

TEMPORARY

T-14657

Name Harvest Creations LLCAddress 11483 SE Amity Dayton Highway
Dayton, OR 97114
Kevin@Kckfarms.comChange in POU, PODDate Filed 5/16/2025Initial notice date 5/20/2025

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 6/16/2025 Vol 134 Page 977-980

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream South Yamhill RiverTrib. of Yamhill RiverUse IrrigationCounty Polk, Yamhill

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App# S-55106Per # S-41387Cert # 57891PR Date 1/14/1977

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>5-16-25</u>	<u>\$1,185.71</u>	<u>145201</u>

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments: _____

Irrigation District _____

Agent Kevin Coleman (Harvest Creations LLC Member)Kevin@Kckfarms.com

CWRE _____

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



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

June 16, 2025

Harvest Creations LLC
11483 SE Amity Dayton Hwy
Dayton, OR 97114

REFERENCE: District Temporary Transfer Application T-14657

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

The temporary change shall be effective at the **beginning of the 2025 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2029 irrigation season**.

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

Sincerely,

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

cc: Joel M. Plahn, Watermaster Dist. # 22 (via email)
Kevin Coleman, Agent
Yamhill County, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING TEMPORARY
T-14657, Yamhill County	)	CHANGES IN PLACE OF USE AND POINT
	)	OF DIVERSION

Authority

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

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

Applicant

HARVEST CREATIONS LLC
11483 SE AMITY DAYTON HWY
DAYTON, OR 97114

Findings of Fact

1. On May 16, 2025, Harvest Creations LLC filed an application to temporarily change the place of use and to change the point of diversion to serve the proposed place of use under Certificate 57891 for a period of 5 years. The Department assigned the application number T-14657.
2. Notice of the application for transfer was published on May 20, 2025, pursuant to OAR 690-380-4000.
3. The portion of the right to be temporarily transferred is as follows:

Certificate:	57891 in the name of COYE M. MORRIS, JR. (perfected under Permit S-41387)
Use:	IRRIGATION of 87.3 ACRES
Priority Date:	JANUARY 14, 1977
Rate:	1.09 CUBIC FEET PER SECOND

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

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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: SOUTH YAMHILL RIVER, a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	5 W	WM	32	NE SE	57	POD - 1340 FEET NORTH AND 220 FEET WEST FROM THE SE CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	5 W	WM	32	NE SW		56	0.1
5 S	5 W	WM	32	SE SW	3		1.2
5 S	5 W	WM	32	SE SW		56	1.8
5 S	5 W	WM	32	SE SW		60	4.0
5 S	5 W	WM	32	NE SE		56	1.2
5 S	5 W	WM	32	NE SE		57	1.9
5 S	5 W	WM	32	NW SE		56	4.7
5 S	5 W	WM	32	SW SE	2		6.4
5 S	5 W	WM	32	SW SE		56	7.0
5 S	5 W	WM	32	SW SE	2	60	23.5
5 S	5 W	WM	32	SE SE		60	6.7
5 S	5 W	WM	32	SE SE		56	1.6
5 S	5 W	WM	32	SE SE	1		3.2
5 S	5 W	WM	32	SE SE		57	4.4
6 S	5 W	WM	5	NE NW		69	19.6
Total							87.3

4. Temporary Transfer Application T-1465714657 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	36	NW NE	91	7.0
4 S	4 W	WM	36	SW NE	91	23.6
4 S	4 W	WM	36	SW NE	63	2.5
4 S	4 W	WM	36	SE NE	63	1.2
4 S	4 W	WM	36	NE NW	91	12.0
4 S	4 W	WM	36	NW NW	91	2.0
4 S	4 W	WM	36	SW NW	91	6.0
4 S	4 W	WM	36	SE NW	91	33.0
Total						87.3

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14657 proposes to move the authorized point of diversion approximately 10.6 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	35	SW NW	67	POD 2 - 510 FEET NORTH AND 2780 FEET EAST FROM THE SW CORNER OF GOVERNMENT LOT 3

Temporary Transfer Review Criteria

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

Conclusions of Law

The temporary changes in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14657 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and change in point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14657 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2025, 2026, 2027, 2028, and 2029 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2029 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.

