

Temporary

T-14527

Name Green Spring FarmsAddress 8930 Suver Rd.
Monmouth, OR 97361Change in POU, PODDate Filed 9/9/2024Initial notice date 9/17/2024

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 1/21/2025 Vol 133 Page 711-716

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent GSI Water Solutions, Inc. - Kimberly Grigsby
kgrigsby@gsiws.com

CWRE _____

CC's list Polk County☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Unnamed Streams, Luckiamute RiverTrib. of Willamette RiverUse IrrigationCounty Polk

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App# S-44662 Per # S-33441 Cert # 42535 PR Date 4-5-1968App# S-51087 Per # S-37832 Cert # 89189 PR Date 8-20-1973

App# _____ Per # _____ Cert # _____ PR Date _____ Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date 9-9-24 Amount \$1,726.83 Receipt # 143760

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

January 21, 2025

Green Spring Farms
8930 Suver Rd.
Monmouth, OR 97361

REFERENCE: District Temporary Transfer Application T-14527

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.

Sincerely,

Elyse 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
T-14527, Polk County)	TEMPORARY 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 September 9, 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 42535 and 89189 for a period of 3 years. The Department assigned the application number T-14527.
2. Notice of the application for transfer was published on September 17, 2024, pursuant to OAR 690-380-4000.

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

Certificate: 42535 in the name of PHILLIP D. & DELIA M. SPERLING (perfected under Permit S-33441)

Use: IRRIGATION of 102.2 ACRES

Priority Date: APRIL 5, 1968

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.

Rate: 1.28 CUBIC FEET PER SECOND (CFS), BEING 1.28 CFS FROM UNNAMED STREAM WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM UNNAMED STREAM TO BE MADE UP BY APPROPRIATION FROM LUCKIAMUTE RIVER PROVIDED THAT THE TOTAL QUANTITY DIVERTED FROM BOTH SOURCES SHALL NOT EXCEED 1.28 CFS

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: UNNAMED STREAM and LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
9 S	4 W	WM	17	NE SW			POD 1 (UNNAMED STREAM) - 1000 FEET SOUTH AND 1420 FEET EAST FROM THE NE CORNER OF DLC 61
9 S	4 W	WM	17	SW SE	6		POD 2 (UNNAMED STREAM) - 1980 FEET SOUTH AND 1670 FEET EAST FROM THE NE CORNER OF DLC 61
9 S	4 W	WM	18	SE SW	2		POD 3 (LUCKIAMUTE RIVER) - 2130 FEET SOUTH AND 4280 FEET WEST FROM THE NE CORNER OF DLC 61
9 S	4 W	WM	20	SW NW		63	POD 4 (LUCKIAMUTE RIVER) - 4500 FEET SOUTH FROM THE NE CORNER OF DLC 61

Authorized Place of Use:

IRRIGATION – UNNAMED STREAM AND LUCKIAMUTE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	4 W	WM	17	SW NE		43	28.3
9 S	4 W	WM	17	SE NE		43	3.0
9 S	4 W	WM	17	SE NW	1		1.6
9 S	4 W	WM	17	SE NW		43	2.3
9 S	4 W	WM	17	NE SW			4.8
9 S	4 W	WM	17	SE SW	5		0.7
9 S	4 W	WM	17	NE SE			14.1
9 S	4 W	WM	17	NW SE			34.2
9 S	4 W	WM	17	SW SE	6		9.4
9 S	4 W	WM	17	SE SE	7		3.8
Total							102.2

4. Certificate 42535 contains a scrivener's error in the place of use table. The acres authorized add up to 153.9 acres and not the 153.7 acres as described in the certificate.

5. Temporary Transfer Application T-14527 proposes to temporarily change the place of use of the right to:

IRRIGATION – UNNAMED STREAM AND LUCKIAMUTE RIVER						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	31	NE SE	59	10.3
9 S	4 W	WM	31	NE SE	58	17.8
9 S	4 W	WM	31	NW SE	58	0.3
9 S	4 W	WM	32	NE SW	59	3.0
9 S	4 W	WM	32	NW SW	59	7.8
9 S	4 W	WM	32	NW SW	59	7.0
9 S	4 W	WM	32	SW SW	59	8.5
9 S	4 W	WM	32	SW SW	59	30.0
9 S	4 W	WM	32	SE SW	59	17.5
Total						102.2

6. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14527 proposes to move the authorized points of diversion with approximate distances as described below:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances	Approximate distance from the authorized pod in mile
9 S	4 W	WM	29	NE SW	400	PPOD 1 - 1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46	POD-1- 2.0 mi upstream POD-2- 1.8 mi. upstream POD 3- 1.9 mi. downstream POD 4- 1.4 mi. downstream

7. The portion of the second 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 70.7 ACRES

Priority Date: AUGUST 20, 1973

Rate: 0.89 CUBIC FEET 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 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 DLC 63

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
9 S	4 W	WM	17	SW NW	2	
9 S	4 W	WM	17	SE NW	1	
9 S	4 W	WM	17	NE SW		
9 S	4 W	WM	17	NW SW	3	
9 S	4 W	WM	17	SW SW	4	
9 S	4 W	WM	17	SW SW		63
9 S	4 W	WM	17	SE SW	5	
9 S	4 W	WM	17	SE SW		63
Total						70.7

8. Temporary Transfer Application T-14527 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	31	NW SE	58	9.8
9 S	4 W	WM	31	SW SE	58	21.9
9 S	4 W	WM	31	SE SE	58	25.8
9 S	4 W	WM	31	SE SE	59	13.2
Total						70.7

9. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14527 proposes to move the authorized points of diversion approximately 1.4 downstream to:

Twp	Rng	Mer	Sec	Q-Q	Taxlot	Measured Distances
9 S	4 W	WM	29	NE SW	400	PPOD 1 - 1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46

Temporary Transfer Review Criteria

- 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.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- 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).
- 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

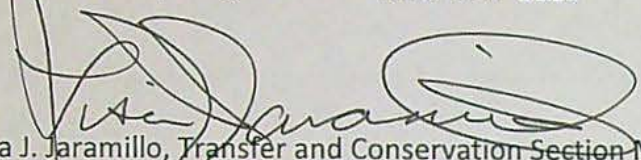
The temporary changes in places of use and points of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-14527 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in places of use and change in points of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-14527 are approved.
2. The former places 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 places of use at the end of the 2026 irrigation season. The authorization to use the additional points 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. Under Certificate 42535, the quantity of water diverted at the proposed temporary point of diversion (PPOD 1), shall not exceed the quantity of water lawfully available at the original points of diversion (PODs 1, 2, 3, and 4).
6. Under Certificate 89189, the quantity of water diverted at the proposed temporary point of diversion (PPOD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 4)
7. A subsequent application for permanent transfer of Certificates 42535 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.
8. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 42535 and 89189.
9. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

10. The use of the remaining water rights described by Certificates 42535 and 89189 shall continue to be in accordance with the terms and conditions of Certificates 42535 and 89189.

Dated in Salem, Oregon on **JAN 21 2025**



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

Mailing Date: **JAN 22 2025**



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

September 11, 2024

Green Spring Farms
8930 Suver Rd
Monmouth, OR 97361

Reference: Application T-14527

On September 9, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1726.83. Receipt number 143760 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
Polk County Planning Department, Local Government

Enclosure

Invoice #	Date	Description	Account	Balance Due	Amount Paid
2024.07.25	07/25/2024		Water Rights, License, Fees	0.00	547.36
2024.07.25	07/25/2024		Water Rights, License, Fees	0.00	30.85
2024.07.25	07/25/2024		Water Rights, License, Fees	0.00	365.97
2024.07.25	07/25/2024		Water Rights, License, Fees	0.00	782.65

Date: 07/25/2024 Paid To: Oregon Water Resources Dept. Check #: 002827 \$1,726.83

Paid By: VF Agriculture LLC

Received
SEP 09 2024

OWRD

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # 143760

INVOICE # _____

RECEIVED FROM: VF Agriculture, LLC

BY: _____

CASH: ☐ CHECK: # ☒ 2827 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	T-14527

TOTAL REC'D \$1,726.83

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$

0203 GROUND WATER EXAM FEE 0204 \$

0205 TRANSFER EXAM FEE \$1,726.83

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 \$

LANDOWNER'S PERMIT

OTHER (IDENTIFY) 0220 \$

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: 143760

DATED: 9-9-24

BY: [Signature]

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.

Received

SEP 09 2024

OWRD

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. Try the online fee calculator at: The required application fee of \$1,726.83 is enclosed.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: 42535 and 89189 (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: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

Received

SEP 09 2024

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

OWRD

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°).

