

T-14221

Regular

T-14221

Name MauAbba's Acres LLC
Attn: Delbert Strubhar
Address 14407 Whiskey Hill Road
Hubbard, OR 97032

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Unnamed Stream ; A Reservoir ; A WellTrib. of Brandy Creek ; Pudding River ; Unnamed StreamUse IR ; PD ; IS County Marion

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

Name of ditch _____

App# S-19439 Per # S-15037 Cert # 44771 PR Date 8/1/1941App# " Per # " Cert # 47316 PR Date "App# G-8357 Per # G-7862 Cert # 65236 PR Date 8/10/1977 Date _____

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

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

Change in POU, APOD
Date Filed 4-18-2023
Initial notice date 4-25-2023
DPD issued date _____
PD issued date 11/22/2024
PD notice date 11/26/2024
Date of FO 5/23/2025 Vol 134 Page 771-776

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

Assignments: _____

Irrigation District _____

Agent Bill Ferber - bill@bkwrc.com

CWRE _____

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

FEES PAID

Date	Amount	Receipt #
<u>4-18-2023</u>	<u>\$3,670.00</u>	<u>140526</u>

FEES REFUNDED

Date	Amount	Receipt #
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Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 23, 2025

Delbert Strubhar
14407 Whiskey Hill Rd
Hubbard, OR 97032

REFERENCE: Transfer Application T-14221

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kim French, by telephone at (503) 979-9607 or by e-mail at Kim.r.french@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)
Bill Ferber, Agent
Marion County, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14221, Marion County)	ADDITIONAL POINT OF DIVERSION AND A
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

DELBERT STRUBHAR
MOUABBA'S ACRES LLC
14407 WHISKEY HILL RD
HUBBARD, OR 97032

Findings of Fact

1. On April 18, 2023, DELBERT STRUBHAR and MOUABBA'S ACRES LLC filed an application for an additional point of diversion and to change the place of use under Certificate 44771; and to change the place of use under Certificates 47316 and 65236. The Department assigned the application number T-14221.
2. Notice of the application for transfer was published on April 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 7, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14221. The draft Preliminary Determination cover letter provided a deadline of July 7, 2024, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On November 22, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14221 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on November 26, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 44771 in the name of C. C. HEPLER (perfected under Permit S-15037)
Use: IRRIGATION OF 0.5 ACRE
Priority Date: AUGUST 1, 1941
Rate: 0.01 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 irrigate, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UNNAMED STREAM and RESERVOIR, constructed under Application R-19438, Permit R-769, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	35	SE NE	53	NONE GIVEN

Authorized Places of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.5

6. Transfer Application T-14221 proposes an additional point of diversion approximately 650.0 feet downstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	36	SW NW	53	APOD 2023 - 390 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF BONNEY DLC 53

7. Transfer Application T-14221 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.5

8. The second right to be transferred is as follows:

Certificate: 47316 in the name of WM. N. STURBHAR (perfected under Permit S-15037)
Use: IRRIGATION OF 2.5 ACRES
Priority Date: AUGUST 1, 1941
Rate: 0.03 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: AN UNNAMED STREAM, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	36	SW NW	53	390 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF BONNEY DLC 53

Authorized Places of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	2.5

9. Transfer Application T-14221 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	1.91
4 S	1 W	WM	36	SW NW	53	0.59
TOTAL						2.50

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

Certificate: 65236 in the name of WILLIAM N. STRUBHAR (perfected under Permit G-7862)

Use: PRIMARY IRRIGATION OF 0.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.5 ACRES

Priority Date: AUGUST 10, 1977

Rate: 0.034 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

Source: A WELL in the PUDDING RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	35	SE NE	53	680 FEET NORTH AND 330 FEET EAST FROM THE SW CORNER OF DLC 53

Authorized Places of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	0.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	2.5

11. Transfer Application T-14221 proposes to change the place of use of the right to:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	1.91
4 S	1 W	WM	36	SW NW	53	0.59
TOTAL						2.50

12. On November 24, 2024, the Department received a letter from ODFW indicating that an onsite inspection was completed, and it was determined that the point of diversion is outside of fish distribution and therefore fish screening passage devices are not necessary for Transfer T-14221. The fish screen and passage device requirements have been removed from the Final Order.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2200 and 690-380-2110(2)]

13. Water has been used within the five-year period prior to submittal of Transfer Application T-14221 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14221.
15. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
16. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
17. The proposed changes, as conditioned, would not result in enlargement of the rights.

18. The proposed changes, as conditioned, would not result in injury to other existing water rights.
19. All other application requirements are met.

Conclusions of Law

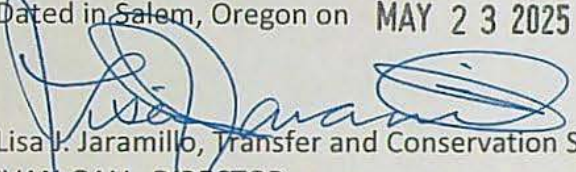
The additional point of diversion and the change in places of use proposed in Transfer Application T-14221 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of diversion and the change in places of use proposed in Transfer Application T-14221 are approved.
2. The right to the use of the water is restricted to beneficial use at the places of use described and is subject to all other conditions and limitations contained in Certificates 44771, 47316, 65236 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new places of use.
4. Water right Certificates 44771, 47316 and 65236 are cancelled. New certificates will be issued describing the portions of Certificates 44771 and 65236 not affected by this transfer.
5. The quantity of water diverted at the new additional point of diversion (APOD 2023), together with that diverted at the original point of diversion (RAM), shall not exceed the quantity of water lawfully available at the original point of diversion (RAM).
6. Water shall be acquired from the same source of surface water as the original point of diversion.
7. The former places of use of the transferred rights shall no longer receive water under the rights.
8. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - 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.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **MAY 23 2025**


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

Mailing Date: **MAY 26 2025**

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM N. STRUBHAR
18101 FOBERT RD NE
HUBBARD, OR 97032

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for the PRIMARY IRRIGATION OF 6.3 ACRES AND THE SUPPLEMENTAL IRRIGATION OF 6.6 ACRES.

This right was perfected under Permit G-7862. The date of priority is AUGUST 10, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.166 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	35	SE NE	53	680 FEET NORTH AND 330 FEET EAST FROM THE SW CORNER OF BONNEY DLC 53

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) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

WATER FROM THE WELL MAY BE PLACED INTO AN UNNAMED STREAM AND REDIRECTED AT A POINT LOCATED IN THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 53, SECTION 36; 390 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF DLC 53. The amount of water rediverted from the channel of the unnamed stream shall not exceed the amount by which the flow of the unnamed stream, at the point of rediversion, is increased above the natural flow by the operation of said well. Measuring devices shall be installed when and as directed by the watermaster.

This right shall conform to any such reasonable rotation system ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SW NE	53	1.8
4 S	1 W	WM	35	SW NE	63	3.6
4 S	1 W	WM	35	SE NE	53	0.9
TOTAL						6.3

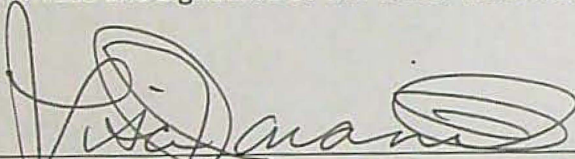
SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	6.6

This certificate describes that portion of water right Certificate 65236, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 23 2025, approving Transfer Application T-14221.

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

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

WITNESS the signature of the Water Resources Director, affixed MAY 23 2025.



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

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C. C. HEPLER
RT. 1
HUBBARD, OR 97032

confirms the right to use the waters of UNNAMED STREAM and RESERVOIR, constructed under Application No. R-19438, Permit No. R-769, a tributary of PUDDING RIVER, for OPERATION OF RAM.