5. The quantity of water diverted at the proposed temporary point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).
6. A subsequent application for permanent transfer of Certificate 57891 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 57891.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. The use of the remaining water right described by Certificate 57891 shall continue to be in accordance with the terms and conditions of Certificate 57891.

Dated in Salem, Oregon on JUN 16 2025



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

Mailing Date: JUN 17 2025

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14657

Transfer Specialist: *Joan*

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: Harvest Creations LLC 11483 SE Amity Dayton Hwy Dayton, OR 97114	Agent: Kevin Coleman 11483 SE Amity Dayton Hwy Dayton, OR 97114	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Yamhill County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
☐	S-55106	S-41387	57891
☐			
☐			

Key Dates & Initial Actions (Support Staff)

Rec'd: May 16, 2025	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 1185.71	Acknowledgement Letter Sent ☒	Basin: 2 Willamette
Initial Public Notice: 5/20/2025	County sent cc: of Ack Letter ☒	County: POLK, YAMHILL
WM District: 22 Joel M. Plahn	WM Review request sent: 5/19/2025	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: <u>6/6/25</u> Initials: <u>Joan</u>	Date: <u>6/9/25</u> Initials: <u>Scott</u>	Date: <u>6/12/25</u> Initials: <u>Coney</u>	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____ WM Sheet ☐	Date: <u>6/16/2025</u>

Special Issues: 5 year temp / Clarify 2025 - 2029 w/ Applicant

Special Order Volume: Vol. 134 Pages 977-980

Temporary Transfer Application Intake Checklist

Transfer # T- 14657

Reviewer <u>Scott</u>	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u>
Date <u>5-19-25</u>	☐ POU ☒ POU/POD ☐ POU/APOD ☐ POU/POA ☐ POU/APOA
Calculated Fee \$ <u>1,185.71</u>	Fee Received \$ <u>1,185.71</u>
Certificate(s): <u>57891</u>	Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	☐ YES ☐ NO ☐ N/A
Notes: <u>WILL NEED CLEARER "EOU" receipt doesn't tie to land</u>	

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

Map Requirements: OAR 690-380-3100			
4.	☒ YES ☐ NO	Map included and meets mapping requirements?	
5.	☐ YES ☐ NO ☒ N/A	Map Waiver? The map waiver must be issued by the Department	
Notes:			

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

☒	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
☐	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.

NEED CLARIFICATION

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-14657

Review Due Date:

Applicant Name: Harvest Creations LLC

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

Reviewer(s): Joel Plahn

Date of Review: 05/21/2025

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
2015 this right was regulated off for senior user
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☒ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☒ No ☐ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☐ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐

Weir

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: ____

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-

☐ In order to avoid enlargement of the right or injury to other rights, a _____ will
 be required to be installed prior to diversion of water, as a condition of this transfer:
 ☐ at each point of diversion/appropriation (new and existing) **OR**
 ☐ at each new point of diversion/appropriation.

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

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

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

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

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

 Watermaster signature

 District

 Date

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

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 19, 2025

Harvest Creations LLC
11483 SE Amity Dayton Hwy
Dayton, OR 97114

Reference: Application T-14657

On May 16, 2025, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1185.71. Receipt number 145201 is enclosed.

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

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

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

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

Cc: Watermaster Dist. #22, Joel M. Plahn (via email)
Kevin Coleman, Agent
Yamhill County, Local Government

Enclosure

Received by OWRD

MAY 16 2025

Salem, OR

April 15, 2025
10501.001

Oregon Water Resources Department
725 Summer St NE Suite A
Salem, Oregon 97301

Subject: **Temporary Transfer Submittal**
Certificate 57891 – Harvest Creations LLC
Yamhill County, Oregon

Harvest Creations LLC, as owner of the lands associated with Certificate 57891, is submitting the enclosed temporary transfer application. Nancy East Smith, CWRE, with *EnviroLogic Resources, Inc.*, assisted with completing the temporary transfer application and maps.

