

Temporary

Name Elk Creek Farm, LLC; Attn: Robert OchsAddress 1868 Schad Road  
Elkton, OR 97436  
bobochs@hotmail.comChange in POUDate Filed 2/18/2025Initial notice date 2/25/2025

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 5-28-2025 Vol 134 Page 803-806

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Agent Theodore Ressler, RG, CWRE  
Tressler@summitwr.com

CWRE \_\_\_\_\_

CC's list Douglas County

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream Elk CreekTrib. of Umpqua RiverUse IrrigationCounty Douglas

Quantity of water (CFS) \_\_\_\_\_

No. of Acres \_\_\_\_\_

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

App# S-26015Per # S-20376Cert # 96931PR Date 6/8/1951App# S-26015Per # S-20376Cert # 92947PR Date 6/8/1951

App# \_\_\_\_\_

Per # \_\_\_\_\_

Cert # \_\_\_\_\_

PR Date \_\_\_\_\_

App# \_\_\_\_\_

Per # \_\_\_\_\_

Cert # \_\_\_\_\_

PR Date \_\_\_\_\_

App# \_\_\_\_\_

Per # \_\_\_\_\_

Cert # \_\_\_\_\_

PR Date \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt #
<u>2-18-25</u>	<u>\$1,324.26</u>	<u>144721</u>

## FEES REFUNDED

Date	Amount	Receipt #
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## Additional Applicant Info

Name: Knoll Vineyards, LLC; Attn: Leslie BeckleyAddress: 1868 Schad RoadElkton, OR 97436Lbeckley@Comcast.net





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

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

May 28, 2025

Elk Creek Farm LLC  
Attn: Robert Ochs  
1868 Schad Rd  
Elkton, OR 97436

Knoll Vineyards, LLC  
Leslie Beckley  
1868 Schad Road  
Elkton, OR 97436

REFERENCE: District Temporary Transfer Application T-14613

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, Scott Grew, by telephone at (503) 986-0890 or by e-mail at [Scott.a.grew@water.oregon.gov](mailto:Scott.a.grew@water.oregon.gov).

Sincerely,

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

cc: Susan M. Douthit, Watermaster Dist. # 15 (via email)  
Theodore Ressler, Agent  
Douglas County, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING TEMPORARY
T-14613, Douglas County	)	CHANGES IN PLACE OF USE

**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.

**Applicants**

ELK CREEK FARM LLC  
ATTN: ROBERT OCHS  
1868 SCHAD RD  
ELKTON, OR 97436

KNOLL VINEYARDS, LLC  
ATTN: LESLIE BECKLEY  
1868 SCHAD RD  
ELKTON, OR 97436

**Findings of Fact**

1. On February 18, 2025, Elk Creek Farm LLC; Attn: Robert Ochs and Knoll Vineyards, LLC; Attn: Leslie Beckley filed an application to temporarily change the place of use under Certificates 92947 and 96931 for a period of 5 years. The Department assigned the application number T-14613.
2. Notice of the application for transfer was published on February 25, 2025, pursuant to OAR 690-380-4000.
3. The portion of the first right to be temporarily transferred is as follows:  

<b>Certificate:</b>	92947 in the name of WARREN J. BILLICK (perfected under Permit S-20376)
<b>Use:</b>	IRRIGATION of 11.0 ACRES
<b>Priority Date:</b>	JUNE 8, 1951
<b>Rate:</b>	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, 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:** ELK CREEK, a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	7 W	WM	17	SW SW	1200 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 17

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	SW SW	11.0

4. Temporary Transfer Application T-14613 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	SW SE	0.07
22 S	7 W	WM	20	NW NE	10.93
				Total	11.00

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

**Certificate:** 96931 in the name of ELK CREEK FARM LLC, ATTN: ROBERT OCHS  
(perfected under Permit S-20376)

**Use:** IRRIGATION of 12.8 ACRES

**Priority Date:** JUNE 8, 1951

**Rate:** 0.16 CUBIC FOOT PER SECOND

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

**Source:** ELK CREEK, a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	7 W	WM	17	SW SW	LOWER ELK CREEK POD- 1120 FEET NORTH AND 85 FEET EAST FROM THE SW CORNER OF SECTION 17



**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	NE SW	1.39
22 S	7 W	WM	17	SE SW	10.91
22 S	7 W	WM	17	NW SE	0.40
22 S	7 W	WM	17	SW SE	0.10
				Total	12.8

6. Temporary Transfer Application T-14613 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	SE SW	5.25
22 S	7 W	WM	17	SW SE	6.32
22 S	7 W	WM	20	NW NE	1.09
22 S	7 W	WM	20	NE NW	0.14
				Total	12.8

***Temporary Transfer Review Criteria***

7. 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.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. 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).
10. 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 place of use proposed in Temporary Transfer Application T-14613 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

1. The temporary changes in place of use proposed in Temporary Transfer Application T-14613 are approved.

2. The former place of use **shall not** be irrigated as part of these water rights during the 2025, 2026, 2027, 2028, and 2029 irrigation seasons.
3. The use shall revert to the authorized places 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 changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 92947 and 96931 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 places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 92947 and 96931.
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 rights described by Certificates 92947 and 96931 shall continue to be in accordance with the terms and conditions of Certificates 92947 and 96931.

