

Temporary

T-14558

Name Aurora Farms, LLC
C/o Mike Iverson
 Address 13490 Cedarwood Rd. NE
Aurora, OR 97002
aurorafarmsLLC@gmail.com

Change in POU
 Date Filed 11/4/2024
 Initial notice date 11/12/2024
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 1/28/2025 Vol 133 Page 783-785

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

Assignments: _____

Irrigation District _____

Agent Doann Hamilton
phgdmh@gmail.com

CWRE _____
 CC's list Marion County Planning Department

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well

Trib. of Mill Creek Basin

Use Irrigation County Marion

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G-17953 Per # G-17701 Cert # 94517 PR Date 10-30-2014

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

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

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

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

FEES PAID

| Date | Amount | Receipt # |
|----------------|------------------|---------------|
| <u>11-4-24</u> | <u>\$1979.43</u> | <u>144108</u> |

FEES REFUNDED

| Date | 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 28, 2025

Mike Iverson
13490 Cedarwood Rd NE
Aurora, OR 97002

REFERENCE: District Temporary Transfer Application T-14558

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 2025 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2029 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.L.davis@water.oregon.gov.

Sincerely,

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

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
Doann Hamilton, Agent
Marion 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 A TEMPORARY |
| T-14558, Marion County |) | CHANGE IN PLACE OF USE |

Authority

Oregon Revised Statute (ORS) 537.705 and 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 appropriation 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

AURORA FARMS, LLC
c/o MIKE IVERSON
13490 CEDARWOOD RD NE
AURORA, OR 97002

Findings of Fact

1. On November 4, 2024, Aurora Farms, LLC c/o Mike Iverson filed an application to temporarily change the place of use under Certificate 94517 for a period of 5 years. The Department assigned the application number T-14558.
2. Notice of the application for transfer was published on November 12, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

| | |
|-----------------------|---|
| Certificate: | 94517 in the name of SALEM NURSERY LLC (perfected under Permit G-17701) |
| Use: | IRRIGATION 10.9 ACRES |
| Priority Date: | OCTOBER 30, 2014 |
| Rate: | 0.14 CUBIC FOOT PER SECOND |

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.

Limit/Duty: The amount of water used for irrigation under this right, 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, and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: WELL 1 (MARI 65221/L114791) IN MILL CREEK BASIN

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|-------|--|
| 4 S | 1 W | WM | 12 | NW NE | WELL 1 - 1160 FEET SOUTH AND 2620 FEET WEST FROM THE NE CORNER OF SECTION 12 |

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|-----|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 4 S | 1 W | WM | 12 | NW NE | 3.5 |
| 4 S | 1 W | WM | 12 | SE NW | 7.4 |
| Total | | | | | 10.9 |

4. Temporary Transfer Application T-14558 proposes to temporarily change the place of use of the right to:

| IRRIGATION | | | | | |
|------------|-----|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 4 S | 1 W | WM | 12 | NE NW | 10.9 |

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is 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 right are present.
- The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
- The proposed change 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.

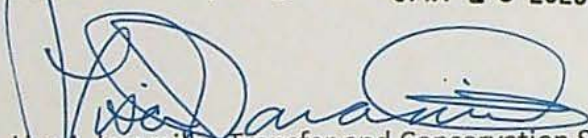
Conclusions of Law

The temporary change in place of use proposed in Temporary Transfer Application T-14558 is 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 proposed in Temporary Transfer Application T-14558 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2025, 2026, 2027, 2028 and 2029 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2029 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 94517 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.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 94517.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water right described by Certificate 94517 shall continue to be in accordance with the terms and conditions of Certificate 94517.