If you have any questions or comments please contact Kevin Coleman at 503 209-7297 (kevin@kckfarms.com)

Sincerely,



Kevin Coleman
Member
Harvest Creations LLC

Enclosure: Temporary Transfer Application and Attachments

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **145201**

INVOICE # _____

RECEIVED FROM: KCK Farms LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14657</u>

CASH: ☐ CHECK:# 17767 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1,185.71

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ 46110

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1185.71

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT

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 RECEIVED

FUND _____ TITLE **OVER THE COUNTER**

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT:

145201

DATED: 5/16/25 BY: [Signature]

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☐ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred?** 1 **List them here:** 57891
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year:** 2025 **End Year:** 2030.
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

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FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS					
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00		
	Number of water rights included in transfer: <u> 1 </u> (2a) Subtract 1 from the number in 3a above: <u> 0 </u> (2b) If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »				
2	Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0		
	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3				
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3			
	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>87.3</u> (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »				
4	Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	235.71		
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	1,185.71		
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »				
6	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	0		
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	1,185.71		

14657 -

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Harvest Creations LLC		PHONE NO. 503 209 7297	ADDITIONAL CONTACT NO.
ADDRESS 11483 SE Amity Dayton Highway		FAX NO.	
CITY Dayton	STATE OR	ZIP 97114	E-MAIL kevin@kckfarms.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Kevin Coleman (Harvest Creations LLC Member)		PHONE NO. 503 209-7297	ADDITIONAL CONTACT NO.
ADDRESS 11483 SE Amity Dayton Highway		FAX NO.	
CITY Dayton	STATE OR	ZIP 97114	E-MAIL kevin@kckfarms.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:

There is a water right (GR 980) on the current to lands but the water quality is not satisfactory for nursery plant irrigation. A temporary transfer would allow time to develop or implement a permanent solution.

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

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


Applicant signature

KEVIN COLEMAN member
Print Name (and Title if applicable)

9/22/2025
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Yamhill County	ADDRESS 535 NE 5th Street	
CITY McMinnville	STATE OR	ZIP 97128

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 57891

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Description of Water Delivery System

System capacity: 1.7 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. 40 hp pump and 6-inch mainline to hard hose reels.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD	☒ Authorized ☐ Proposed		5S	5W	32	NE	SE	57	1340 ft North & 220 Ft West SE Corner Sec 32
POD 2	☐ Authorized ☒ Proposed		4S	4W	35	SW	NW	67	510 ft North & 2,780 ft East from SW Corner, Lot 3
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								

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

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

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

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

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

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 57891

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
5	S	5	W	32	NE	NW	800	56	0.1	Irrigation	POD 1	1977		4	S	4	W	36	NW	NE	1100	91	7.0	No Change	POD 2	1977
				"	SE	SW	800	56	1.8	"	"	1977					"	SW	NE	1100	91	23.6	"	POD 2	1977	
				"	SE	SW	800	Lot 3	1.2	"	"	1977					"	SW	NE	1100	63	2.5	"	POD 2	1977	
				"	SE	SW	800	60	4.0	"	"	1977					"	SE	NE	1100	63	1.2	"	POD 2	1977	
				"	NE	SE	800	57	1.9	"	"	1977					"	NE	NW	1100	91	12.0	"	POD 2	1977	
				"	NE	SE	800	56	1.2	"	"	1977					"	NW	NW	1100	91	2.0	"	POD 2	1977	
				"	NW	SE	800	56	4.7	"	"	1977					"	SW	NW	1100	91	6.0	"	POD 2	1977	
				"	SW	SE	800	56	7.0	"	"	1977		4	S	4	W	36	SE	NW	1100	91	33.0	"	POD 2	1977
				"	SW	SE	800	Lot 2	6.4	"	"	1977														
5	S	5	W	32	SW	SE	800	60	23.5	Irrigation	POD 1	1977														
TOTAL ACRES							See Page 2							TOTAL ACRES							87.3					

Additional remarks: No Change in type of use

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

PAGE 2

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

Table 2. Description of Temporary Changes to Water Right Certificate # 57891

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
5	S	5	W 32 SE SE	800	60	6.7	Irrigation	POD 1	1977														
			" SE SE	800	Lot 1	3.2	"	"	"														
			" SE SE	800	57	4.4	"	"	"														
			" SE SE	800	56	1.6	"	"	"														
6	S	5	W 5 NE NW	800	69	19.6	"	"	"														
TOTAL ACRES						87.3						TOTAL ACRES						SEE PAGE 1 of TABLE 2					

Additional remarks:

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: GR 980 To Lands

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

NOT APPLICABLE

Klamath Basin/County Drought Transfer Applications

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

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

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

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

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FL

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14657

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that COYE M. MORRIS, JR., of ROUTE 1, BOX 72, SHERIDAN, OREGON 97378, has a right to the use of the waters of SOUTH YAMHILL RIVER, A TRIBUTARY OF WILLAMETTE RIVER, for the purpose of IRRIGATING 126.6 ACRES.