This right was perfected under Permit S-15037. The date of priority is AUGUST 1, 1941. 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 0.20 CUBIC FOOT PER SECOND for operation of ram, 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	DLC
4 S	1 W	WM	35	SE NE	JARIUS BONNEY 53

A description of the place of use to which this right is appurtenant is as follows:

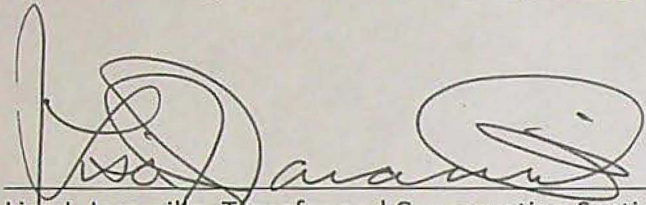
OPERATION OF RAM					
Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	1 W	WM	35	SE NE	53

This certificate describes that portion of water right Certificate 44771, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered **MAY 23 2025**, approving Transfer Application T-14221.

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 23 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", written over a horizontal line.

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



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife
The Dalles Screen Shop
3561 Klindt Drive
The Dalles, OR 97058
(541) 296-8026
Fax (541) 296-7889
odfw.com

July 24th, 2024

Attn. Delbert Strubhar
Mouabbas Acres LLC
14407 Whiskey Hill RD
Hubbard, Or 97032

Received by OWRD

NOV 14 2024

Salem, OR

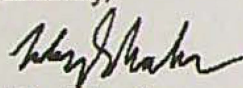
RE: Transfer T-14221

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening condition as part of the transfer process for T-14221 in the name of Delbert Strubhar. As part of the transfer the water user must submit evidence in writing that ODFW has determined screens and passage devices are not necessary. An onsite inspection was done by ODFW fish biologist and Screens and Passage staff, who determined that the point of diversion location 45.181331 -122.763799 is outside of fish distribution and therefore fish screening and passage devices are not necessary for T-14221.

If you have any questions regarding this letter, please contact me at 541-296-8026

Sincerely,

 7/24/2024
Toby Schuyler

NW Region Fish Screen and Passage Coordinator

CC: Katherine Nordholm, ODFW Fish Screen and Passage Coordinator
Danette Faucera, ODFW Water Policy Coordinator



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

November 21, 2024

VIA CERTIFIED MAIL AND E-MAIL

DELBERT STRUBHAR
MOUABBA'S ACRES LLC
14407 WHISKEY HILL RD
HUBBARD, OR 97032

SUBJECT: Water Right Transfer Application T-14221

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14221. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14221
Gregory J. Wacker, District 16 Watermaster (*via e-mail*)
Bill Ferber, Agent for the applicant (*via e-mail*)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14221, Marion County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF DIVERSION AND A
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

DELBERT STRUBHAR
MOUABBA'S ACRES LLC
14407 WHISKEY HILL RD
HUBBARD, OR 97032

Findings of Fact

1. On April 18, 2023, DELBERT STRUBHAR and MOUABBA'S ACRES LLC filed an application for an additional point of diversion and to change the place of use under Certificate 44771; and to change the place of use under Certificates 47316 and 65236. The Department assigned the application number T-14221.
2. Notice of the application for transfer was published on April 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 7, 2024, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14221. The draft Preliminary Determination cover letter provided a deadline of July 7, 2024, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The first right to be transferred is as follows:

Certificate: 44771 in the name of C. C. HEPLER (perfected under Permit S-15037)

Use: IRRIGATION OF 0.5 ACRE

Priority Date: AUGUST 1, 1941

Rate: 0.01 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 irrigate, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UNNAMED STREAM and RESERVOIR, constructed under Application R-19438, Permit R-769, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	35	SE NE	53	NONE GIVEN

Authorized Places of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.5

5. Transfer Application T-14221 proposes an additional point of diversion approximately 650.0 feet downstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	36	SW NW	53	APOD 2023 - 390 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF BONNEY DLC 53

6. Transfer Application T-14221 also proposes to change the places of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.5

7. The second right to be transferred is as follows:

Certificate: 47316 in the name of WM. N. STURBHAR (perfected under Permit S-15037)

Use: IRRIGATION OF 2.5 ACRES

Priority Date: AUGUST 1, 1941

Rate: 0.03 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: AN UNNAMED STREAM, a tributary of PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	36	SW NW	53	390 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF BONNEY DLC 53

Authorized Places of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	2.5

8. Transfer Application T-14221 proposes to change the places of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	1.91
4 S	1 W	WM	36	SW NW	53	0.59
TOTAL						2.5

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

Certificate: 65236 in the name of WILLIAM N. STRUBHAR (perfected under Permit G-7862)

Use: PRIMARY IRRIGATION OF 0.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 2.5 ACRES

Priority Date: AUGUST 10, 1977

Rate: 0.034 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

Source: A WELL in the PUDDING RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 W	WM	35	SE NE	53	680 FEET NORTH AND 330 FEET EAST FROM THE SW CORNER OF DLC 53

Authorized Places of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	0.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	36	SW NW	53	2.5

10. Transfer Application T-14221 proposes to change the places of use of the right to:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	0.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	35	SE NE	53	1.91
4 S	1 W	WM	36	SW NW	53	0.59
TOTAL						2.5

11. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion under Certificate 44771 (APOD 2023) to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), 690-380-2200 and 690-380-2110(2)]

12. Water has been used within the five-year period prior to submittal of Transfer Application T-14221 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14221.
14. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
16. The proposed changes, as conditioned, would not result in enlargement of the rights.
17. The proposed changes, as conditioned, would not result in injury to other existing water rights.
18. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and the change in places of use proposed in Transfer Application T-14221 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14221 is approved, the final order will include the following:

- 1. The additional point of diversion and the change in places of use proposed in Transfer Application T-14221 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the places of use described and is subject to all other conditions and limitations contained in Certificates 44771, 47316, 65236 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion or the new places of use.*
- 4. Water right Certificates 44771, 47316 and 65236 are cancelled. New certificates will be issued describing the portions of Certificates 44771 and 65236 not affected by this transfer.*
- 5. The quantity of water diverted at the new additional point of diversion (APOD 2023), together with that diverted at the original point of diversion (RAM), shall not exceed the quantity of water lawfully available at the original point of diversion (RAM).*
- 6. Water shall be acquired from the same source of surface water as the original point of diversion.*
- 7. The former places of use of the transferred rights shall no longer receive water under the rights.*
- 8. Water Use Measurement Conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
 - 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.*

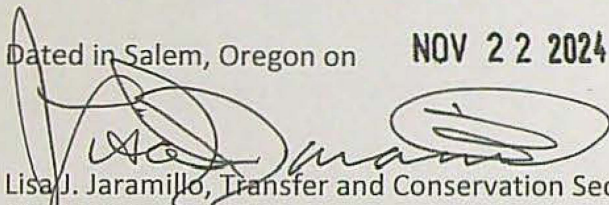
9. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **NOV 22 2024**


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

This draft Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503-979-9607 or Kim.R.French@water.oregon.gov.

Protests

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

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

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

Requests for Standing

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

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

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

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

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

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

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

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

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

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

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

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

COPY

Regarding: OWRD T-14221 June 20, 2024

I Delbert Strubhar agree to the
proposed action and conditions for
Water right transfer application
T- 14221.

Delbert Strubhar



1455 SW Broadway, Suite 1450
(503)646-4444

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Mouabba's Acres LLC
14407 Whiskey Hill Road
Hubbard, OR 97032

Customer Ref.: _____
Order No.: 471824132165
Effective Date: June 21, 2024 at 08:00 AM
Charge: \$450.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Mou Abba's Acres LLC, an Oregon limited liability company

Premises. The Property is:

(a) **Street Address:**

14407 Whiskey Hill Road NE, Hubbard, OR 97032
18150 Fobert Road NE, Hubbard, OR 97032

(b) **Legal Description:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

THE FOLLOWING ITEMS AFFECT PARCEL 1:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.
2. The Land has been classified as farm land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
3. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and/or highways.
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Marion County
Purpose: Permanent Road Easement and Permanent Drainage Easement
Recording Date: August 8, 1997
Recording No: Reel 1416, page 310
Affects: Reference is hereby made to said document for full particulars
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company
Purpose: Anchor easement
Recording Date: March 20, 1998
Recording No: Reel 1472, page 48
Affects: Reference is hereby made to said document for full particulars
6. Declaratory Statement (Farm/Forest)

Recording Date: March 29, 2011
Recording No.: Reel 3271, page 301
7. Declaratory Statement Replacement Residence Requirements

Recording Date: March 29, 2011
Recording No.: Reel 3271, page 302
8. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
9. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review.