Dated in Salem, Oregon on **JAN 28 2025**



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

Mailing Date: **JAN 29 2025**

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14558

Review Due Date: 12/06/2024

Applicant Name: MIKE IVERSON

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

Reviewer(s): G. Wacker

Date of Review: 11/21/2024

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

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

TRANSFER COVER SHEET

Transfer: T-14558

GR Application #: GR-

File Assigned- Transfer Specialist: Arla L. Davis

Transfer Type: Temporary Transfer

Reimbursement Authority? ☐

| | | |
|--|---|--|
| Applicant: Mike Iverson 13490 Cedarwood Rd NE Aurora, OR 97002 | Receiving Landowner: | CWRE Agent: Doann Hamilton 18487 S Valley Vista Rd Mulino, OR 97042 |
| Interested Parties: BOR (date): _____ Tribal Gov't: _____ Gov'ts: Marion County Planning Department County: MARION | 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 | | | |
| 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: | \$979.43 | WM Review request date sent - WM District: 16 | 11/6/2024 |
| Received Date: | November 4, 2024 | WM Review - date received: | |
| Acknowledgement Letter Sent | Date: 11/7/2024 | GW Review - date sent: | |
| County sent cc: of Ack Letter | Date: 11/7/2024 | GW Review - date received: | |
| Initial Public Notice Date: | 11/12/2024 | 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 | G-17953 | G-17701 | 94517 | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <input type="checkbox"/> | 2 | | | | <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"/> |
|-----------------|---------|----------|-------------|----------|---------------|----------|---------|----------|---|
| | Date | initials | Date | initials | Date | initials | Date | initials | |
| DPD | | | | | | | | | WM contact info: <input type="checkbox"/> included NA: <input type="checkbox"/> |
| NOTICE | | | | | | | | | Number of Docs for signature: |
| PD | | | | | | | | | Date in Signature bin |
| FO | | | | | | | | | Signature date |
| RR | | | | | | | | | |
| Special Issues: | | | | | | | | | |
| | | | | | | | | | |

PERMANENT TRANSFER APPLICATION CHECKLIST

☐ RA

Transfer #: (GR-)T-14558

| 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"/> | <input type="checkbox"/> | If for a Groundwater Modification, were there any assignments? <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"/> | <input type="checkbox"/> | Are there any past GR Modifications and/or letters documenting changes to the GR <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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 actually 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 | | |
|--|--|--------------------------|--|--|
| | | | <i>See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions</i> | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Was application amended after DPD was issued? - 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. | <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 <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) – 12 pt. Calibri font | | | |
| <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 If YES, STOP! Coordinate with Protest section. |

Final Order

| | |
|---|---|
| CW | See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions |
| Do not issue Final Order before this date: (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

| | |
|--------------------------|--|
| CW | |
| <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: | |



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

November 7, 2024

Mike Iverson
13490 Cedarwood Rd. NE
Aurora, OR 97002

Reference: Application T-14558

On November 4, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$979.43. Receipt number 144108 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 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.