The right has been perfected under Permit 41387. The date of priority is JANUARY 14, 1977. The right is limited to not more than 1.58 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE1/4 SE1/4, AS PROJECTED WITHIN DLC 57, SECTION 32, T5S, R5W, W.M.; 1340 FEET NORTH & 220 FEET WEST FROM SE CORNER SECTION 32.

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.

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

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

NE 1/4 SW 1/4 0.1 ACRE
SE 1/4 SW 1/4 1.8 ACRES
BOTH AS PROJECTED WITHIN DLC 56

LOT 3 (SE 1/4 SW 1/4) 1.2 ACRES
SE 1/4 SW 1/4 4.0 ACRES
AS PROJECTED WITHIN DLC 60

NE 1/4 SE 1/4 1.9 ACRES
AS PROJECTED WITHIN DLC 57

NE 1/4 SE 1/4 1.2 ACRES
NW 1/4 SE 1/4 4.7 ACRES
SW 1/4 SE 1/4 7.0 ACRES
ALL AS PROJECTED WITHIN DLC 56

LOT 2 (SW 1/4 SE 1/4) 6.4 ACRES
SW 1/4 SE 1/4 23.5 ACRES
SE 1/4 SE 1/4 10.4 ACRES
BOTH AS PROJECTED WITHIN DLC 60

LOT 1 (SE 1/4 SE 1/4) 4.0 ACRES
SE 1/4 SE 1/4 8.4 ACRES
AS PROJECTED WITHIN DLC 57

SE 1/4 SE 1/4 1.6 ACRES
AS PROJECTED WITHIN DLC 56
SECTION 32

SW 1/4 SW 1/4 14.8 ACRES
AS PROJECTED WITHIN DLC 57
SECTION 33
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

SEE NEXT PAGE

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NE 1/4 NE 1/4 3.4 ACRES
AS PROJECTED WITHIN DLC 39

NE 1/4 NE 1/4 11.8 ACRES
NW 1/4 NE 1/4 0.8 ACRE
BOTH AS PROJECTED WITHIN DLC 62

NE 1/4 NW 1/4 19.6 ACRES
AS PROJECTED WITHIN DLC 69

SECTION 5
TOWNSHIP 6 SOUTH, RANGE 5 WEST, W.M.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,
affixed this date OCTOBER 21, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57891