Note: Well Ownership Identification Form containing a Well Identification Number and other information. This informational note will not appear in the title insurance policy as this recorded form is not a matter within the scope of policy coverages.

Well Identification No.: L34622
Recording Date: 11/26/1999
Recording No.: Reel 1651, page 787

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2023-2024
Amount: \$2,293.91
Levy Code: 15519
Account No.: 511746
Map No.: 041W35A000800

THE FOLLOWING ITEMS AFFECT PARCEL 2:

10. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.
11. The Land has been classified as farm land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
12. Existing leases and tenancies, if any, and any interests that may appear upon examination of such leases.
13. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review.
14. A manufactured home situated on the subject land is classified as personal property, as disclosed by the ownership records of the Building Codes Division. Unless a manufactured home is reclassified from personal to real property, a manufactured housing endorsement (ALTA End. 7-06, 7.1-06 or 7.2-06) is not available until reclassification is completed and an appropriate approval is recorded. NOTE: Depending on circumstances, a manufactured home may be classified as personal property but assessed as real property under ORS 308.875.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2023-2024
Amount: \$781.07
Levy Code: 15519
Account No.: 543250
Map No.: 041W35A000600

Affects: Real Property

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2023-2024
Amount: \$116.31
Levy Code: 15519
Account No.: 126209
Map No.: 041W35A000600

Affects: Manufactured Structure

Ticor Title Company of Oregon
Order No. 471824132165

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Sarah Cutler
503-336-9188
sarah.cutler@titlegroup.fntg.com

Ticor Title Company of Oregon
1455 SW Broadway, Suite 1450
Portland, OR 97201

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 511746
For Tax Map ID(s): 041W35A000800

PARCEL 1:

Beginning at a point 2 rods East of the Northeast corner of the A. R. Dimick Donation Land Claim No. 64 in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East, along the North line of the B. F. Bonney Donation Land Claim No. 35 in said Township and Range, 40 rods; thence North 30 rods; thence West 40 rods; thence South 30 rods to the point of beginning.

EXCEPTING THEREFROM: Beginning on the North line of the B. F. Bonney Donation Land Claim in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, at a point which is 42.00 rods East of the Northeast corner of the A. R. Dimick Donation Land Claim in the said Township and Range; thence North 211.5 feet; thence West, parallel with the North line of the B. F. Bonney Donation Land Claim, 120.00 feet; thence South 211.5 feet to the North line of the B. F. Bonney Donation Land Claim; thence East, along the North line of said Bonney Donation Land Claim, 120.00 feet to the place of beginning.

PARCEL 2:

Beginning at the most Northerly Northeast corner of Lot 8 of the Subdivision of the Land of Truman L. Bonney in Sections 35 and 36 in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon (See Volume 4, page 7, Record of Town Plats for said County and State); thence South 352.44 feet to an angle corner of said Lot 8; thence East, along a North line of said Lot 8, 363.00 feet to the most Easterly Northeast corner of said Lot 8; thence South 30°30' West, along the Easterly line of said Lot 8, 453.42 feet to the most Easterly Southeast corner of said Lot 8; thence West 691.68 feet to the Northwest corner of the Mennonite Church property as shown on said plat; thence South, along the West line of said church property, 353.10 feet to the Southwest corner of said church property; thence West 10.56 feet, more or less, to the Southwest corner of said Lot 8; thence North, along the West line of said Lot 8, 495.00 feet to the Southeast corner of Lot 7 in said Subdivision; thence West, along the South line of said Lot 7, 915.42 feet to the Southwest corner of said Lot 7; thence North 14°23' East 377.52 feet to an angle in the West line of said Lot 7; thence North 39°20' East, along the Westerly line of said Lot 7, and Lot 5 of said Subdivision, to a point on the Westerly extension of the most Northerly line of said Lot 8, which point is South 39°20' West 304.62 feet (measured along the Westerly line of said Lot 5), from the Northwest corner of said Lot 5; thence East 1233.55 feet, more or less, to the place of beginning, being all of Lots 7 and 8 and a portion of Lot 5 of the Subdivision of the Land of Truman L. Bonney in Marion County, Oregon.

EXCEPTING THEREFROM, a 20' roadway described as follows:

A tract of land situated in the Northwest Quarter of Section 36, Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, said tract being a portion of Lot 8, "Plan showing Subdivision of the land of T.L. Bonney" as recorded in volume 4, page 7, Book of Town Plats for Marion County, Oregon and being more particularly described as follows:

Beginning at the Southwest corner of Lot 8, "Plan showing subdivision of the land of T.L. Bonney" as recorded in Volume 4, page 7, Book of Town Plats for Marion County, Oregon, said corner being 99.00 feet North of quarter corner common to Sections 35 and 36, Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East 20.00 feet to the Southwest corner of the Mennonite Church property as shown on said plan; thence North, along the West line of said Mennonite Church property, 353.10 feet to the Northwest corner thereof; thence West 20.00 feet to the West line of said Lot 8; thence South 353.10 feet to the point of beginning.

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

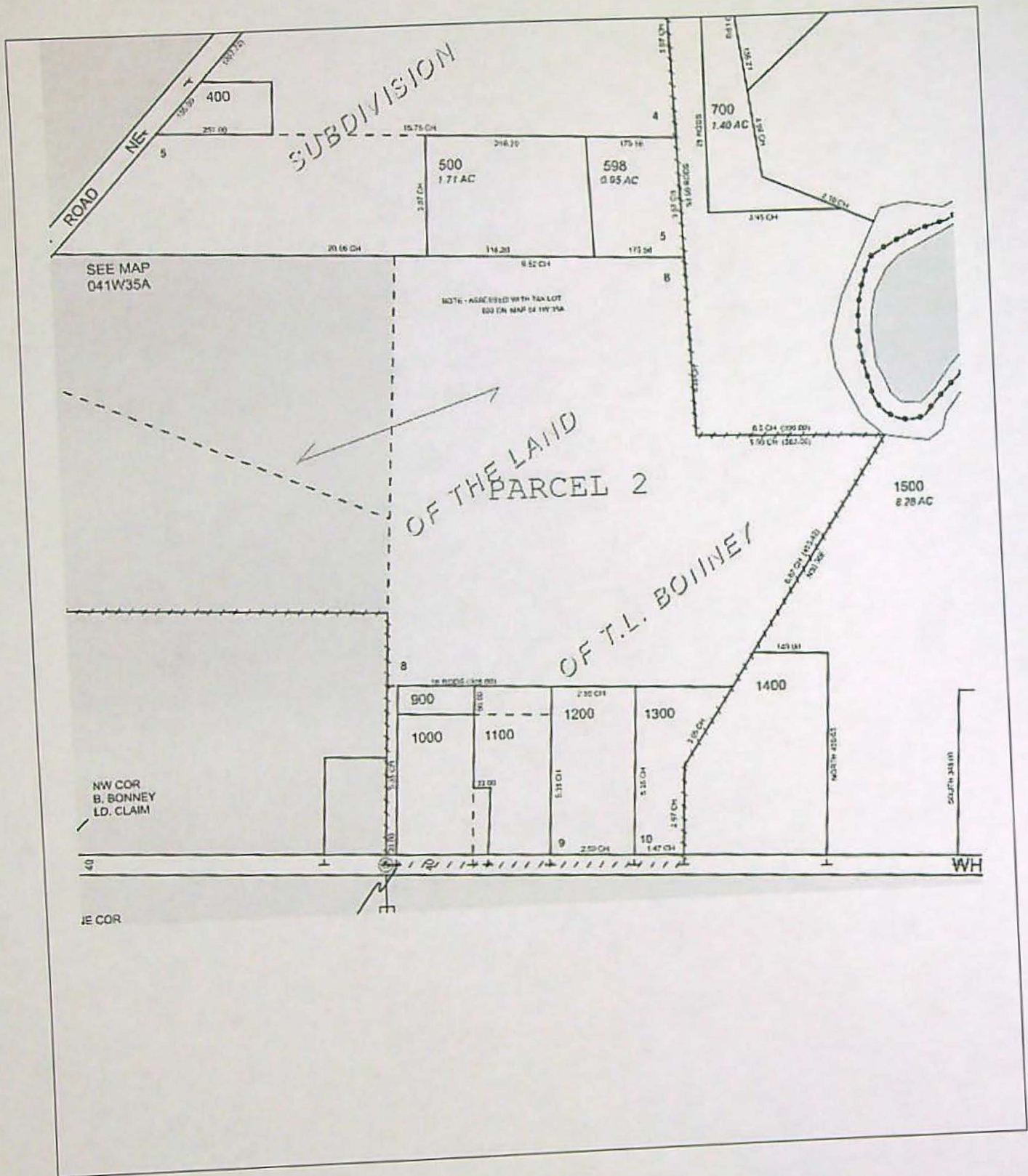
THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY



Return To:
Randall J. Adams
PO Box 680
Mt. Angel, OR 97362

Tax Statements:
Delbert W. Strubhar
Mou Abba's Acres LLC
14407 Whiskey Hill Rd.
Hubbard, OR 97032

Consideration: None (Business Planning)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That **Delbert W. Strubhar and Ann L. Strubhar**, husband and wife, hereinafter called Grantors, for the consideration hereinafter stated, do grant, bargain, sell and convey to **Mou Abba's Acres LLC**, an Oregon Domestic Limited Liability Company, hereinafter called Grantee, and unto grantee's heirs, successors and assigns all of their interest in that real property with the tenements, hereditaments and appurtenances, situated in the County of Marion, State of Oregon, described as follows:

Parcel #1

•Beginning at a point 2 rods East of the Northeast corner of the A.R. Dimick Donation Land Claim No. 64 in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence East along the North line of the B. F. Bonney Donation Land Claim No. 35 in said Township and Range, 40 rods; thence North 30 rods; thence West 40 rods; thence South 30 rods to the point of beginning.

Save and except: Beginning on the North line of the B. F. Bonney Donation Land Claim in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, at a point which is 42.00 rods East of the Northeast corner of the A. R. Dimick Donation Land Claim in the said Township and Range; thence North 211.5 feet; thence West parallel with the North line of the B. F. Bonney Donation Land Claim 120.00 feet; thence South 211.5 feet to the North line of the B. F. Bonney Donation Land Claim; thence East along the North line of the said Bonney Donation Land Claim 120.00 feet to the place of beginning.

SUBJECT TO: The rights of the public in and to that portion of the premises herein described lying within the limits of public road and streets; The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, and additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.

Parcel #R11746, Reference Parcel #041W35A 00800
Commonly known as 14407 Whiskey Hill Road, Hubbard, Marion County, Oregon
97032, consisting of approximately 6.55 acres.

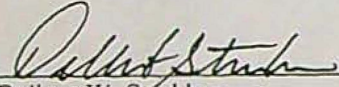
To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever. And the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

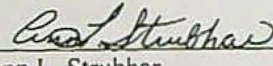
The liability and obligations of the grantors to grantees and grantees' heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature, and terms of any right or indemnification available to grantors under any title insurance policy, and grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to grantors under any such title insurance policy.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00.
(Business Planning)

LAND USE LAW - ORS 93.040: BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER ORS 197.352.

IN WITNESS WHEREOF, the grantors have executed this deed on Dec 19, 2007.

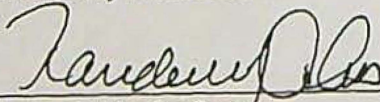

Delbert W. Strubhar


Ann L. Strubhar

State of Oregon)
)ss
County of Marion)

This instrument was acknowledged before me on 12-19, 2007 by Delbert W. Strubhar and Ann L. Strubhar to be their voluntary act and deed.




Notary Public for Oregon

deeds.strubhar.marion.county.swd.2007

REEL:2904

PAGE: 138

December 31, 2007, 10:53 am.

CONTROL #: 213347

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

**AFTER RECORDING,
RETURN TO:**

Mari Bailey, Lawyer
2985 River Road S.
Salem, OR 97302

Send Tax Statements To:
Mou Abba's Acres, LLC
Delbert Strubhar
14407 Whiskey Hill Road
Hubbard, OR 97032

Consideration: \$355,000.00

Grantors' Addresses are:

Elson Lamar Strubhar, Trustee - 18360 Fobert Rd., Hubbard, Oregon 97032

Enid Carol Boss, Trustee - 27419 Luce Cr. Rd., John Day, Oregon 97845

Grantee's Address is:

14407 Whiskey Hill Road, Hubbard, Oregon 97032

DEED

ELSON LAMAR STRUBHAR and ENID CAROL BOSS, as Trustees of the William N. Strubhar Revocable Living Trust U/T/A dated March 19, 1999, as to an undivided one-half (1/2) as tenants in common, and

ELSON LAMAR STRUBHAR and ENID CAROL BOSS, as Trustees of the Susie (sic) (Strubhar) Revocable Living Trust U/T/A dated March 19, 1999, as to an undivided one-half (1/2), as tenants in common, as Grantors,

convey to

MOU ABBA'S ACRES, LLC, an Oregon limited liability company, as Grantee,

the following described real property located in Marion County, Oregon:

1 - DEED


S:\Clients\Strubhar\18150 Fobert Deed.wpd

See Exhibit "A" attached hereto and by this reference incorporated herein.


Grantors covenant that they are seized of an indefeasible estate in the real property described above in fee simple as Successor Trustees. Grantors covenant they have the right to convey the property, that the property is free from encumbrances except those which are a matter of public record as of the date of this deed, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated February 24, 2023.


ELSON LAMAR STRUBHAR as,
Trustee of the William N. Strubhar
Trust dated March 19, 1999, Grantor

ENID CAROL BOSS, as
Trustee of the William N. Strubhar
Trust dated March 19, 1999, Grantor


ELSON LAMAR STRUBHAR, as
Trustee of the Susie (Strubhar)
Trust dated March 19, 1999, Grantor

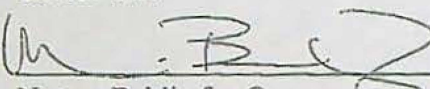
ENID CAROL BOSS, as Trustee of
the Susie (Strubhar) Trust dated
March 19, 1999, Grantor

Marion County, Oregon - ss.

On this 24th day of February, 2023, personally appeared ELSON
LAMAR STRUBHAR as Trustee of the William N. Strubhar and the Susie
(Strubhar) Trusts dated March 19, 1999 and acknowledged the foregoing instru-
ment to be his voluntary act and deed.



Before me:


Notary Public for Oregon

My Commission Expires: 3/24/23

Grant County, Oregon - ss.

On this _____ day of _____, 2023, personally appeared ENID
CAROL BOSS as Trustee of the William N. Strubhar and the Susie (Strubhar)
Trusts dated March 19, 1999 and acknowledged the foregoing instrument to be her
voluntary act and deed.

Before me:

Notary Public for Oregon

My Commission Expires: _____

Enid C. Boss
ENID CAROL BOSS, as
Trustee of the William N. Strubhar
Trust dated March 19, 1999, Grantor

Elson L. Strubhar
ELSON LAMAR STRUBHAR, as
Trustee of the Susie (Strubhar)
Trust dated March 19, 1999, Grantor

Enid C. Boss
ENID CAROL BOSS, as Trustee of
the Susie (Strubhar) Trust dated
March 19, 1999, Grantor

Marion County, Oregon - ss

On this 21st day of February, 2023, personally appeared ELSON
LAMAR STRUBHAR as Trustee of the William N. Strubhar and the Susie
(Strubhar) Trusts dated March 19, 1999 and acknowledged the foregoing instru-
ment to be his voluntary act and deed.



Before me:

[Signature]
Notary Public for Oregon
My Commission Expires: 3/24/23

Grant County, Oregon - ss.