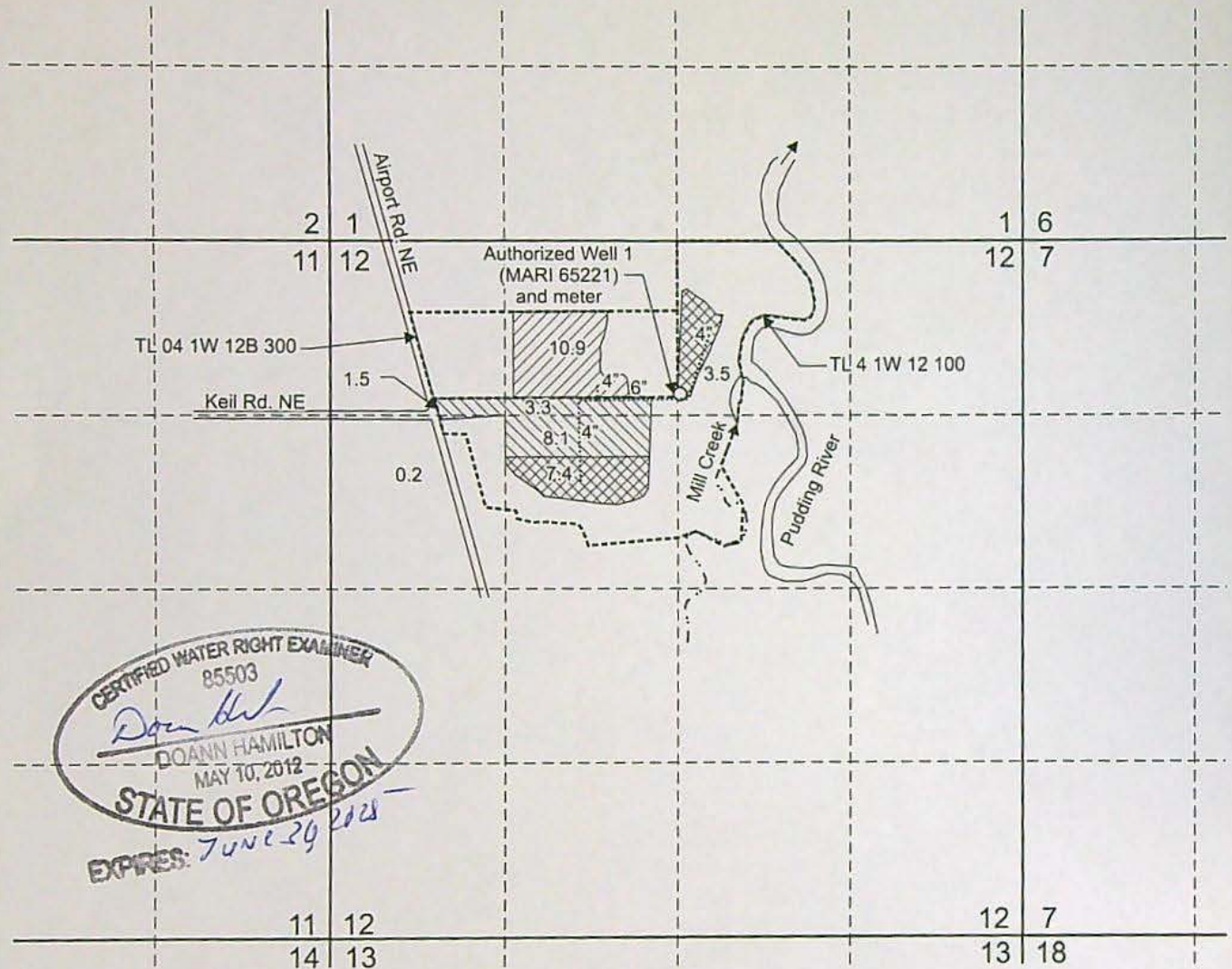
If the land is sold before the temporary transfer is approved, the buyer's consent to the temporary transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (via email)
Doann Hamilton, Agent
Marion County Planning Department, Local Government

Enclosure

T.4S. R.1W. Sec. 12, W.M.



Authorized Well 1 (MARI 65221) is located 1,160 feet south and 2,620 feet west from the NE corner, Section 12.

"From" Area (10.9 Acres) irrigated under Certificate 94517, priority date: October 30, 2014, to be temporarily transferred.

Area (13.1 Acres) irrigated under Certificate 94517, priority date: October 30, 2014, not affected by this temporary transfer.

"To" Area (10.9 Acres)

----- Tax lot boundary

..... Irrigation mainlines

Scale: 1" = 1,320'



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

Temporary Transfer Application Map
Certificate 94517

Aurora Farms LLC c/o Mike Iverson
T.4S. R.1W. Sec. 12, W.M.

Pacific Hydro-Geology Inc.

10/2024

Received by OWRD

NOV 04 2024

Salem, OR



**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 # **144108**

INVOICE # _____

RECEIVED FROM: Aurora Farms LLC

BY: _____

APPLICATION _____

PERMIT _____

TRANSFER T 14558

CASH: ☐ CHECK: # 33409 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 979.43

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 RECORD FEE \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 979.43 EXAM FEE \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 LICENSE FEE \$ _____

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 **RECEIVED**

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

OVER THE COUNTER

RECEIPT: **144108**

DATED: 11-4-24

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 by OWRD

FOR ALL TEMPORARY TRANSFER APPLICATIONS

NOV 04 2024

Salem, OR

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3** List them here: Certificates 94517
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: 2025 End Year: 2029.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required ☐ Part ____ is incomplete

Other/Explanation _____

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

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

| FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS | | | | | |
|---|--|--|---|----------|--|
| 1 | Base Fee (includes temporary change to one water right for up to 1 cfs) | | 1 | \$950.00 | |
| 2 | Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » » | | 2 | \$0 | |
| 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>10.9 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » » | | 4 | \$29.43 | |
| 5 | Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal: | | 5 | \$979.43 | |
| 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 » | Received by OWRD NOV 04 2024 Salem, OR | 6 | \$0 | |
| 7 | If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee: | | 7 | \$979.43 | |

| 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: center;">_____ (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 | NA |
| 3 | Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee: | 3 | NA |

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).