14527 -

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	\$310.00
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>172.9 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$466.83
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	\$1,726.83
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	\$1,726.83

Received

SEP 09 2024

OWRD

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

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. 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 Green Spring Farms			PHONE NO. 503-838-7333	ADDITIONAL CONTACT NO.
ADDRESS 8930 Suver Rd.			FAX NO.	
CITY Monmouth	STATE OR	ZIP 97361	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

Explain in your own words what you propose to accomplish with this transfer application and why:
The Applicant is requesting to temporarily change the place of use and points of diversion for portions of Certificates 42535 and 89189 for the 2024 through 2026 irrigation seasons.

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)

8/28/24
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 **See Attachment E**

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

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☐ 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 N/A	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 N/A	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 Polk County	ADDRESS 850 Main Street	
CITY Dallas	STATE OR	ZIP 97338

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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Water Right Certificate # 42535

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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 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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	17	NE SW	TL 600	1,000 feet South and 1,420 feet East from NE corner of DLC 61
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	17	SW SE	Lot 6	1,980 feet South and 1,670 feet East from NE corner of DLC 61
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	18	SE SW	Lot 2	2,130 feet South and 4,280 feet West from NE corner of DLC 61
POD 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	20	SW NW	DLC 63	4,500 feet South from the NE corner, Steeprow DLC 61
PPOD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9 S	4 W	29	NE SW	TL 400	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)

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

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.

Table 2. Description of Temporary Changes to Water Right Certificate # 42535

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	4	W	17	SW	NE	600	--	28.3	Irrigation	PODs 1-4	4/5/1968	POU/POD	9	S	4	W	31	NE	SE	1100	DLC 59	10.3	Irrigation	PPOD 1	4/5/1961
9	S	4	W	17	SE	NE	600	--	3.0					9	S	4	W	31	NE	SE	1000	DLC 58	17.8			
9	S	4	W	17	SE	NW	600	--	2.3					9	S	4	W	31	NW	SE	1000	DLC 58	0.3			
9	S	4	W	17	SE	NW	600	GL 1	1.6					9	S	4	W	32	NE	SW	1100	DLC 59	3.0			
9	S	4	W	17	NE	SW	600	--	4.8					9	S	4	W	32	NW	SW	1100	DLC 59	7.8			
9	S	4	W	17	SE	SW	600	GL 5	0.7					9	S	4	W	32	NW	SW	1100	DLC 59	7.0			
9	S	4	W	17	NE	SE	600	--	14.1					9	S	4	W	32	SW	SW	1100	DLC 59	8.5			
9	S	4	W	17	NW	SE	600	--	34.2					9	S	4	W	32	SW	SW	1100	DLC 59	30.0			
9	S	4	W	17	SW	SE	600	GL 6	9.4					9	S	4	W	32	SE	SW	1100	DLC 59	17.5			
9	S	4	W	17	SE	SE	600	GL 7	3.8																	
TOTAL ACRES									102.2					TOTAL ACRES 102.2												

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: Certificates 95690 and 95687 are appurtenant to the "TO" lands but have 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)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

Water Right Certificate # 89189

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Description of Water Delivery System

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

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is 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)
POD 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	20	SW NW	DLC 63	2,530 feet South and 30 feet East from NW Corner, DLC 63
POD 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	19	NE NW	GL 1	7,120 feet North and 1,640 feet East from SE corner, Chamberlain DLC 42
POD 6	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	19	SE NE	GL 5	6,130 feet North and 5,220 feet East from SE corner, Chamberlain DLC 42
POD 7	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	9 S	4 W	20	SW SW	GL 4	3,170 feet North and 6,110 feet East from SE corner, Chamberlain DLC 42
PPOD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	9 S	4 W	29	NE SW	TL 400	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):

- | | |
|---|---|
| <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): N/A

- | | |
|---|---|
| <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) |

☐ 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.

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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 ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date								
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
9	S	4	W	17	SW	NW	600	GL 2	0.7	Irrigation	PODs 4-7	9/20/1973	POU/POD	9	S	4	W	31	NW	SE	1000	DLC 58	9.8	Irrigation	PPOD 1	9/20/1973		
9	S	4	W	17	SE	NW	600	GL 1	8.0					9	S	4	W	31	SW	SE	1000	DLC 58	21.9					
9	S	4	W	17	NE	SW	600	--	24.0					9	S	4	W	31	SE	SE	1000	DLC 58	25.8					
9	S	4	W	17	NW	SW	600	GL 3	7.8					9	S	4	W	31	SE	SE	1100	DLC 59	13.2					
9	S	4	W	17	SW	SW	600	GL 4	1.2																			
9	S	4	W	17	SW	SW	700	--	7.0																			
9	S	4	W	17	SE	SW	600	GL 5	7.1																			
9	S	4	W	17	SE	SW	700	--	14.9																			
TOTAL ACRES							70.7															TOTAL ACRES					70.7	

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 application, and will not remain at the authorized place of use. The authorized place of use for Certificate 89189 has not been irrigated during the 2024 irrigation season.