On this 01 day of March, 2023, personally appeared ENID
CAROL BOSS as Trustee of the William N. Strubhar and the Susie (Strubhar)
Trusts dated March 19, 1999 and acknowledged the foregoing instrument to be her
voluntary act and deed.



Before me:

[Signature]
Notary Public for Oregon
My Commission Expires: May 23 2025

Exhibit "A"

Beginning at the most Northerly Northeast corner of Lot Eight (8) of the Subdivision of the land of Truman L. Bonney in Sections 35 and 36 in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon. (See Volume 4, Page 7, Record of Town Plats for said County and State); thence South 352.44 feet to an angle corner of said Lot Eight (8); thence East, along a North line of said Lot Eight (8), 363.00 feet to the most Easterly Northeast corner of said Lot Eight (8); thence South 30°30' West along the Easterly line of said Lot Eight (8), 453.42 feet to the most Easterly Southeast corner of said Lot Eight (8); thence West 691.68 feet to the Northwest corner of the Mennonite Church property as shown on said plat; thence South along the West line of said Church property, 353.10 feet to the Southwest corner of said Church property; thence West 10.56 feet, more or less to the Southwest corner of said Lot Eight (8); thence North, along the West line of said Lot Eight (8), 495.00 feet to the Southeast corner of Lot Seven (7) in said Subdivision; thence West along the South line of said Lot Seven (7) 915.42 feet to the Southwest corner of said Lot Seven (7); thence North 14°23' East 377.52 feet to an angle in the West line of said Lot Seven (7); thence North 39°20' East along the Westerly line of said Lot Seven (7), and Lot Five (5), of said Subdivision to a point on the Westerly extension of the most Northerly line of said Lot Eight (8), which point is South 39°20' West 304.62 feet (measured along the Westerly line of said Lot Five (5) from the Northwest corner of said Lot Five (5)); thence East 1232.55 feet, more or less to the place of beginning, being all of Lots Seven (7) and Eight (8), and a portion of Lot Five (5) of the Subdivision of the land of Truman L. Bonney in Marion County, Oregon.

SAVE AND EXCEPT:

A 20' wide roadway described as follows:

A tract of land situated in the Northwest quarter of Section 36, Township 4 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon, said tract being a portion of Lot 8, "Plan showing subdivision of the land of T.L. Bonney" as recorded in Volume 4, Page 7, Book of Town Plats for Marion County, Oregon and being more particularly described as follows:

Beginning at the Southwest corner of Lot 8, "Plan showing subdivision of the land of T.L. Bonney" as recorded in Volume 4, Page 7, Book of Town Plats for

Marion County, Oregon, said corner being 99.00 feet North of quarter corner common to sections 35 and 36, Township 4 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; thence East 20.00 feet to the Southwest corner of the Mennonite Church property as shown on said plan; thence North along the West line of said Mennonite Church property, 353.10 feet to the Northwest corner thereof; thence West 20.00 feet to the West line of said Lot 8; thence South 353.10 feet to the point of beginning and containing 7,062 square feet of land, more or less.

5 - DEED

S:\Client6\Strubbar\18150 Robert Deed.wpd

REEL: 4692

PAGE: 152

March 02, 2023, 02:39 pm.

CONTROL #: 732504

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 111.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14221

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: DELBERT STRUBHAR 14407 WHISKEY HILL RD HUBBARD, OR 97032	Agent: BILL FERBER PO BOX 13434 SALEM, OR 97309	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Marion County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S-19439	S-15037	44771	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S-19439	S-15037	47316	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G-8357	G-7862	65236	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: April 18, 2023	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 3670.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 2 Willamette
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: MARION
WM District: 16 Gregory J. Wacker	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14221

Date of review: 5/16/23

A. Please check box if you believe there is a potential for injury to an instream water right.

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on stream, tributary to _____, because _____.
(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

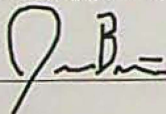
Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]

Signature



(541) 315-6222
Phone

Jason Brandt
Printed Name

SW Hydro Coordinator
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-14221

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Bryce Macnab

Address: 3561 Klindt Dr

City/State/Zip: The Dalles/OR/97058

Phone: (541) 296-8026

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222

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-14221

Review Due Date: 05/21/2023

Applicant Name: Delbert Strubhar

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

Reviewer(s): G. Wacker

Date of Review: 04/25/2023

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- 14221



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: Greg Wacker

District: 16

Address: 725 Summer St NE Ste A

City/State/Zip: Salem, OR 97301-1266

Phone: 971-719-6262

Email: gregory.j.wacker@water.oregon.gov

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

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

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

Watermaster signature

District

Date

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

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



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

April 21, 2023

DELBERT STRUBHAR
14407 WHISKEY HILL RD
HUBBARD, OR 97032

Reference: Application T-14221

On April 18, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3670.00. Receipt number 140526 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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

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

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

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

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

Cc: Watermaster Dist. #16, Gregory J. Wacker (*via email*)
Bill Ferber, Agent
Marion County

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **140526**

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

INVOICE # _____

RECEIVED FROM: Country Sundry Farm
BY: JLLC

APPLICATION	
PERMIT	
TRANSFER	T-14221

CASH: ☐ CHECK: # 5018 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 3,670.⁰⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

0205 TRANSFER \$ 3,670.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

**RECEIVED
OVER THE COUNTER**

RECEIPT: **140526**

DATED: 4/18/23 BY: [Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 3 List them here: C 44771, C 47316, C 65236**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

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Base Fee (includes one type of change to one water right for up to 1 cfs)		1	\$1,360
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$1090 and enter »	2	\$1090.00
3	Number of water rights included in transfer <u>3 (3a)</u> Subtract 1 from the number in 3a above: <u>2 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$610 and enter »	3	\$1220.00
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u> (4a)</u> Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u> (4b)</u> Add line 4a to line 4b and enter »	4	\$0.00
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.08 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.92 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u> (5c)</u> and multiply 5c by \$410, then enter on line 5 »	5	\$0.00
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3670.00
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	\$0.00
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$3670.00

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
2	Number of wells included in substitution _____ (2a)		
	Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »		

3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	
---	--	---	--

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Delbert Strubhar/MouAbba's Acres LLC			PHONE NO. 503.710.7579	ADDITIONAL CONTACT NO.
ADDRESS 14407 Whiskey Hill Road				FAX NO.
CITY Hubbard	STATE Oregon	ZIP 97032	E-MAIL N/A	
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 Bill Ferber/BK Water Right Conmsulting, LLC			PHONE NO. 503.910.9212	ADDITIONAL CONTACT NO.
ADDRESS PO Box 13434				FAX NO.
CITY Salem	STATE Oregon	ZIP 97309	E-MAIL bill@bkwrc.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:
Changing the POU to irrigate a better field which does not have a water right and add APOD to better use water under these water rights..

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

Check One Box

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

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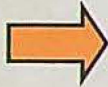
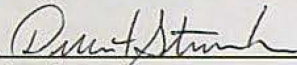
APR 18 2023

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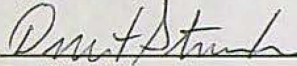
By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Wodburn Independent.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



Applicant signature

Delbert Strubhar (Applicant) April 18, 2023
Print Name (and Title if applicable) Date


Applicant signature

Mou Abba's Acres LLC
Delbert Strubhar (member/owner) April 18, 2023
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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Marion County	ADDRESS PO Box 14500	
CITY Salem	STATE Oregon	ZIP 97309

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 additional rows to tables within the form.

CERTIFICATE # 44771

Description of Water Delivery System

System capacity: 0.01 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. 1 Hp electric pump pumps water from the Unnamed Stream into ½" pipe to a single 9/64" rainbird sprinkler (50 psi) located at the POU. POU is no more than 20' above the POD.