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



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

Mailing Date: **MAY 29 2025**

# WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14613

Transfer Specialist:

*Scott*

Transfer Type: Temporary Transfer

DROUGHT? ☐

<b>Applicant:</b> Elk Creek Farm LLC; Robert Ochs Knoll Vineyards, LLC; Leslie Beckley 1868 Schad Rd Elkton, OR 97436	<b>Agent:</b> Theodore Ressler 4784 SE 17th Avenue, Suite 111 Portland, OR 97202	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b> Douglas County	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>	S-26015	S-20376	96931
<input type="checkbox"/>	S-26015	S-20376	92947
<input type="checkbox"/>			

## Key Dates & Initial Actions (Support Staff)

Rec'd: February 18, 2025	Proposed Action(s): PLACE OF USE	
Fees Pd: 1324.26	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 16 Umpqua
Initial Public Notice: 2/25/2025	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: DOUGLAS
WM District: 15 Susan M. Douthit	WM Review request sent: 2/21/2025	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

## Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>5/12/25</u> Initials: <u>Scott</u>	Date: <u>5/13/25</u> Initials: <u>Jon</u>	Date: <u>5/22/25</u> Initials: <u>SARAH</u>	Date: <u>5/27/25</u> Initials: <u>Scott</u>	Date: <u>5/27/25</u> No. of docs for sig: <u>1</u> WM Sheet <input type="checkbox"/>	Date: <u>5/28/2025</u>

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. 134 Pages 803-806



# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14613

Review Due Date: 03/23/2025

Applicant Name: Robert Ochs

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

Reviewer(s): Austin Leep

Date of Review: 02/26/2025

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:  
  
Elk creek is regulated annually for instream water rights.
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

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: \_\_\_\_

## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T- 14613



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Austin Leep

District: 15

Address: Douglas County Courthouse, Room 306

City/State/Zip: Roseburg, OR 97470

Phone: 503 507 8048

Email: Austin.J.Leep@water.oregon.gov

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

\*\*\*\*\*

## Approval of an Alternate Measurement Device

T-

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

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

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 Watermaster signature

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 District

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 Date

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

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





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

February 21, 2025

Elk Creek Farm LLC; Attn: Robert Ochs  
Knoll Vineyards, LLC; Attn Leslie Beckley  
1868 Schad Rd  
Elkton, OR 97436

Reference: Application T-14613

On February 18, 2025, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1324.26. Receipt number 144721 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 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. #15, Susan M. Douthit (via email)  
Theodore Ressler, Agent  
Douglas County, Local Government

Enclosure



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **144721**

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

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

RECEIVED FROM: Knoll Vineyards LLC  
BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>1-14613</u>

CASH: ☐ CHECK:# X 1452 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 1,324.26

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_ 46110

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_

0205 TRANSFER \$ 1,324.26

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_

**LANDOWNER'S PERMIT**

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_

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: **144721**

DATED: 2-18-2025 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.

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

Received

FEB 14 2025

OWRD

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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2** List them here: [Certificates: 96931, 92947](#) [Attachment 1](#)  
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. [Attachment 2](#)
- ☒ Completed Evidence of Use Affidavit and supporting documentation. [Attachment 3](#)
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved. [Attachment 4](#)
- ☐ ☒ 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°).

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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</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) 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>23.8</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	\$64.26
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	\$1,324.26

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 » » » » » » » » » » <b>Transfer Fee:</b>	3	N/A

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

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME (WATER RIGHT HOLDER) <b>Elk Creek Farm, LLC; Attn: Robert Ochs</b>			PHONE NO. <b>303-822-1612</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1868 Schad Road</b>				FAX NO.
CITY <b>Elkton</b>	STATE <b>OR</b>	ZIP <b>97436</b>	E-MAIL <b>bobocho@hotmail.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

APPLICANT/BUSINESS NAME (USER OF WATER RIGHT UNDER TEMPORARY TRANSFER) <b>Knoll Vineyards, LLC; Attn: Leslie Beckley</b>			PHONE NO. <b>541-954-1313</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1868 Schad Road</b>				FAX NO.
CITY <b>Elkton</b>	STATE <b>OR</b>	ZIP <b>97436</b>	E-MAIL <b>lbeckley@comcast.net</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME <b>Theodore Ressler, RG, CWRE</b>			PHONE NO. <b>503-967-7050</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>4784 SE 17<sup>th</sup> Avenue, Suite 111</b>				FAX NO.
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97202</b>	E-MAIL <b>tressler@summitwr.com</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:  
**The applicant proposes to temporarily transfer a portion of two water rights held by Elk Creek Farm, LLC to land owned by Knoll Vineyards, LLC for irrigation of grape vines.**

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	<b>Robert Ochs</b> Print Name (and Title if applicable)	<b>2-6-25</b> Date
_____ Applicant signature	_____ Print Name (and Title if applicable)	_____ Date

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

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

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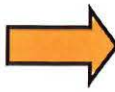
TACS

☐ 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	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME <b>DOUGLAS COUNTY</b>	ADDRESS <b>1036 SE Douglas Avenue</b>	
CITY <b>Roseburg</b>	STATE <b>OR</b>	ZIP <b>97470</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## Part 5 of 5 – Water Right Information

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

### Water Right Certificate # 92947

#### Description of Water Delivery System

System capacity: 0.18 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 diverted from Elk Creek using a trailer mounted 25-Hp centrifugal pump located on the bank of Elk Creek. The 6-inch suction hose for the pump is fitted with a Pump-Rite fish screen. The diverted water is conveyed from the pump to permanent inground piping adjacent to the power drop and electrical meter for the pump. Water is conveyed by the in-ground piping to the place of use where the water is applied for irrigation. The pasture areas are irrigated using a hose reel traveler; the vineyard is irrigated by drip line.