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)

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

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STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PHILLIP D. & DELIA M. SPERLING**

of Rt. 1, Box 159, Independence, State of Oregon 97351, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream and Luckiamute River a tributary of Willamette River for the purpose of irrigation of 153.7 acres under Permit No. 33441 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 April 5, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.93 cubic feet per second, being 1.28 c.f.s. from unnamed stream and 0.65 c.f.s. from Luckiamute River with any deficiency in the available supply from the unnamed stream to be made up by appropriation from Luckiamute River provided that the total quantity diverted from both sources shall not exceed 1.93 c.f.s.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the unnamed stream-NE $\frac{1}{4}$ SW $\frac{1}{4}$, & Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 17, Luckiamute River-Lot 2 (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 18, & SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Vanderpool DLC 63, Section 20, T. 9 S., R. 4 W., W. M., unnamed stream-1000 ft. South & 1420 ft. East, 1980 ft. South & 1670 ft. East, Luckiamute River-2130*

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:

Unnamed Stream &
Luckiamute River
28.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Davis DLC 43
1.6 acres Lot 1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
4.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.7 acre Lot 5 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
14.1 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
34.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
9.4 acres Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
3.8 acres Lot 7 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 17
T. 9 S., R. 4 W., W. M.

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* ft. South & 4280 ft. West, 4500 ft. South, all from NE Corner, Steeprow DLC 61.

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Luckiamute River

5.7 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

As projected within Steeprow DLC 61

10.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

17.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

Both as projected within Davis DLC 43

11.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

3.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

1.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

All as projected within Steeprow DLC 61

Section 18

T. 9 S., R. 4 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 15 day of September, 1975.

James E. Sexson

Water Resources Director ~~State Engineer~~

Recorded in State Record of Water Right Certificates, Volume 34, page 42535

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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.

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Certificate 89189

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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 FROM SE CORNER, CHAMBERLAIN DLC 42
9 S	4 W	WM	19	SE NE	5	6130 FEET NORTH AND 5220 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42
9 S	4 W	WM	20	SW SW	4	3170 FEET NORTH AND 6110 FEET EAST 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.

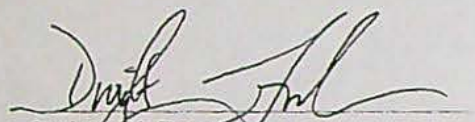
Water shall be acquired from the same surface source as the original point of diversion.

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

Received
SEP 09 2024
OWRD

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 Spring 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 # 42535 AND 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 or DLC	Acres (if applicable)

OR

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

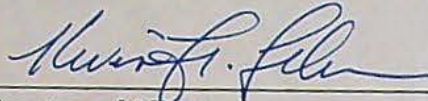
(continues on reverse side)

14527 -

Received
SEP 09 2024
OWRD
TACS

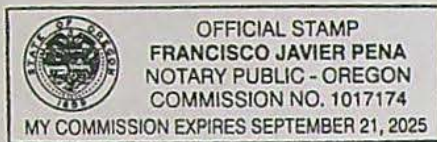
(continues on reverse side)


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

8/29/24
Date

Signed and sworn to (or affirmed) before me this 29 day of August, 2024.




Notary Public for Oregon

My Commission Expires: 09/01/2024

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

Received
SEP 09 2024
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SEP 09 2024

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SEP 09 2024

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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.: [REDACTED] and [REDACTED]

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 Stn=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

SEP 09 2024

OWRD

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 27th, 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\2nd Loan to Spertling\Spertling Place\Statutory Warranty Deed.docx

Received
SEP 09 2024
OWRD

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
SEP 09 2024
OWRD

14527 -

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 Wendell Sperling in my/our capacity as landowners,

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 42535 & 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) 600, 700,

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

located at _____
(site address)

Wendell P. Sperling
Signature of Affiant

08/29/2024
Date

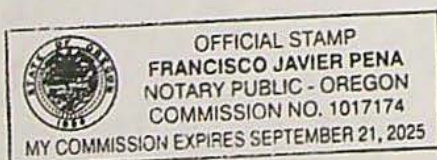
Received
SEP 09 2024

Signature of Affiant

Date

OWRD

Subscribed and Sworn to before me this 29 day of August, 2024.