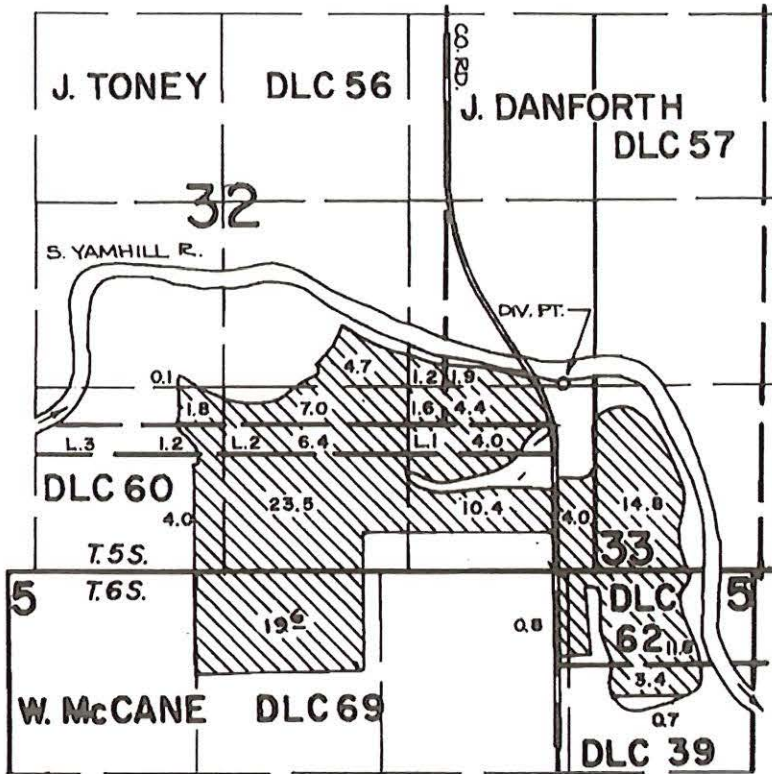
55106

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Salem, OR

T. 58 & 6 S., R. 5 W., W.M.



DIV. PT. LOCATION: 1340 FT. N. AND 220 FT. W. FROM THE S.E. CORNER OF SECTION 32.



SCALE: 4" = 1 MILE

FINAL PROOF SURVEY UNDER

Application No. 55106... Permit No. 41387.....
IN NAME OF

COYE M. MORRIS, JR.

Surveyed OCT. 1, 1984, by P. Patten

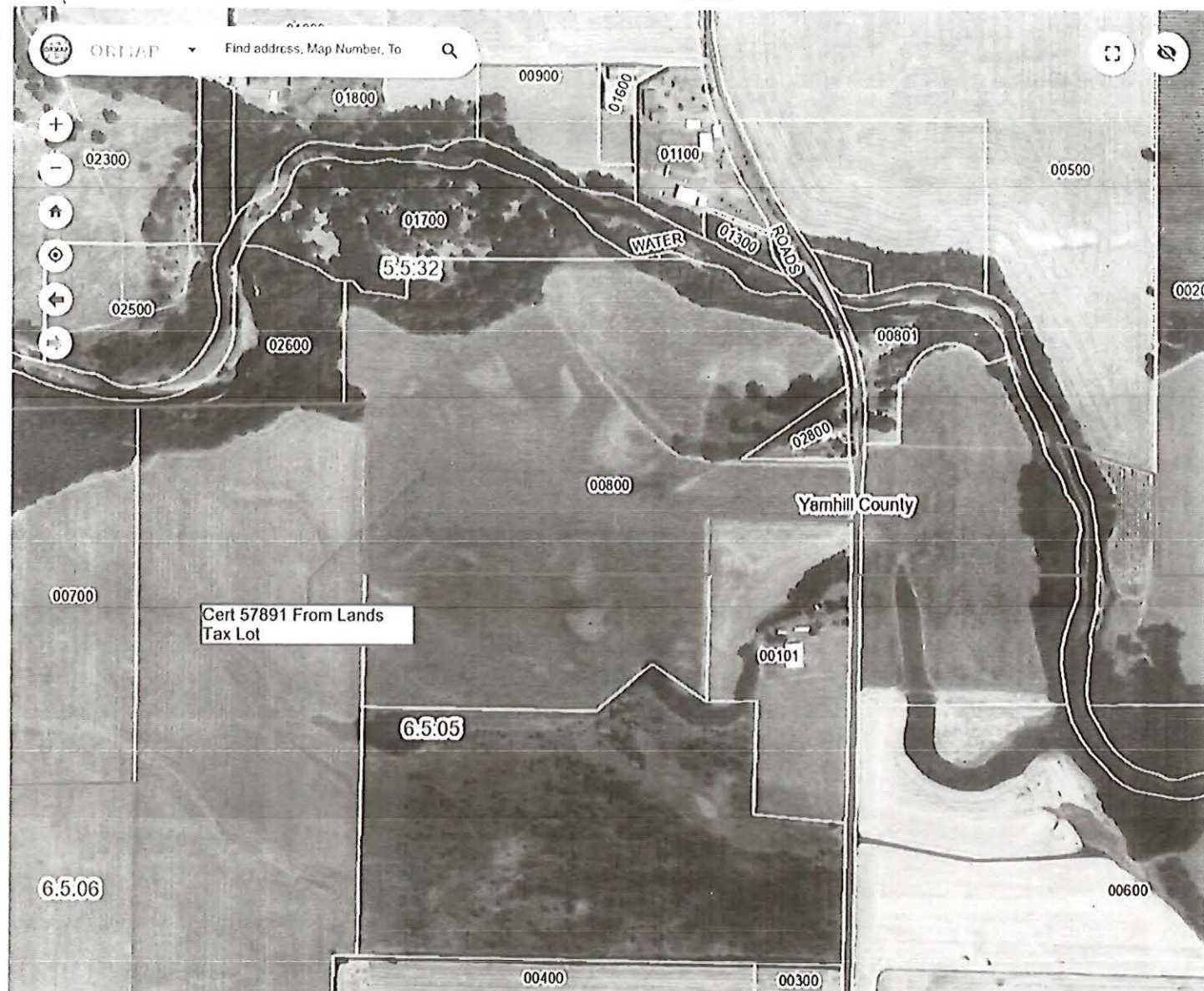
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1071-08-17B DED 2/27/85



