? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map match the certificate map? If No, what is different? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Compare FROM POU in application (Table 2) with certificate. <i>Mark certificate with acres being xferred, any RR acres and any acres being cancelled.</i>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Compare TO POU in Table 2 with the TO Lands on map ( <i>for accuracy</i> )  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any of the "from" lands being cancelled/diminished? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, were cancellation/diminution affidavits submitted? ( <i>see findings in Supplemental Language doc</i> ) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any instream water rights affected? If Yes, Cert #<br>( <i>If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected</i> ) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |

### Layered/Supplemental Rights

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> N/A  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are any supplemental rights being transferred? ( <i>verify that it is <b>actually</b> a supplemental right</i> ) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                        |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are they being transferred to a "like" primary (i.e. similar reliability) or are they moving with a primary under the transfer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are there any layered irrigation rights not included in the transfer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If they are not included, they <b>must</b> move with the primary, to a "like" primary, or be cancelled via a cancellation affidavit.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Layered right(s) Cert:  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Notes:  |

### Transfer Review Criteria

| CW                       | PR                       | Coord                    |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Evidence of use and supporting documentation <input type="checkbox"/> Confirming (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610) |



|                          |                          |                          |   |                              |                             |
|--------------------------|--------------------------|--------------------------|---|------------------------------|-----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Ready, Willing and Able – <input type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If injury, has WM or GW provided a list of injured water right holders? <input type="checkbox"/> N/A  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If POD/POA/APOD/APOA change, will it be from the same source? If No, deny per OAR 690-380-2110(2) <input type="checkbox"/> N/A  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Notes:  |                              |                             |

| Certificate #2                              |                          |                          |   |                              |                             |
|---|--------------------------|--------------------------|---|------------------------------|-----------------------------|
| CW  | PR                       | Coord                    | Certificate: 26578  |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> |   |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | <b>Type of Change(s) Proposed:</b><br><input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Print for file or save certificate in electronic "T" folder. Highlight Priority Date, Rate, Use and Limit/Duty paragraph.   |                              |                             |
| Review "From" and "To" Lands and/or POD/POA |                          |                          |   |                              |                             |
| CW  | PR                       | Coord                    |   |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map identify the authorized POD(s)/POA(s)/POU?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map match the certificate map? If No, what is different?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled.  |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Compare TO POU in Table 2 with the TO Lands on map (for accuracy)   |                              |                             |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Are any of the "from" lands being cancelled/diminished?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, were cancellation/diminution affidavits submitted? (see findings in Supplemental Language doc)  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Are any instream water rights affected? If Yes, Cert # (If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected)   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |



| Layered/Supplemental Rights |                          |                          |   |  |
|-----------------------------|--------------------------|--------------------------|---|--|
| CW                          | PR                       | Coord                    | <input type="checkbox"/> N/A  |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Are any supplemental rights being transferred? ( <i>verify that it is <b>actually</b> a supplemental right</i> )  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are they being transferred to a "like" primary (i.e. similar reliability) or are they moving with a primary under the transfer?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Are there any layered irrigation rights not included in the transfer?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | If they are not included, they <b>must</b> move with the primary, to a "like" primary, or be cancelled via a cancellation affidavit.  |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Layered right(s) Cert:  |  |
| Transfer Review Criteria    |                          |                          |   |  |
| CW                          | PR                       | Coord                    |   |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Evidence of use and supporting documentation <input type="checkbox"/> Confirming (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610) |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Ready, Willing and Able – <input type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?                 | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | If injury, has WM or GW provided a list of injured water right holders? <input type="checkbox"/> N/A  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> | If POD/POA/APOD/APOA change, will it be from the same source? <i>If No, deny per OAR 690-380-2110(2)</i> <input type="checkbox"/> N/A   | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| Certificate #3                              |                          |                          |   |  |
|---|--------------------------|--------------------------|---|--|
| CW  | PR                       | Coord                    | Certificate: 32343  |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> |   |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | <b>Type of Change(s) Proposed:</b><br><input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | <i>Print for file or save certificate in electronic "T" folder. Highlight Priority Date, Rate, Use and Limit/Duty paragraph.</i>  |  |
| Review "From" and "To" Lands and/or POD/POA |                          |                          |   |  |
| CW  | PR                       | Coord                    |   |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map identify the authorized POD(s)/POA(s)/POU?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Does the "from" map match the certificate map? If No, what is different?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Compare FROM POU in application (Table 2) with certificate. <i>Mark certificate with acres being xferred, any RR acres and any acres being cancelled.</i>   |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Compare TO POU in Table 2 with the TO Lands on map ( <i>for accuracy</i> )  |  |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Are any of the "from" lands being cancelled/diminished?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, were cancellation/diminution affidavits submitted? ( <i>see findings in Supplemental Language doc</i> )   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>                    | <input type="checkbox"/> | <input type="checkbox"/> | Are any instream water rights affected? If Yes, Cert #<br>( <i>If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected</i> )   | <input type="checkbox"/> Yes <input type="checkbox"/> No |



| Layered/Supplemental Rights |                          |                          |                              |  |  |
|-----------------------------|--------------------------|--------------------------|------------------------------|--|--|
| CW                          | PR                       | Coord                    | <input type="checkbox"/> N/A |  |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Are any supplemental rights being transferred? (verify that it is <b>actually</b> a supplemental right)  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | If Yes, are they being transferred to a "like" primary (i.e. similar reliability) or are they moving with a primary under the transfer?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Are there any layered irrigation rights not included in the transfer?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | If they are not included, they <b>must</b> move with the primary, to a "like" primary, or be cancelled via a cancellation affidavit.   |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Layered right(s) Cert:   |  |
| Transfer Review Criteria    |                          |                          |                              |  |  |
| CW                          | PR                       | Coord                    |                              |  |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | <input type="checkbox"/> Evidence of use and supporting documentation <input type="checkbox"/> <b>Confirming</b> (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610) |  |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Ready, Willing and Able – <input type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?                        | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | If injury, has WM or GW provided a list of injured water right holders? <input type="checkbox"/> N/A   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/>    | <input type="checkbox"/> | <input type="checkbox"/> |                              | If POD/POA/APOD/APOA change, will it be from the same source? If No, deny per OAR 690-380-2110(2) <input type="checkbox"/> N/A   | <input type="checkbox"/> Yes <input type="checkbox"/> No |



T-14520

Regular Temporary Water Right Transfer Application Checklist

Checked by Joan

Date 8/20/24

**A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.**

*Green Spring Farms*

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

(If OK, check box to left; if not, fill in the blank)

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
- ☒ 2. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled?  
If not, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
☒ N/A ☐ Form D needed from \_\_\_\_\_ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.

*[Signature]*