[Signature]
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 Green Spring Farms				PHONE 503-838-7333	
MAILING ADDRESS 8930 Suver Road					
CITY Monmouth	STATE OR	ZIP 97361	EMAIL		

Received
SEP 09 2024

A. Land and Location

OWRD

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
9 S	4 W	29	NE SW	300	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
9 S	4 W	29	S ½ of SW ¼	300, 301	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
9 S	4 W	30	SE SE	603	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
9 S	4 W	31	E ½ of NE ¼	100, 105	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
9 S	4 W	31	SE ¼	1000, 1100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
9 S	4 W	32	SW ¼	1100, 1100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation

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

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: 2.17 ☒ 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 _____

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): PCZO 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 (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	Received	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SEP 09 2024	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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: Hannah Brickner Title: Associate Planner

Signature: Hannah R. Brickner Date: 8/9/24

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: _____

Briefly describe:

The Applicant is proposing to temporarily change the place of use and point of diversion for portions of two water rights (Certificates 42535 and 89189) 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
SEP 09 2024
OWRD



September 5, 2024

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

Re: Temporary Transfer Application for Certificates 42535 and 89189 – 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 42535 and 89189 for the 2024 through 2026 irrigation seasons. 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.

Please find enclosed a temporary transfer application, attachments, and a check for the application fee in the amount of \$1,726.83.

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

Sincerely,

A handwritten signature in dark ink that reads "Kimberly Grigsby". The signature is fluid and cursive, with the first name "Kimberly" and last name "Grigsby" clearly distinguishable.

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Temporary transfer application
Check in the amount of \$1,726.83

Received
SEP 09 2024
OWRD

LOCATION DESCRIPTION

POD 1
Located 1,000 feet South and 1,420 feet East from the NE corner of DLC 61, Township 9 South, Range 4 West (W.M.)

POD 2
Located 1,980 feet South and 1,670 feet East from the NE corner of DLC 61, Township 9 South, Range 4 West (W.M.)

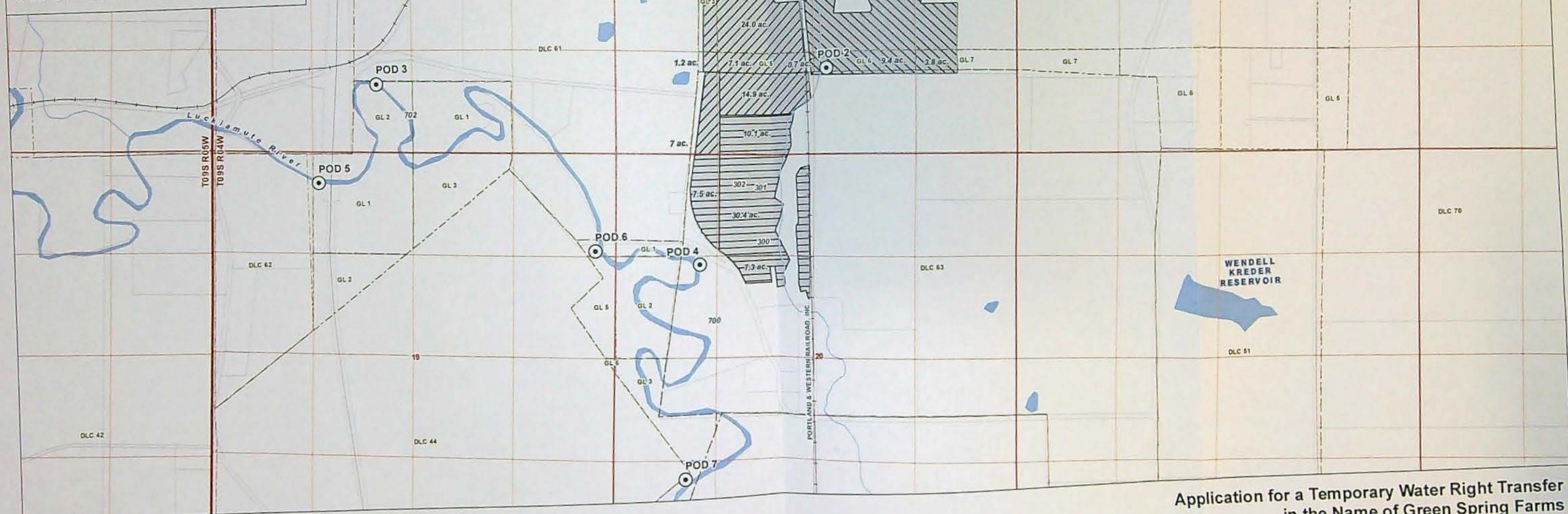
POD 3
Located 2,130 feet South and 4,280 feet West from the NE corner of DLC 61, Township 9 South, Range 4 West (W.M.)