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)
Ram	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4	S	1	W	35	SE	NE	53	No futher discription is provided by Certificate 44771.
Res	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	S	1	W	36	SW	NW	53	No futher discription is provided by Certificate 44771.
APOD 2023	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		4	S	1	W	36	SW	NW	53	390' N and 1680' E from SW Corner of Bonney DLC 53.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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APR 18 2023

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

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- ☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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October 16, 2023

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

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

Table 2. Description of Changes to Water Right Certificate # 44771

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
4	S	1	W 35 SE NE	800	53	0.5	Irrigation	Ram/Res	1941	POU	4	S	1	W 35 SE NE	600	53	0.5	Irrigation	APOD 2023	1941				
										APOD	4	S	1	W 36 SW NW	600	53	N/A	Irrigation	APOD 2023	1941				
TOTAL ACRES:						0.5					TOTAL ACRES:						0.5							

Additional remarks: _

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

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

Ground water supplemental Permit or Certificate # N/A.

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

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AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

CERTIFICATE # 47316

Description of Water Delivery System

System capacity: 0.03 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 by a 7.5 Hp electric pump then pumped via buried and above ground 4" mainline to the POU. 3" handlines with 17 - 5/32" sprinklers (65 psi) irrigate the POU. POU is no more than 15' above the POD.

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)
Div	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	1 W	36	SW	NW	53	as projected within Bonney DLC 53, Sec 36, T. 4 S., R. 1 W., 390' N and 1680' E from the SW Corner, Bonney DLC 53
N/A	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

[illegible]

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C 65236.

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

CERTIFICATE # 65236

Description of Water Delivery System

System capacity: 0.20 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. A 15 Hp turbine pump pumps water via buried and above ground 4" mainline to 3" handlines with sprinklers. Same mainline and handline system as described for C 47316 is used.

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	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MARI 1025	4 S	1 W	35	SE NE	53	as projected within DLC 53, Section 35, T 4 S, R 1 W, W.M.; 680' North and 330' East from the SW Corner of DLC 53.
Pump	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	1 W	36	SW NW	53	390' North and 1680' East from the SW Corner of DLC 53.
N/A	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |

☐ Surface Water POD to Ground Water
POA (SW/GW)

☐ Government Action POD (GOV)

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 65236

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

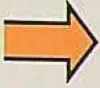
AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
4	S	1	W	36	SW	NW	600	53	0.2	Irrigation	WELL	1977		4	S	1	W	36	SW	NW	600	53	0.59	Supp Irrig	WELL	1977
4	S	1	W	36	SW	NW	600	53	2.5	Supp Irrig	WELL	1977		4	S	1	W	35	SE	NE	600	53	.1.91	Supp Irrig	WELL	1977
														4	S	1	W	35	SE	NE	600	53	0.2	Irrig	WELL	1977
TOTAL ACRES:							2.7							TOTAL ACRES:							2.7					

Additional remarks: No other acres under this water right are invovled in this transfer.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C 47316.

 Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

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

SUPERSEDED

Table 2. Description of Changes to Water Right Certificate # 44771

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
4	S	1	W 35 SE NE	800	53	0.5	Irrigation	Ram/Res	1941	POU	4	S	1	W 35 SE NE	600	53	0.5	Irrigation	APOD 2023	1941				
										APOD	4	S	1	W 36 SW NW	600	53	16	Irrigation	APOD 2023	1941				
TOTAL ACRES:						0.5					TOTAL ACRES:						0.5							

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Additional remarks: _

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, DELBERT STRUBHAR, in my capacity as LAND OWNER,

mailing address 14407 WHISKEY HILL ROAD, HUBBARD, OREGON 97032

telephone number (503) 710-7279 ⁷⁵⁷⁹ being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 44771, 47316 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)

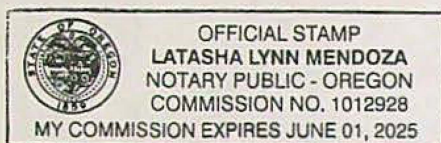
3. The water right was used for: (e.g., crops, pasture etc.):

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

10.18.2022
Date

Signed and sworn to (or affirmed) before me this 18 day of October, 2022



[Signature]
Notary Public for Oregon

My Commission Expires: June 1, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" 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 type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

PNW Veg Go. LLC dba Norpac
Field Summary

	Start Date	End Date	Acres	Payable Weight	Dockage	%	Dollar Amount	Return/ Acre	Ton/ Acre	Lbs/Acre
TOTAL - ALL VENDORS			20	399,655	9,365	2.29%	\$41,104.73	\$2,055.24	9.99	19,982.75
Country Sundry Farm, LLC										
200055 Organic Super Sweet Corn			20.0	399,655	9,365	2.29%	\$41,104.73	\$2,055.24	9.99	19,982.75
1 ORG. MINT (QPB11559)	10/08/21	10/08/21	20.0	399,655	9,365	2.29%	\$41,104.73	\$2,055.24	9.99	19,982.75
QBK19662	10/08/21			51,066	854	1.65%	\$5,252.09			
QBK19664	10/08/21			38,182	798	2.05%	\$3,927.01			
QBK19666	10/08/21			40,795	1,905	4.46%	\$4,195.74			
QBK19675	10/08/21			52,331	629	1.19%	\$5,382.20			
QBK19680	10/08/21			34,926	1,054	2.93%	\$3,592.30			
QBK19681	10/08/21			31,355	1,085	3.34%	\$3,224.88			
QBK19683	10/08/21			56,023	997	1.75%	\$5,761.95			
QBK19685	10/08/21			36,893	507	1.36%	\$3,794.44			
QBK19686	10/08/21			34,337	463	1.33%	\$3,531.57			
QBK19687	10/08/21			23,749	1,071	4.32%	\$2,442.55			

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PNW Veg Co. LLC dba Brooks
Field Summary

2022 Green beans

	Start Date	End Date	Acres	Payable Weight	Dockage	%	Dollar Amount	Return/ Acre	Ton/ Acre	Lbs/Acre	Grade #1 %	Grade #2 %	Grade #3 %
TOTAL - ALL VENDORS			21	203,165	37,875	15.71%	\$67,909.82	\$3,233.80	4.84	9,674.54	94.45	2.53	0.24
Country Sundry Farm, LLC													
200262 Org Green Beans			21.0	203,165	37,875	15.71%	\$67,909.82	\$3,233.80	4.84	9,674.54	94.45	2.53	0.24
1 ORG SAHARA (QPB12215)	09/05/22	09/06/22	21.0	203,165	37,875	15.71%	\$67,909.82	\$3,233.80	4.84	9,674.54	94.45	2.53	0.24
QBK22984	09/05/22			32,486	3,834	10.56%	\$9,788.81				97.12	2.70	0.18
QBK22985	09/06/22			26,508	8,972	25.29%	\$9,040.84				97.95	2.05	0.00
QBK22986	09/06/22			21,233	7,187	25.29%	\$7,241.85				97.95	2.05	0.00
QBK22987	09/06/22			28,624	3,176	9.99%	\$9,739.74				77.81	2.68	0.38
QBK22988	09/06/22			30,092	4,128	12.06%	\$10,233.41				96.22	3.31	0.47
QBK22989	09/06/22			32,771	5,309	13.94%	\$11,157.35				96.87	2.37	0.28
QBK22990	09/06/22			31,451	5,269	14.35%	\$10,707.82				97.33	2.38	0.29

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Land Use Information Form



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

Applicant(s): Del Strubhar

Mailing Address: 144007 Whiskey Hill Road NE

City: Hubbard

State: Oregon Zip Code: 97032

Daytime Phone: 503.710.7579

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>4 S</u>	<u>1 W</u>	<u>36</u>	<u>SWNW</u>	<u>600</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>4 S</u>	<u>1 W</u>	<u>35</u>	<u>SENE</u>	<u>600</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>4 S</u>	<u>1 W</u>	<u>35</u>	<u>SENE</u>	<u>500</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>Irrigation</u>
<u>N/A</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u> </u>

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

Marion County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☒ Surface Water (name) Unnamed Stream trib Pudding River

Estimated quantity of water needed: 0.03 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Move water rights Place of Use to lands needing irrigation water.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136.020 (A) Farm use
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Daniel Jansen Title: Assistant Planner

Signature: [Signature] Phone: (503) 588-5038 Date: 1/10/23

Government Entity: Marion County Planning

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14221

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>4/20/2023</u>		
Fee Received: \$3670	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$3670		How many rights to be Transferred? 3
Deficiencies and Observations: Cert 47316's table 2 is incomplete. Will need a revised page. A more detailed would also be helpful, very small.		Certificate #(s) 44771, 47316, 65236