NOV 04 2024

Part 4 of 5 – Applicant Information and Signature

Applicant Information

Salem, OR

| | | | | |
|---|--------------------|---------------------|---|------------------------|
| APPLICANT/BUSINESS NAME Aurora Farms LLC c/o Mike Iverson | | | PHONE NO. 503-849-0662 | ADDITIONAL CONTACT NO. |
| ADDRESS 13490 Cedarwood Road NE | | | FAX NO. | |
| CITY Aurora | STATE OR | ZIP 97002 | E-MAIL AURORA FARMS LLC @ GMAIL . COM | |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | |

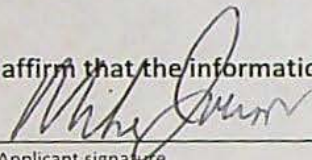
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

| | | | | |
|---|--------------------|---------------------|------------------------------------|--|
| AGENT/BUSINESS NAME Doann Hamilton / Pacific Hydro-Geology, Inc. | | | PHONE NO. (503) 632-5016 | ADDITIONAL CONTACT NO. (503) 349-6946 (cell) |
| ADDRESS 18487 S. Valley Vista Road | | | FAX NO. (503) 632-5983 | |
| CITY Mulino | STATE OR | ZIP 97042 | E-MAIL phgdmh@gmail.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:
We have been working on getting permanent water rights on TL 300. While we work on that application, we need to temporary transfer the water rights from TL 100 to supply our needs.

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

MIKE IVERSON
Print Name (and Title if applicable)

10/16/24
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.

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

| | | |
|----------------------------|---------|-----|
| DISTRICT NAME NA | ADDRESS | |
| CITY | STATE | ZIP |

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

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

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

| | | |
|---|--|---------------------|
| ENTITY NAME Marion County Planning Division | ADDRESS 5155 Silverton Road NE | |
| CITY Salem | STATE Oregon | ZIP 97305 |

Received by OWRD

NOV 04 2024

Salem, OR

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 # 94517

Description of Water Delivery System

System capacity: 0.30 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Received by OWRD

NOV 04 2024

Salem, OR

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 from Well 1 (MARI 65221) using a 20 Hp submersible pump to convey water through a six-inch PVC pipe heading west. Along this mainline, there are hydrants where portable aluminum 3- inch handlines with impact sprinklers are attached to irrigate the place of use.

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) |
|------------------------|---|--|-----|---|-----|---|-----|--------|----|---------------------------|--|
| Well 1 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | MARI 65221 | 4 | S | 1 | W | 12 | N W | NE | TL 100 | 1,160 feet south and 2,620 feet west from the NE corner, Section 12. |
| | <input type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | | | | | | | | | |

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 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 # 94517

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 | | | | | |
| 4 | S | 1 | W | 12 | NW | NE | 100 | NA | 3.5 | IR | Well 1 | 10-30-2014 | POU | 4 | S | 1 | W | 12 | NE | NW | 300 | NA | 10.9 | IR | Well 1 | 10-30-2014 | | | |
| 4 | S | 1 | W | 12 | SE | NW | 100 | NA | 7.4 | IR | Well 1 | 10-30-2014 | POU | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL ACRES | | | | | | | | | 10.9 | | | | | | TOTAL ACRES | | | | | | | | | 10.9 | | | | | |

Additional remarks: None

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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: NA

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: NA

- ☐ 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 |
|---|------------------------------------|---|------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
| NA | | | | | | | | | | |
| | | | | | | | | | | |

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

| OWNER'S WELL NAME OR NUMBER | WELL TAG NUMBER (IF AVAILABLE) | WELL LOG ID (E.G., KLAM 1234) | FLOWMETER SERIAL NUMBER | FLOWMETER READING | FLOWMETER DATE | FLOWMETER LOCATION |
|-----------------------------------|-----------------------------------|----------------------------------|----------------------------|-------------------|----------------|--------------------|
| | | | | | | |
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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of MARION