**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)
<b>Lower Elk Creek POD</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		<b>22</b>	<b>S</b>	<b>7</b>	<b>W</b>	<b>17</b>	<b>SW</b>	<b>SW</b>	<b>500</b>	<b>1200 feet North and 200 feet East from the SW corner of Section 17*</b>

\*Lower Elk Creek POD is described slightly different on Certificate 96931

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 # 92947**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	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	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
<b>EXAMPLE</b>																										
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
22	S	7	W	17	SW	SW	500		11.0	Irrigation	Lower Elk Creek POD	6/8/1951	POU	22	S	7	W	17	SW	SE	900		0.07	Irrigation	Lower Elk Creek POD	6/8/1951
													"	22	S	7	W	20	NW	NE	200		10.93	"	"	"
TOTAL ACRES										11.0	TOTAL ACRES											11.0				

Additional remarks: \_\_\_\_\_

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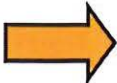
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**For Place of Use Changes**

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

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



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

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

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

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 # **96931**

### Description of Water Delivery System

System capacity: **0.28** 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 diverted from Elk Creek using a trailer mounted 25-Hp centrifugal pump located on the bank of Elk Creek. The 6-inch suction hose for the pump is fitted with a Pump-Rite fish screen. The diverted water is conveyed from the pump to permanent inground piping adjacent to the power drop and electrical meter for the pump. Water is conveyed by the in-ground piping to the place of use where the water is applied for irrigation. The pasture areas are irrigated using a hose reel traveler; the vineyard is irrigated by drip line.

**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)
<b>Lower Elk Creek POD</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		<b>22</b>	<b>S</b>	<b>7</b>	<b>W</b>	<b>17</b>	<b>SW</b> <b>SW</b>	<b>500</b> <b>1120 feet North and 85 feet East from the SW corner of Section 17*</b>

\*Lower Elk Creek POD is described slightly different on Certificate 92947

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 # 96931**

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						
<b>EXAMPLE</b>																										
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
22	S	7	W	17	NE	SW	700		1.39	Irrigation	Lower Elk Creek POD	6/8/1951	POU	22	S	7	W	17	SE	SW	800		5.25		Lower Elk Creek POD	6/8/1951
22	S	7	W	17	SE	SW	700		10.91	"	"	"	"	22	S	7	W	17	SW	SE	900		6.32		"	"
22	S	7	W	17	NW	SE	700		0.4	"	"	"	"	22	S	7	W	20	NE	NW	200		0.14		"	"
22	S	7	W	17	SW	SE	700		0.1	"	"	"	"	22	S	7	W	20	NW	NE	200		1.09		"	"
TOTAL ACRES										12.8	TOTAL ACRES										12.8					

Additional remarks: \_\_\_\_\_

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**For Place of Use Changes**

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

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

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

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

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

## COUNTY OF DOUGLAS

## CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELK CREEK FARM LLC  
ATTN: ROBERT OCHS  
1868 SCHAD RD  
ELKTON OR 97436

Received

FEB 14 2025

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confirms the right to use the waters of ELK CREEK, a tributary of UMPQUA RIVER for IRRIGATION of 21.8 ACRES.

This right was perfected under Permit S-20376. The date of priority is JUNE 8, 1951.

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 0.28 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	7 W	WM	17	SW SW	LOWER ELK CREEK POD - 1120 FEET NORTH AND 85 FEET EAST FROM SW CORNER, SECTION 17

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	NE SW	3.2
22 S	7 W	WM	17	SE SW	18.1
22 S	7 W	WM	17	NW SE	0.4
22 S	7 W	WM	17	SW SE	0.1

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or another suitable measuring device as approved by the Director in good working order at existing point of diversion.
- B. The water user shall allow the Watermaster access to the meters or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

**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.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 22, 2017, at Special Order Volume 104, Page 1002, approving Transfer Application T-12466, and together with Certificate 92947, supersedes Certificate 49668, State Record of Water Right Certificates.

Issued MAR 17 2023



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department



STATE OF OREGON  
COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

Received  
FEB 14 2025  
OWRD

THIS CERTIFICATE ISSUED TO

WARREN J. BILLOCK  
ELKTON, OR 97436

confirms the right to use the waters of ELK CREEK, a tributary of UMPQUA RIVER for IRRIGATION of 14.6 ACRES.

This right was perfected under Permit S-20376. The date of priority is JUNE 8, 1951. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.18 CUBIC FOOT 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	Measured Distances
22 S	7 W	WM	17	SW SW	1200 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 17

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 to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	7 W	WM	17	SW SW	14.60

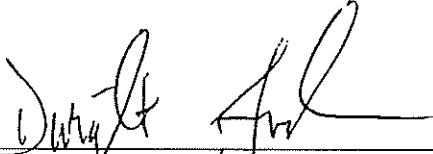
This certificate describes that portion of the water right confirmed by Certificate 49668, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 22 2017, approving Transfer Application T-12466.

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



The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed MAY 22 2017.



Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

# 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 DOUGLAS

I, ROBERT OCHS, in my capacity as PROPERTY OWNER,

mailing address 1868 SCHAD ROAD ELKTON OR, 97436

telephone number (303)822-1612, being first duly sworn depose and say:

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FEB 14 2025  
OWRD

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 # 92947; 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)

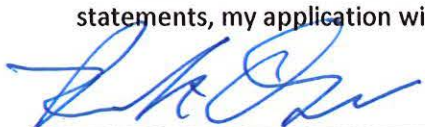
(continues on reverse side)

14613 -



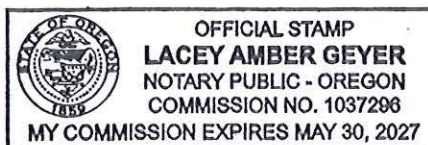
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE AND VINEYARD

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

2-6-25  
Date

Signed and sworn to (or affirmed) before me this 6th day of February, 2025.