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

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)
If no, which certificates are missing a separate Part 5, tables 1 & 2? 47316
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☐ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ This application is deficient, and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

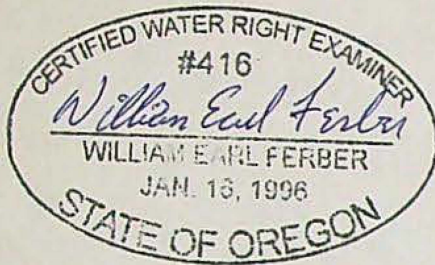
_____ date _____

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	

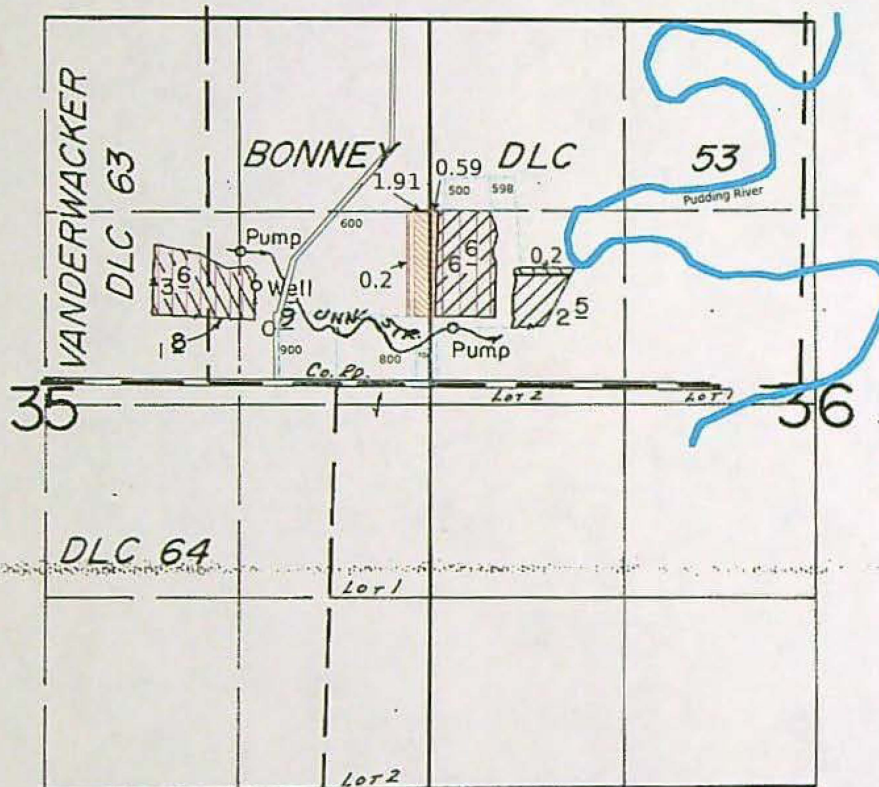
Permanent Transfer for Del Strubhar - 2023

Ground Water C 65236 POU



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

EXPIRES: 2023.12.31



Legend

FROM



PRIMARY

SUPPLEMENTAL

TO



Primary

Supplemental

Not part of this
Transfer



FINAL PROOF SURVEY

UNDER

Application No. G-8357, Permit No. G-7862, C 65236
IN NAME OF

WILLIAM N. STRUBHAR

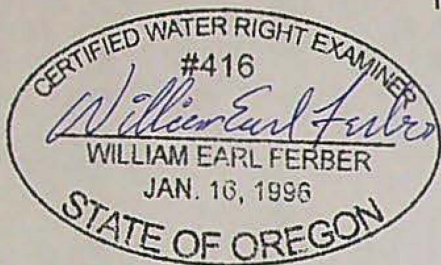
Surveyed May 8, 1984, by B.W. BISHOP

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APR 13 2023

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PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



Permanent Transfer for Del Strubhar - 2023
Surface Water C 47316 and C 44771 POU

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

EXPIRES: 2023.12.31

Legend

FROM Lands

C 47316

C 44771

TO Lands

C 47316

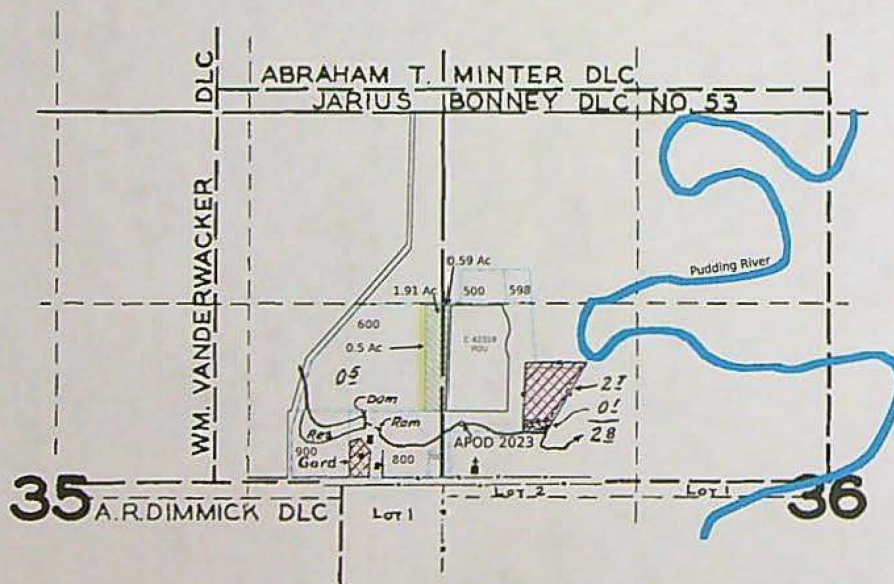
C 44771

Tax lot boundry

C 42319 POU shown for location reference only. Not part of this transfer.



Scale 1" = 1320'



Div: SW1/4 NW1/4, as projected within Bonney DLC 53, Section 36,
T. 4S., R. 1W., W.M., 390 feet North and 1680 feet East from the SW/W Corner, Bonney D:LC 53