I, MIKE IVERSON, in my capacity as OPERATOR,

mailing address 13490 CEDARWOOD RD NE, AURORA, OR 97002

telephone number (503) 849-0662, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

| Certificate # | Township | Range | Mer | Sec | ¼ ¼ | Gov't Lot or DLC | Acres (if applicable) |
|---------------|----------|-------|-----|-----|-----|---------------------|--------------------------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
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OR

☐ Confirming Certificate # _____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

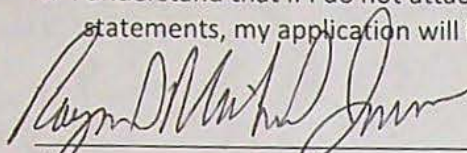
☒ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

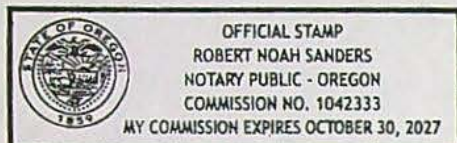


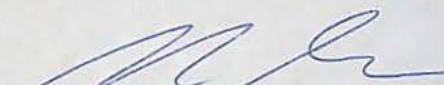
Signature of Affiant

10/21/24

Date

Signed and sworn to (or affirmed) before me this 21 day of Oct, 2024.





Notary Public for Oregon

My Commission Expires: Oct 30, 2027

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

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BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

| | | |
|---------------------------------------|---|------------------------------|
| In the Matter of Transfer Application |) | FINAL ORDER APPROVING A |
| T-13261, Marion County |) | TEMPORARY CHANGE IN PLACE OF |
| |) | USE |

Authority

Oregon Revised Statute (ORS) 537.705 and 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 appropriation 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

AURORA FARMS, LLC
c/o MIKE IVERSON
13490 CEDARWOOD RD NE
AURORA, OR 97002

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Findings of Fact

1. On September 27, 2019, AURORA FARMS, LLC c/o MIKE IVERSON filed an application to temporarily change the place of use under Certificate 94517 for a period of 5 years. The Department assigned the application number T-13261.
2. Notice of the application for transfer was published on October 8, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

Certificate: 94517 in the name of SALEM NURSERY LLC (perfected under Permit G-17701)

Use: IRRIGATION 10.9 ACRES

Priority Date: OCTOBER 30, 2014

Rate: 0.14 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation under this right, 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, and 2.5

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.

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: WELL 1 (MARI 65221/L114791) IN MILL CREEK BASIN

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|-----|-----|-----|-------|--|
| 4 S | 1 W | WM | 12 | NW NE | WELL 1 - 1160 FEET SOUTH AND 2620 FEET WEST FROM THE NE CORNER OF SECTION 12 |

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|-----|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 4 S | 1 W | WM | 12 | NW NE | 1.2 |
| 4 S | 1 W | WM | 12 | NE NW | 1.7 |
| 4 S | 1 W | WM | 12 | SE NW | 8.0 |
| Total | | | | | 10.9 |

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4. Temporary Transfer Application T-13261 proposes to temporarily change the place of use of the right to:

| IRRIGATION | | | | | |
|------------|-----|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 4 S | 1 W | WM | 12 | NE NW | 10.9 |

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is 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 right are present.
- The proposed change would not result in enlargement of the right.
- The proposed change 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

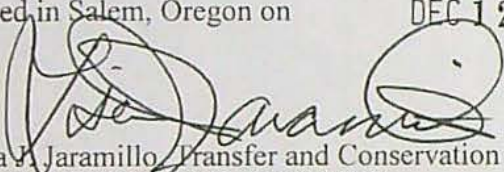
The temporary change in place of use proposed in Temporary Transfer Application T-13261 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-13261 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2020, 2021, 2022, 2023 and 2024 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2024 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 94517 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.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 94517.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water right described by Certificate 94517 shall continue to be in accordance with the terms and conditions of Certificate 94517.