POD 4
Located 4,500 feet South from the NE corner of Steeprow DLC 61 (AND Located 2,530 feet South and 30 feet East from the NW corner of DLC 63), Township 9 South, Range 4 West (W.M.)

POD 5
Located 7,120 feet North and 1,640 feet East from the SE corner of DLC 42, Township 9 South, Range 4 West (W.M.)

POD 6
Located 6,130 feet North and 5,220 feet East from the SE corner of DLC 42, Township 9 South, Range 4 West (W.M.)

POD 7
Located 3,170 feet North and 6,110 feet East from the SE corner of DLC 42, Township 9 South, Range 4 West (W.M.)



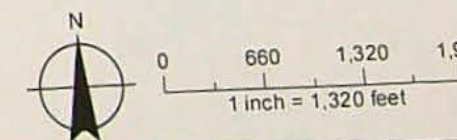
LEGEND

- ⊙ Authorized Point of Diversion (POD)
- Place of Use (POU)**
 - ▨ From Lands (Cert. 89189), 70.7 acres
 - ▨ From Lands (Cert. 42535), 102.2
 - ▨ Remaining Lands (Cert. 42535), 51.7 acres
 - ▨ Lands to be Included in Another Transfer Application (Cert. 89189), 55.3 acres
- All Other Features**
 - Tax Lot
 - Government Lot (GL)
 - Donation Land Claim (DLC)
 - Major Road
 - Railroad
 - Watercourse
 - Waterbody

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 26, 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
Certificates 42535 and 89189 (Sperling)