FINAL PROOF SURVEY

UNDER

Application No. R-19438 Permit No. R-769
19439 15037

IN NAME OF

C. C. Hepler

Surveyed June 24, 1942, by Geo. D. Derman

PREPARATION OF THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

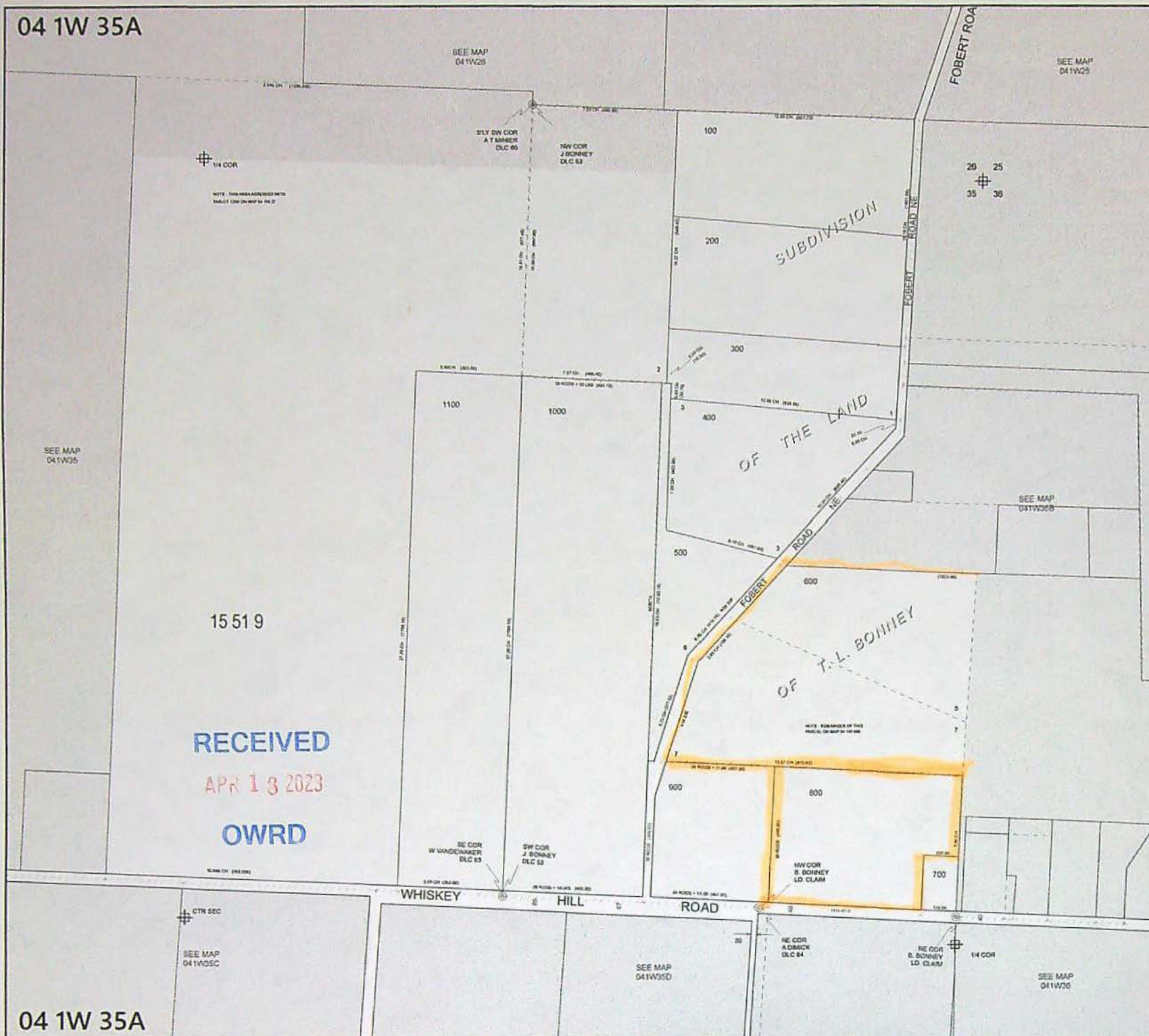
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04 1W 35A

04 1W 35A



MARION COUNTY, OREGON
NE1/4 SEC35 T4S R1W W.M.
SCALE 1" = 200'

LEGEND

LINE TYPES

Taxlot Boundary	Historical Boundary
Road Right-of-Way	Easement
Railroad Right-of-Way	Railroad Centerline
Private Road ROW	Taxcode Line
Subdivision/Plat Bndry	Map Boundary
Waterline - Taxlot Bndry	Waterline - Non Bndry

CORNER TYPES

1/16TH Section Cor.	1/4 Section Cor.
DLC Corner	16, 15 21, 22 Section Corner

NUMBERS

Tax Code Number

00 00 0

Acreage

0.25 AC

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

CANCELLED NUMBERS

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



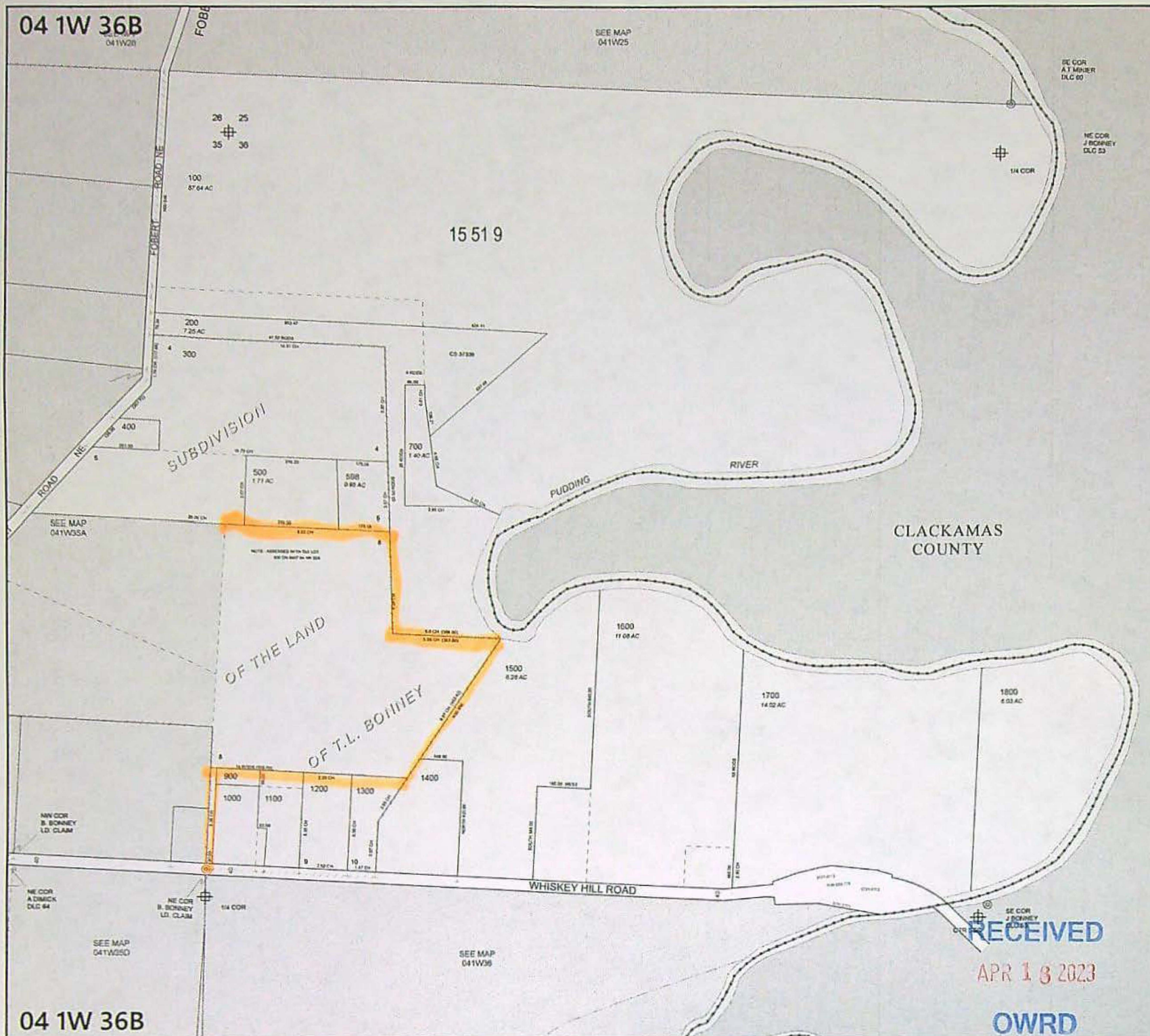
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.marion.or.us

PLOT DATE: 10/16/2020

04 1W 35A

04 1W 36B

04 1W 36B



MARION COUNTY, OREGON
 NW1/4 SEC36 T4S R1W W.M.
 SCALE 1" = 200'

LEGEND

LINE TYPES

Taxlot Boundary	Historical Boundary
Road Right-of-Way	Easement
Railroad Right-of-Way	Railroad Centerline
Private Road ROW	Taxcode Line
Subdivision/Plat Bndry	Map Boundary
Waterline - Taxlot Bndry	Waterline - Non Bndry

CORNER TYPES

1/16TH Section Cor	1/4 Section Cor
DLC Corner	1/8 Section Cor
	1/16 Section Cor

NUMBERS

Tax Code Number
 00 00 0

Acres: 0.25 AC
 All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

CANCELLED NUMBERS

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 10/16/2020

04 1W 36B

04 1W 36B

APR 18 2023

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APR 18 2023

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Delbert Strubhar / MonAbba's Acres LLC
14407 Whiskey Hill Rd, Hubbard OR 97032

Transaction Type: Transfer

Fees Received: \$ 3670.00

☐ Cash

☒ Check;

Check No. 5018

Name(s) on Check: Country Sundry Farm 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: Corie Lourien
(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.