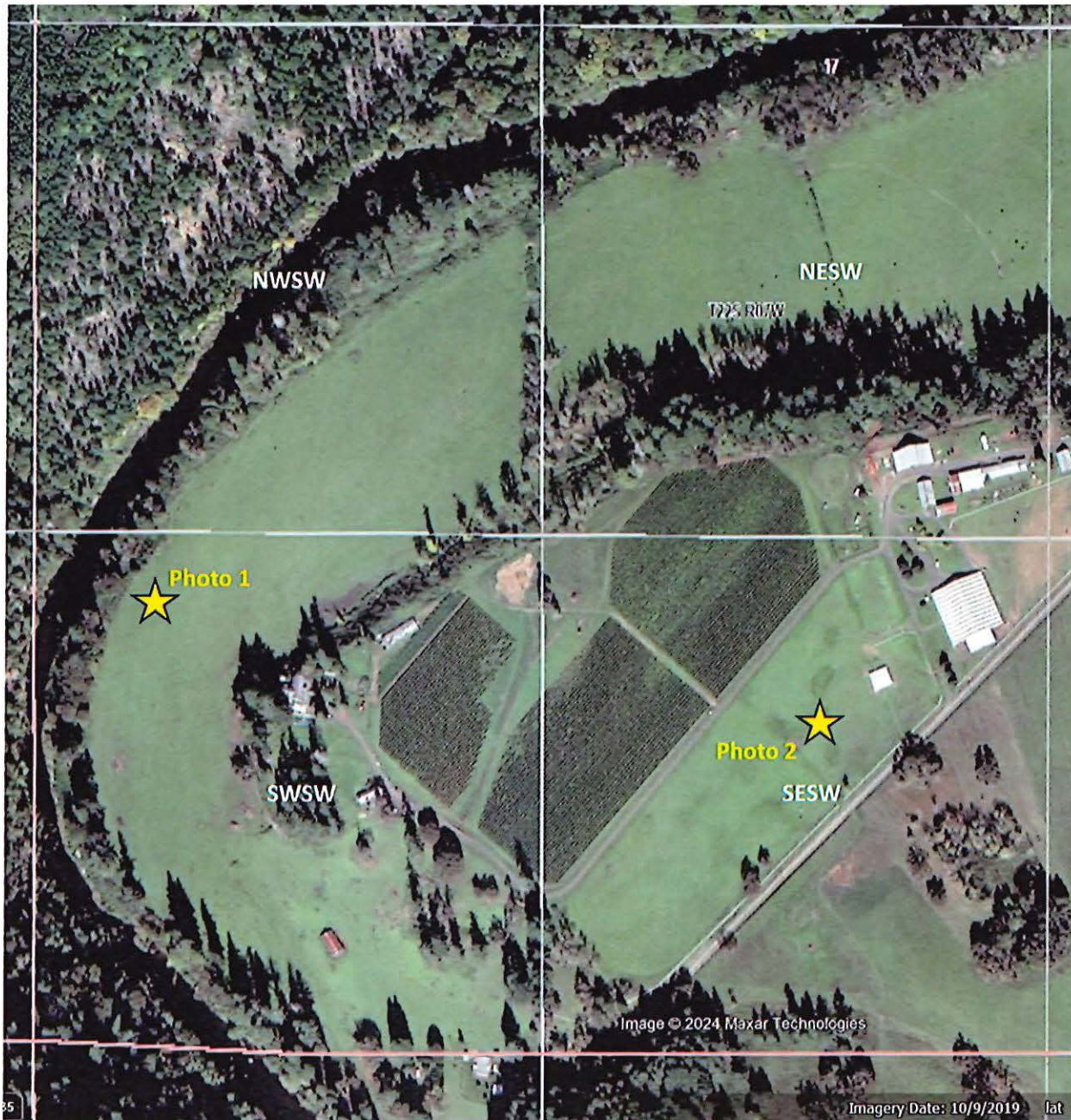
  
Notary Public for Oregon

My Commission Expires: 5-30-2027

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>● Power usage records for pumps associated with irrigation use</li><li>● Fertilizer or seed bills related to irrigated crops</li><li>● Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>● District assessment records for water delivered</li><li>● Crop reports submitted under a federal loan agreement</li><li>● Beneficial use reports from district</li><li>● IRS Farm Usage Deduction Report</li><li>● Agricultural Stabilization Plan</li><li>● CREP Report</li></ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. 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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



Authorized lands during 2019 irrigation season.



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CWRE observed pasture irrigation on August 10, 2022

Photo 1



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Photo 2



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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 DOUGLAS

I, ROBERT OCHS, in my capacity as PROPERTY OWNER,  
mailing address 1868 SCHAD ROAD ELKTON OR, 97436  
telephone number (303)822-1612, being first duly sworn depose and say:

Received  
FEB 16 2025  
OWRD

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)

OR

- ☒ Confirming Certificate # 96931 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.): PASTURE AND VINEYARD

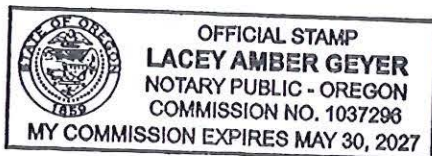
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature]  
Signature of Affiant

2-6-25

Date

Signed and sworn to (or affirmed) before me this 6th day of February, 2025.



Lacey Amber Geyer  
Notary Public for Oregon

My Commission Expires: 5-30-2027

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 <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>• Power usage records for pumps associated with irrigation use</li><li>• Fertilizer or seed bills related to irrigated crops</li><li>• Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>• District assessment records for water delivered</li><li>• Crop reports submitted under a federal loan agreement</li><li>• Beneficial use reports from district</li><li>• IRS Farm Usage Deduction Report</li><li>• Agricultural Stabilization Plan</li><li>• CREP Report</li></ul>
<input 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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Received

FEB 14 2025

OWRD

14613 -



STATE OF OREGON  
- COUNTY OF DOUGLAS  
CERTIFICATE OF WATER RIGHT

Received  
FEB 14 2025  
OWRD

THIS CERTIFICATE ISSUED TO

ELK CREEK FARM LLC  
ATTN: ROBERT OCHS  
1868 SCHAD RD  
ELKTON OR 97436

confirms the right to use the waters of ELK CREEK, a tributary of UMPQUA RIVER for IRRIGATION of 21.8 ACRES.