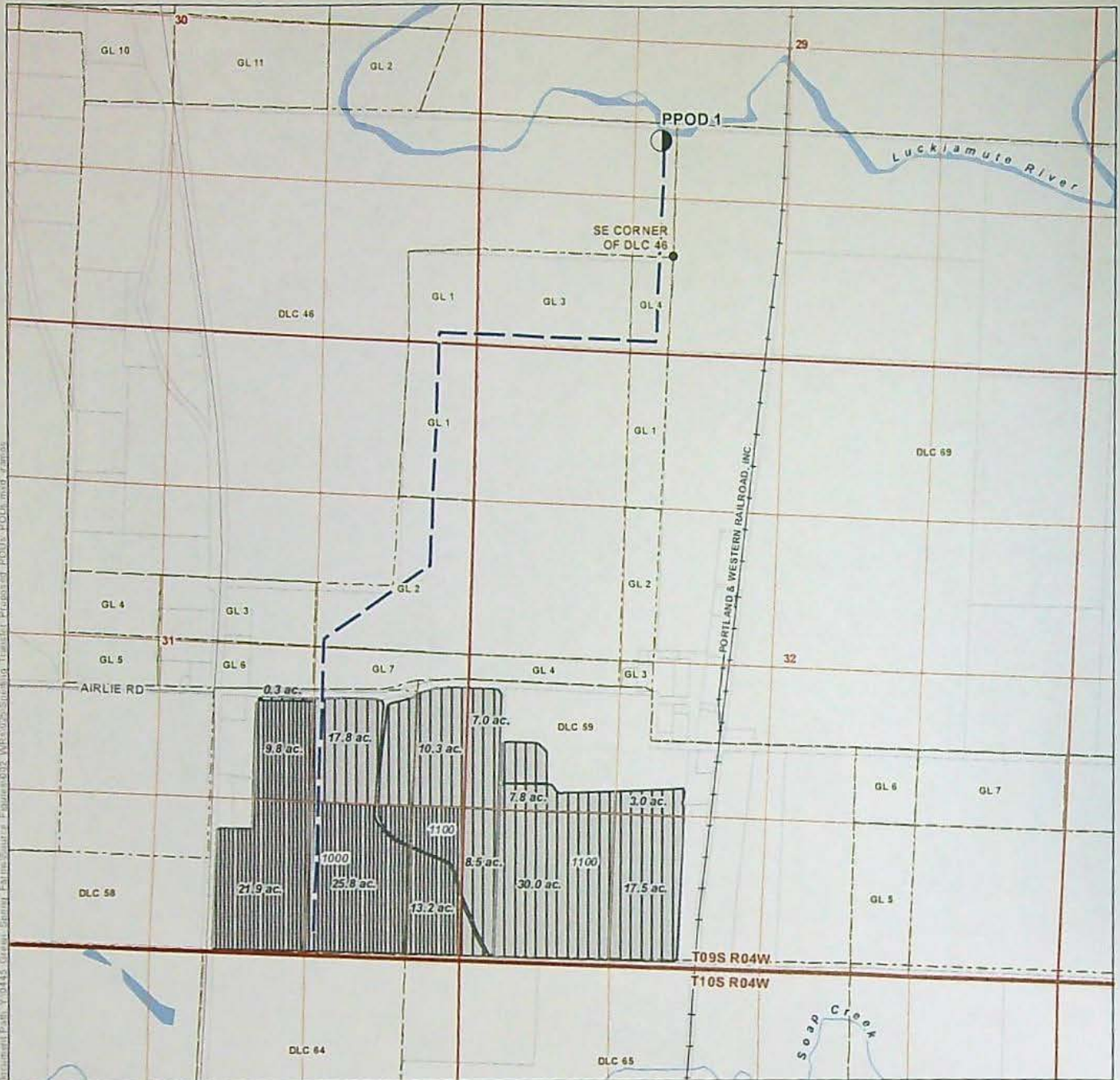


Received

SEP 09 2024

OWRD

14527 -



LEGEND

● Proposed Point of Diversion (POD)

— • Conveyance Line

Place of Use (POU)

▨ To Lands (Cert. 42535), 102.2 acres

▨ To Lands (Cert. 89189), 70.7 acres

All Other Features

▭ Tax Lot

▭ Donation Land Claim (DLC)

▭ Government Lot (GL)

— 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.)

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

Certificates 42535 and 89189 (Sperling)