Dated in Salem, Oregon on

DEC 12 2019


Lisa M. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date:

DEC 13 2019

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Salem, OR



After recording return to:
Salem Nursery, LLC
PO Box 820524
Vancouver, WA 98682

Until a change is requested all tax
statements shall be sent to the
following address:
Salem Nursery, LLC
PO Box 820524
Vancouver, WA 98682

File No.: NCS-545602-OR1 (ch)
Date: June 14, 2012

THIS SPACE RESERVED FOR RECORDER'S USE

APPROVED AS TO CONTENT AND FORM:

Caryl Finney

STATUTORY WARRANTY DEED

Kathryn Reubendale, Trustee of the Reubendale Revocable Living Trust, Grantor, conveys and warrants to **Salem Nursery, LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

Subject to: Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$700,000.00**. (Here comply with requirements of ORS 93.030)

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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.

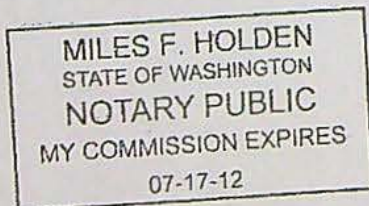
Dated this 15 day of June, 20 12.

Reubendale Revocable Living Trust

Kathryn Reubendale
Kathryn Reubendale, Trustee

STATE OF WASHINGTON)
County of King) ss.

This instrument was acknowledged before me on this 15th day of June, 2012 by Kathryn Reubendale as Trustee of Reubendale Revocable Living Trust, on behalf of the trust.



Miles F. Holden
Notary Public for KIRKLAND, WA 98034
My commission expires: JUL 17 2012

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EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Marion, State of Oregon, described as follows:

BEGINNING AT A POINT IN THE CENTER OF A COUNTY ROAD, 17.29 CHAINS EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON;
THENCE NORTH 15° 30' WEST ALONG SAID CENTER LINE 22.73 CHAINS TO A STAKE AND STONE ABOUT 30 POUNDS IN WEIGHT;
THENCE EAST 29.07 CHAINS TO THE EAST BOUNDARY OF SAID QUARTER SECTION;
THENCE SOUTH 21.90 CHAINS TO THE SOUTH LINE OF SAID QUARTER SECTION;
THENCE WEST ALONG SAID SOUTH LINE 23.00 CHAINS TO THE PLACE OF BEGINNING.

ALSO, THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LYING AND BEING IN MARION COUNTY, OREGON.

SAVE AND EXCEPT THE FOLLOWING: BEGINNING AT AN IRON PIN IN THE CENTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON;
THENCE WEST 22.83 CHAINS TO A STONE IN THE CENTER OF THE COUNTY ROAD;
THENCE NORTH 15° 29' WEST ALONG THE CENTER OF SAID ROAD, 9.935 CHAINS TO AN IRON PIPE;
THENCE SOUTH 83° 18' EAST 6.46 CHAINS TO A STEEL SHAFT; THENCE SOUTH 4° 15' EAST 78.4 LINKS;
THENCE SOUTH 77° 05' EAST 2.95 CHAINS TO AN IRON PIPE;
THENCE NORTH 89° 48' EAST 3.43 CHAINS TO AN IRON PIPE;
THENCE SOUTH 60° 22' EAST 1.80 CHAINS;
THENCE SOUTH 29° 32' EAST 1.96 CHAINS;
THENCE NORTH 85° EAST 10.28 CHAINS TO AN IRON PIPE;
THENCE NORTH 70° 40' EAST 2.12 CHAINS TO AN IRON BAR;
THENCE SOUTH 63° 45' EAST 3.74 CHAINS TO AN IRON BAR;
THENCE NORTH 73° 13' EAST 2.06 CHAINS TO AN IRON BAR;
THENCE NORTH 4° 16' EAST 4.22 CHAINS TO AN IRON BOLT;
THENCE NORTH 29° 49' WEST 5.37 CHAINS TO THE CENTER OF MILL CREEK;
THENCE DOWN SAID CREEK TO THE CENTER OF PUDDING RIVER;
THENCE UP SAID RIVER IN A SOUTHERLY DIRECTION TO THE EAST AND WEST LINE THROUGH THE CENTER OF SECTION 12;
THENCE WEST 13.50 CHAINS TO THE PLACE OF BEGINNING.