This right was perfected under Permit S-20376. The date of priority is JUNE 8, 1951.

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 0.28 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

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22 S	7 W	WM	17	NE SW	3.2
22 S	7 W	WM	17	SE SW	18.1
22 S	7 W	WM	17	NW SE	0.4
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Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or another suitable measuring device as approved by the Director in good working order at existing point of diversion.
- B. The water user shall allow the Watermaster access to the meters or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

**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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Issued MAR 17 2023



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department



After recording return to:  
Elk Creek Farm LLC  
509 Cottonwood Drive  
Evergreen, CO 80439

Until a change is requested all tax statements  
shall be sent to the following address:  
Elk Creek Farm LLC  
509 Cottonwood Drive  
Evergreen, CO 80439

File No.: 7391-1498371 (cv)  
Date: January 19, 2010

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2010-002952



\$66.00

00265019201000029520060060

02/03/2010 02:17:47 PM

DEED-WD Cnt=1 Stn=18 RECORDINGDESK  
\$30.00 \$11.00 \$15.00 \$10.00

## STATUTORY WARRANTY DEED

**Parcel 1: Roger William Farnsworth, or his successors, as Trustee of The Farnsworth 2000 Family Trust dated October 6, 2000**

**Parcels 2 and 4: Roger Farnsworth**

**Parcel 3: Schad Road Properties, LLC, an Oregon limited liability company, Grantor, conveys and warrants to Elk Creek Farm LLC, an Oregon Limited Liability Co., 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:**

1. 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 **\$1,125,500.00**. (Here comply with requirements of ORS 93.030)



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, OF CHAPTER 424, OREGON LAWS 2007. 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, OF CHAPTER 424, OREGON LAWS 2007.

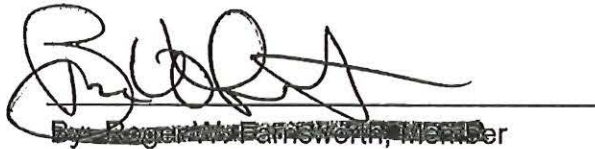
Dated this 1 day of February, 2010.

  
Roger Farnsworth

Farnsworth 2000 Family Trust

  
Roger William Farnsworth, Trustee

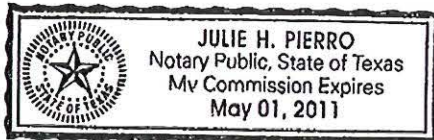
Schad Road Properties, LLC, an Oregon  
limited liability company

  
By: Roger William Farnsworth, Member

Received  
FEB 16 2010  
OWRD

STATE OF Texas )  
County of Mavis ) ss.  
)

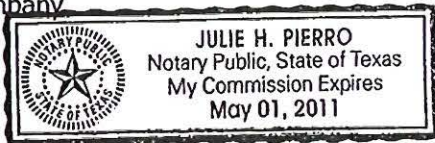
This instrument was acknowledged before me on this 1 day of Feb, 2010  
by ~~Roger William Farnsworth~~ as Trustee of Farnsworth 2000 Family Trust, on behalf of the Trust.



[Signature]  
Notary Public for Oregon  
My commission expires:

STATE OF Texas )  
County of Mavis ) ss.  
)

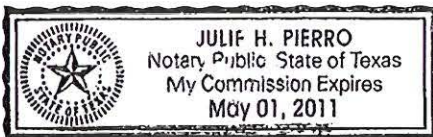
This instrument was acknowledged before me on this 1 day of Feb, 2010  
by ~~Roger William Farnsworth~~ as member of ~~Shady Ridge Properties, LLC~~ on behalf of the limited liability company.



[Signature]  
Notary Public for Texas  
My commission expires:

STATE OF Texas )  
County of [Blank] ) ss.  
)

This instrument was acknowledged before me on this 1 day of Feb, 2010  
by ~~Roger Farnsworth~~.



[Signature]  
Notary Public for Texas  
My commission expires:

Received  
FEB 16 2010  
OWRD



**EXHIBIT A**

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

**Parcel 1:**

**Lots seven (7) and eight (8) of Section 18, and the West half of the Southwest quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 17, Township 22 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.**

**EXCEPTING THEREFROM that portion sold to Harp Brothers, Inc., recorded in Book 721, Page 757, Recorder's No. 79-10129, records of Douglas County, Oregon.**

**Parcel 2:**

**The West half of the Southwest quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section 17, Township 22 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, EXCEPTING THEREFROM that portion lying westerly of the center of Elk Creek.**