Received

SEP 09 2024

OWRD

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 19, 2024

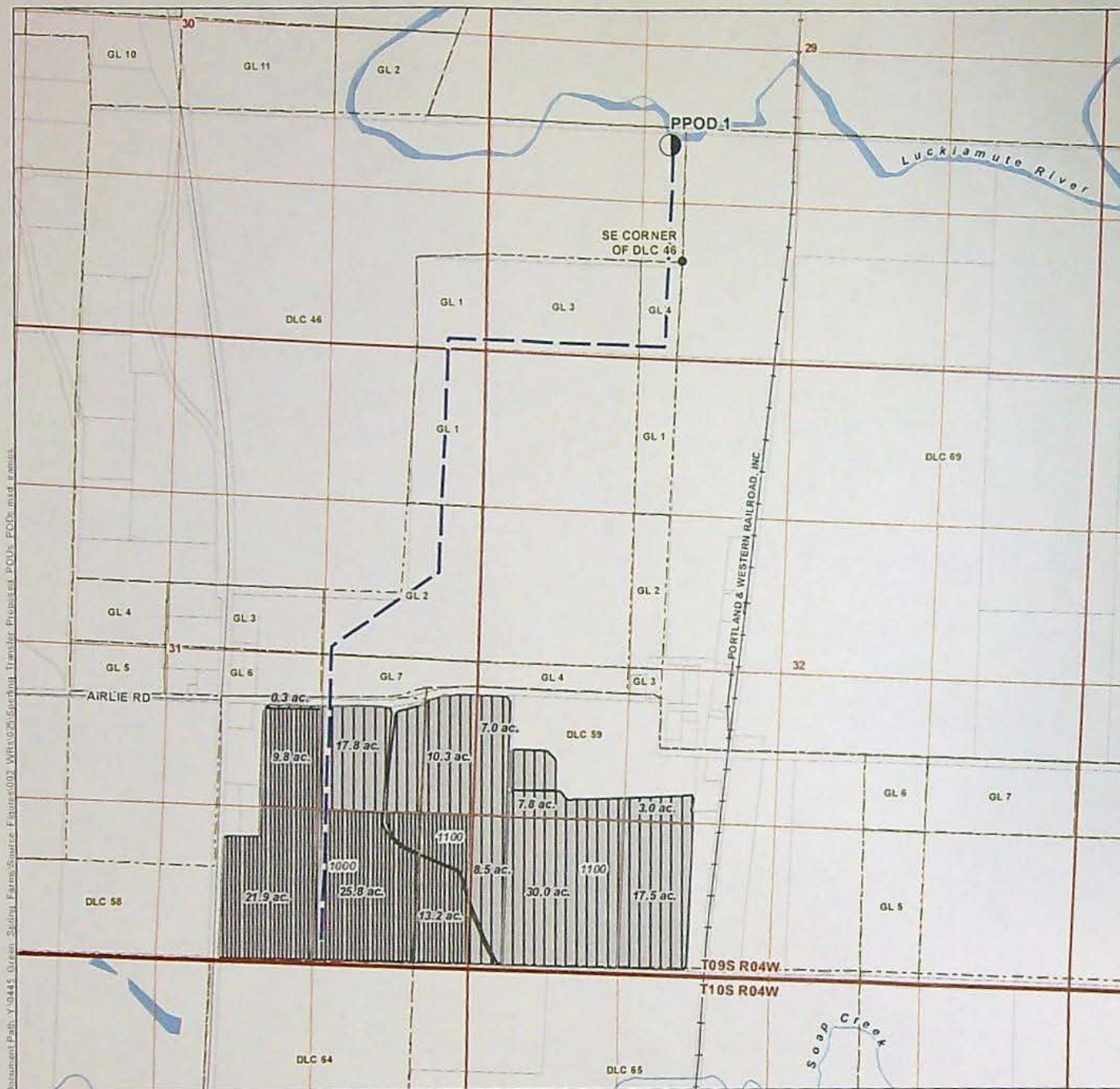
Data Sources: BLM, ESRI, OWRD, USGS



0 660 1,320
1 inch = 1,320 feet



14527 -



LEGEND

○ Proposed Point of Diversion (POD)

— Conveyance Line

Place of Use (POU)

▨ To Lands (Cert. 42535), 102.2 acres

▨ To Lands (Cert. 89189), 70.7 acres

All Other Features

□ Tax Lot

▨ Donation Land Claim (DLC)

▨ Government Lot (GL)

— 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.)

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

Certificates 42535 and 89189 (Sperling)

Received
SEP 09 2024

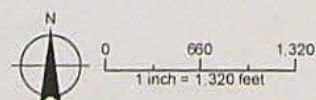
OWRD

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 19, 2024

Data Sources: BLM, ESRI, OWRD, USGS



14527 -

TRANSFER COVER SHEET

Transfer: T-14527

GR Application #: GR-

File Assigned- Transfer Specialist: Joan M. Smith

Transfer Type: Temporary Transfer

Reimbursement Authority? ☐

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

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:	\$1726.83	WM Review request date sent - WM District:	9/11/2024
Received Date:	September 9, 2024	WM Review - date received:	
Acknowledgement Letter Sent	Date: 9/11/2024	GW Review - date sent:	
County sent cc: of Ack Letter	Date: 9/11/2024	GW Review - date received:	
Initial Public Notice Date:	9/17/2024	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-44662	S-33441	42535	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
<input type="checkbox"/>	2	S-51087	S-38932	89189	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
<input type="checkbox"/>	3				<input type="checkbox"/> Yes <input 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"/>	WM contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>	Number of Docs for signature:
	Date	initials	Date	initials	Date	initials	Date	initials			
DPD											
NOTICE											
PD											
FO	11/20/24	qvr	11/25/24	AND							1/21/2025
RR											
Special Issues: 3 year temp Back to County 1/13/25											

PERMANENT TRANSFER APPLICATION CHECKLIST

☐ RA

Transfer #: T-1452714527

CW	PR	Coord	
<input type="checkbox"/>	<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) 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? <input type="checkbox"/> Yes <input type="checkbox"/> No All GR Mod applicants must be the holder of record.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any past GR Modifications and/or letters documenting changes to the GR <input type="checkbox"/> Yes <input type="checkbox"/> No These must be accounted for in the GR Mod Order.

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 additional authority 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 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:

Regular Temporary Water Right Transfer Application Checklist

Checked by Jean

Date 9/10/24

T-14527

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.

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.

OK