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14558 -

APN: R10593

Statutory Warranty Deed
- continued

File No.: NCS-545602-OR1 (ch)

ALSO, SAVE AND EXCEPT: BEGINNING AT A POINT IN THE CENTER OF THE COUNTY ROAD WHICH IS EAST 1141.14 FEET AND NORTH 15° 29' WEST 655.71 FEET FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 12 IN TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN MARION COUNTY, OREGON, WHICH POINT OF BEGINNING IS THE MOST WESTERLY SOUTHWEST CORNER OF THE TRACT CONVEYED TO CLYDE H. LOWRIE AND WIFE BY DEED RECORDED IN VOLUME 432, PAGE 0253, MARION COUNTY DEED RECORDS;
THENCE SOUTH 83° 18' EAST 197.50 FEET;
THENCE NORTH 14° 44' WEST 573.21 FEET TO AN IRON PIPE;
THENCE WEST 197.50 FEET TO THE CENTER OF SAID ROAD;
THENCE SOUTH 15° 29' EAST 551.32 FEET TO THE POINT OF BEGINNING.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

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NOV 04 2024

Salem, OR

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 Marion)ss
)

I Jon Denny in my/our capacity as owner,

mailing address 13300 Cedarwood Rd, Aurora, OR, 97002

telephone number (503) 313-9000, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 94517

described in a Water Right Transfer Application (T-NA),
(transfer number, if known)
submitted by Aurora ~~Properties~~ Farms LLC c/o Mike Iverson

on the property in tax lot number(s) 100, Section 12, Township 4 South, Range 1 West, W.M.,

located at 22256 Airport Rd NE, Aurora, OR 97002
(site address)

Signature of Affiant

Date

10/18/24

Signature of Affiant

Date

Subscribed and Sworn to before me this 18th day of October, 2024.



Notary Public for Oregon

My commission expires 9-1-26.

OF WORK Form V
14558

Temporary Transfer Application Intake Checklist

Transfer # T-14558

| | | | |
|--|--|--|--|
| Reviewer <u>Joan</u> | Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u> | | |
| Date <u>11/6/24</u> | <input checked="" type="checkbox"/> POU | <input type="checkbox"/> POU/POD | <input type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA |
| Calculated Fee \$ <u>979.43</u> | | Fee Received \$ <u>979.43</u> | |
| Certificate(s): <u>94517 NC</u> | | Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled | |
| For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs | | | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A |
| Notes: <u>Previous Temp Trans T-13261 2020 → 2024</u> | | | |

| | | | |
|---|--|--|--|
| Application: OAR 690-380-3000; OAR 690-380-3220 | | | |
| 1. | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing? | |
| 2. | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | Part 5 of application: Does the information match the description of the explanation on Part 4 of the application? | |
| 3. | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2? | |

| | | | |
|------------------------------------|--|---|--|
| Map Requirements: OAR 690-380-3100 | | | |
| 4. | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | Map included and meets mapping requirements? | |
| 5. | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | Map Waiver? The map waiver must be issued by the Department | |
| Notes: | | | |

| | | | |
|-------------------------------|---|---|--|
| Attachments: OAR 690-380-3000 | | | |
| 6. | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | Evidence of Use included, signed, & notarized w/supporting documentation? | |
| | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | Current recorded deed for the land from which the authorized place of use is temporarily being moved included? | |
| | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | Affidavit of Consent from Landowner(s) described on the deed? | |
| 7. | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | Land Use Form included and signed by the County? | |
| 8. | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District | |
| 9. | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | For changes in POA/APOA – are the well logs included? | |
| 10. | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | For change in POU within Umatilla County, Supplemental Form U included? | |

| | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder. |
| <input type="checkbox"/> | Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified. |



Received by OWRD

NOV 04 2024

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Aurora Farms LLC c/o Mike Iverson

Aurora OR 97002

Transaction Type: Transfer

Fees Received: \$ 979.43

☐ Cash ☒ Check; Check No. 33409

Name(s) on Check: Aurora Farms LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Nick Reese
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.