**Parcel 3:**

Received  
FEB 14 2025  
OWRD

BEGINNING AT A "T" IRON MARKING THE EAST ONE-QUARTER CORNER OF SECTION 17, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; THENCE ALONG THE EAST-WEST CENTER LINE THROUGH SAID SECTION 17, NORTH 89° 42' 43" WEST 2658.34 FEET TO A 5/8" IRON ROD SET FROM BEARING TREES OF THE 1931 LOCATION OF THE CENTER OF SAID SECTION 17, SAID POINT IS REFERENCED BY A "T" IRON NORTH 51° 25' WEST 1.35 FEET; THENCE CONTINUE ON THE EAST-WEST CENTER LINE THROUGH SAID SECTION 17, NORTH 89° 49' 29" WEST 1329.68 FEET TO A 5/8" IRON ROD MARKING THE CENTER-WEST 1/16 CORNER OF SAID SECTION 17, SAID POINT IS REFERENCED BY A "T" IRON SOUTH 23° 57' WEST 2.30 FEET; THENCE CONTINUE NORTH 89° 49' 29" WEST 40.04 FEET TO A 5/8" IRON ROD SET NEARLY ON AN EXISTING OLD NORTH-SOUTH FENCE; THENCE ALONG OR NEARLY ALONG THE SAID OLD FENCE LINE, SOUTH 0° 56' 50" EAST 1152.99 FEET TO A 5/8" IRON ROD BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG OR NEARLY ALONG THE SAID OLD FENCE LINE, SOUTH 0° 56' 50" EAST 1045.61 FEET TO A 5/8" IRON ROD; THENCE SOUTH 38° 14' EAST 21.29 FEET TO A 5/8" IRON ROD; THENCE SOUTH 0° 56' 50" EAST 465.22 FEET TO A POINT IN THE CENTER LINE OF COUNTY ROAD NO. 187 AS TRAVELED, SAID POINT BEING REFERENCED BY A 5/8" IRON ROD NORTH 0° 56' 50" WEST 39.18 FEET; THENCE ALONG THE CENTER LINE OF SAID ROAD AS TRAVELED, ALONG THE ARC OF A 358.10 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 58° 21' EAST 140.54 FEET) A DISTANCE OF 141.46 FEET; THENCE NORTH 69° 40' EAST 94.95 FEET; THENCE ALONG THE ARC OF A 220.37 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 57° 25' EAST 93.52 FEET) A DISTANCE OF 94.23 FEET; THENCE NORTH 45° 10' EAST 2156.66 FEET; THENCE ALONG THE ARC OF A 124.56 FOOT RADIUS CURVE LEFT (THE CHORD OF WHICH BEARS NORTH 15° 27' 30" EAST 123.46 FEET) A DISTANCE OF 129.17 FEET; THENCE NORTH 14° 15' WEST 115.03 FEET; THENCE ALONG THE ARC OF A 238.73 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 15° 20' 59" EAST 235.84 FEET) A DISTANCE OF 246.66 FEET TO A POINT WHICH IS REFERENCED BY A 5/8" IRON ROD SOUTH 82° 23' 50" WEST 45.36 FEET; THENCE LEAVING THE CENTER LINE OF SAID COUNTY ROAD NO. 187, SOUTH 82° 23' 50" WEST 187.53 FEET TO A 5/8" IRON ROD; THENCE SOUTH 64° 54' 40" WEST 623.58 FEET TO A 5/8" IRON ROD; THENCE SOUTH 81° 59' 20" WEST 813.27 FEET TO A POINT WHICH IS REFERENCED BY A 5/8" IRON ROD NORTH 35.00 FEET; THENCE SOUTH 60° 40' 40" WEST 419.89 FEET TO THE TRUE POINT OF BEGINNING, IN DOUGLAS COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M., DOUGLAS COUNTY, OREGON, AND THAT PORTION WITHIN SCHAD COUNTY ROAD NO. 187.

These legal descriptions were created prior to January 1, 2008.

END OF DOCUMENT

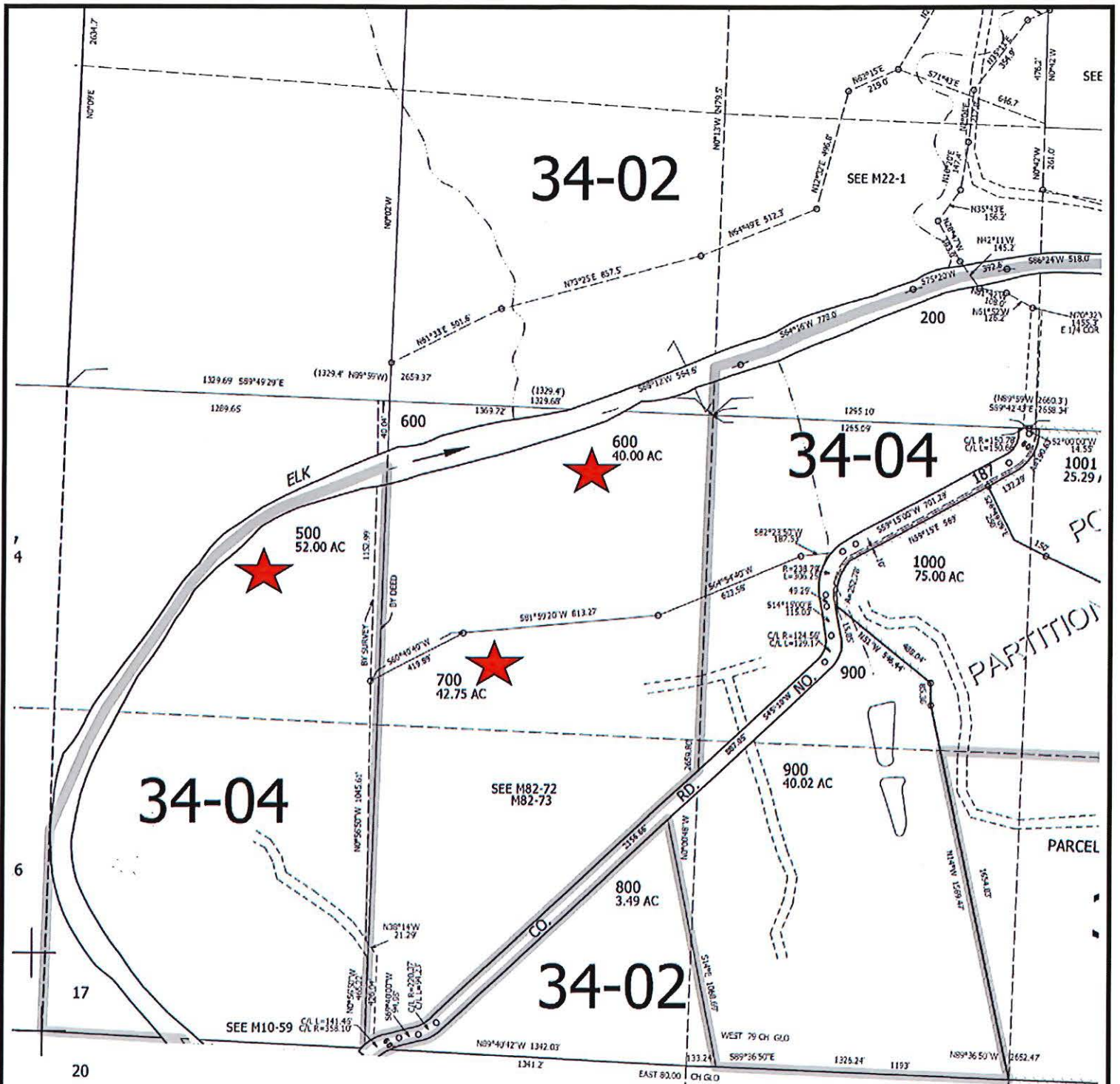


BEGINNING AT A "T" IRON MARKING THE EAST ONE-QUARTER CORNER OF SECTION 17, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; THENCE ALONG THE EAST-WEST CENTER LINE THROUGH SECTION 17, NORTH 89° 42' 43" WEST 1363.24 FEET TO THE TRUE POINT OF BEGINNING IN THE CENTER OF COUNTY ROAD NO. 187 AS TRAVELED, SAID POINT BEING REFERENCED BY A 5/8" IRON ROD NORTH 89° 42' 43" WEST 30.01 FEET; THENCE CONTINUE NORTH 89° 42' 43" WEST 1295.10 FEET TO A 5/8" IRON ROD SET FROM BEARING TREES OF THE 1931 LOCATION OF THE CENTER OF SAID SECTION 17, SAID POINT IS REFERENCED BY A "T" IRON NORTH 51° 25' WEST 1.35 FEET; THENCE CONTINUE ON THE EAST-WEST CENTER LINE THROUGH SAID SECTION 17, NORTH 89° 49' 29" WEST 1329.68 FEET TO A 5/8" IRON ROD MARKING THE CENTER-WEST 1/16 CORNER OF SAID SECTION 17, SAID POINT IS REFERENCED BY A "T" IRON SOUTH 23° 57' WEST 2.30 FEET; THENCE CONTINUE NORTH 89° 49' 29" WEST 40.04 FEET TO A 5/8" IRON ROD SET NEARLY ON AN EXISTING OLD NORTH-SOUTH FENCE LINE; THENCE ALONG OR NEARLY ALONG THE SAID OLD EXISTING FENCE LINE, SOUTH 0° 56' 50" EAST 1152.99 FEET TO A 5/8" IRON ROD; THENCE LEAVING SAID FENCE LINE, NORTH 60° 40' 40" EAST 419.89 FEET TO A POINT WHICH IS REFERENCED BY A 5/8" IRON ROD NORTH 35.00 FEET; THENCE NORTH 81° 59' 20" EAST 813.27 FEET TO A 5/8" IRON ROD; THENCE NORTH 64° 44' 40" EAST 623.58 FEET TO A 5/8" IRON ROD; THENCE NORTH 87° 23' 50" EAST 187.53 FEET TO A POINT IN THE CENTER LINE OF SAID COUNTY ROAD NO. 187 AS TRAVELED, SAID POINT BEING REFERENCED BY A 5/8" IRON ROD SOUTH 82° 23' 50" WEST 45.36 FEET; THENCE ALONG THE CENTER LINE OF SAID ROAD AS TRAVELED, ALONG THE ARC OF A 238.74 FOOT RADIUS CURVE RIGHT (THE CHORD OF WHICH BEARS NORTH 52° 05' 59" EAST 59.43 FEET) A DISTANCE OF 59.59 FEET; THENCE NORTH 59° 15' EAST 701.29 FEET; THENCE ALONG THE ARC OF A 150.78 FOOT RADIUS CURVE LEFT THE CHORD OF WHICH BEARS NORTH 30° 37' 30" EAST 144.47 FEET) A DISTANCE OF 150.66 FEET; THENCE NORTH 2° 00' EAST 14.55 FEET TO THE TRUE POINT OF BEGINNING, IN DOUGLAS COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M., DOUGLAS COUNTY, OREGON, AND THAT PORTION WITHIN SCHAD COUNTY ROAD NO. 187.

Parcel 4:

Received  
FEB 14 2025  
OWRD



Received  
FEB 14 2025  
GWRD



1466,1864, 1868 Schad Road  
Elkton, OR 97436

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





February 10, 2025

Ms. Lisa Jaramillo  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

**Subject:** Application for a Temporary Water Right Transfer  
Portion of Certificates 96931 and 92947, water rights held by Elk Creek Farm LLC.

Ms. Jaramillo:

On behalf of the applicants, Elk Creek Farm LLC and Knoll Vineyard LLC, please find enclosed an Application for a temporary water right transfer involving a portion of Certificates 96931 and 92947 accompanied by a check in the amount of \$1,324.26 for payment of the application filing fee.

If you have any questions regarding the enclosed application, you can reach me at 503-967-7050 x204. Please copy me on any correspondence regarding this application.

Respectfully submitted,

Theodore Ressler, RG, CWRE  
Summit Water Resources LLC.

Cc: Bob Ochs – Elk Creek Farm LLC  
Leslie Beckley – Knoll Vineyards LLC



Enclosures:

Application for a Water Right Temporary Transfer involving a portion of Certificates 96931 and 92947  
Check #1452 in the amount of \$1,324.26



FEB 14 2025

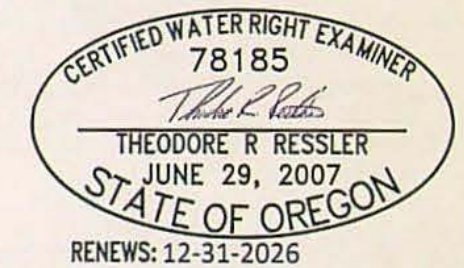
OWRD

## LEGEND

- Taxlots
- Buildings
- Existing Irrigation Mainlines
- Proposed Additional Irrigation Mainlines
- Lower Elk Creek POD
- Streams
- Certificate 96931 Remaining Lands (9.0 ac)
- Certificate 92947 Remaining Lands (3.6 ac)
- Certificate 96931 TO Lands (12.8 ac)
- Certificate 92947 TO Lands (11.0 ac)
- Certificate 96931 FROM Lands (12.8 ac)
- Certificate 92947 FROM Lands (11.0 ac)

## POD Location Description

Lower Elk Creek POD  
 Located 1,120 feet North and 85 feet East from the SW corner of Section 17,  
 Township 22 South, Range 7 West (W.M.)



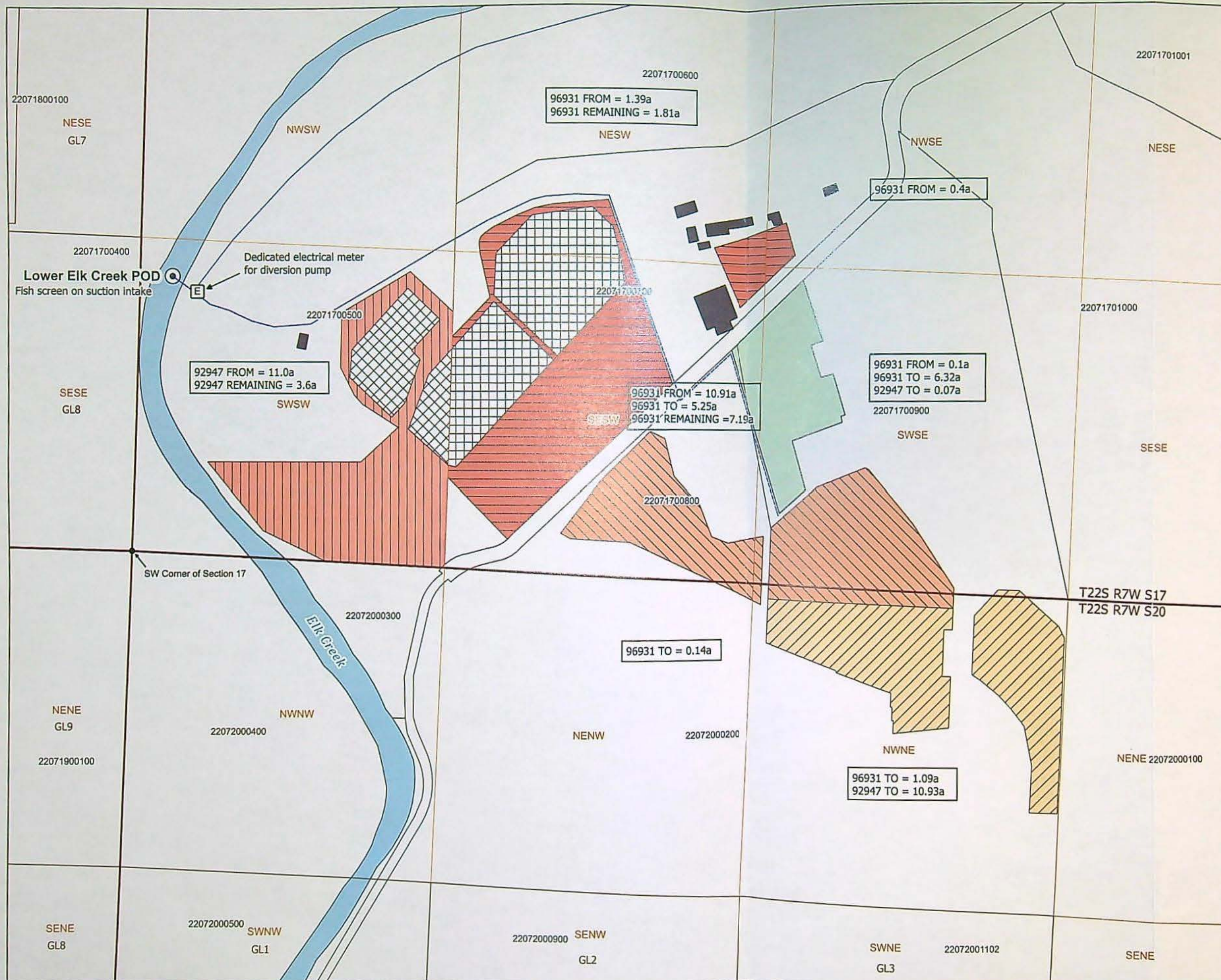
Scale  
 0 200 400 ft  
 1-inch = 400 feet

Date: 1/31/2025  
 Data Sources: OWRD, Douglas County, BLM  
 Disclaimer: This map is not intended to provide legal dimensions  
 or property ownership lines.

### Application for a Temporary Water Right Transfer Certificates 92947 and 96931

A Water Right held by Elk Creek Farm, LLC  
 Township 22 S, Range 7 W, Sections 17 & 20 (W.M.)  
 Douglas County

14613 -





# Temporary Transfer Application Intake Checklist

Transfer # T- 14613

Reviewer <i>Solt</i>	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u>
Date <i>2-17-25</i>	<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 \$ <i>1324.26</i>	Fee Received \$ <i>1324.26</i>
Certificate(s): <i>96931<sup>128</sup> 92947<sup>110</sup></i>	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 type="checkbox"/> N/A
Notes: <i>Elk Creek farm is owner &amp; applicant</i>	

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? <i>only one applicant Elk Creek Farm</i> 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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input 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 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 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.