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Salem, OR

200m
600ft

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<https://ormap.net/gis/>

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Salem, OR

14657 -

SPECIAL WARRANTY DEED

Michael M. Morris and Catherine L. Morris, husband and wife
(as to a 16.67% interest); Steven P. Morris (as to a 26.25%
interest); Mitchell R. Morris (as to a 28.54% interest); &
Kathryn A. VanBrocklin (as to a 28.54% interest)
to
Harvest Creations LLC

SEND ALL TAX STATEMENTS TO:

Harvest Creations, LLC
11483 S.E. Amity-Dayton Hwy
Dayton, Oregon 97114

AFTER RECORDING, RETURN TO:

Harvest Creations, LLC
11483 S.E. Amity-Dayton Hwy
Dayton, Oregon 97114

Yamhill County Official Records	201503894
DMR-DDMR	03/30/2015 09:45:55 AM
Sl=4 MILLSA	
6Pgs \$25.00 \$11.00 \$5.00 \$20.00	\$61.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Brian Van Bergen - County Clerk	

SPECIAL WARRANTY DEED - Statutory Form

Michael M. Morris and Catherine L. Morris, husband and wife (as to a 16.67% interest); Steven P. Morris (as to a 26.25% interest); Mitchell R. Morris (as to a 28.54% interest); and Kathryn A. VanBrocklin (as to a 28.54% interest), Grantor, conveys and specially warrants to Harvest Creations LLC, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, and further excepting encumbrances created or suffered by Grantee, situated in Yamhill County, Oregon:

See attached Exhibit A.

The true consideration for this conveyance is \$819,600.00 in satisfaction of a Land Sale Contract between Grantor and Grantee.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST THE FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 6 day of October, 2014.

Michael M. Morris
Michael M. Morris

Steven P. Morris
Steven P. Morris

Catherine L. Morris
Catherine L. Morris

Kathryn A. VanBrocklin
Kathryn A. VanBrocklin

Mitchell R. Morris
Mitchell R. Morris

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STATE OF OREGON)
County of Yamhill) ss.

On 6 October, 2014, personally appeared the above-named Michael M. Morris and Catherine L. Morris, who acknowledged that the foregoing instrument was their voluntary act and deed.

Before me: LeAnne Gray



LeAnne Gray
NOTARY PUBLIC FOR OREGON

Application for Water Right Transfer Evidence of Use Affidavit



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

State of Oregon)

County of) Yamhill ss

I, _____, in my capacity as _____, KEVIN LOEMAN AS MEMBER

mailing address _____ 11483 SE AMITY DAYTON HWY DAYTON OR 97114

telephone number (503) 864-9422, 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

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2. I attest that:

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

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☒ 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)
57891	5S	5W	WM	32	NE NW	56	0.1
					SE SW	56	1.8
					SE SW	Lot 3	1.2
					SE SW	60	4.0
					NE SE	57	1.9
					NE SE	56	1.2
					NW SE	56	4.7
					SW SE	56	7.0
					SW SE	Lot 2	6.4
					SW SE	60	23.5
					SE SE	60	6.7
					SE SE	Lot 1	3.2
					SE SE	57	4.4
					SE SE	56	1.6
	6S	5W		5	NE NW	69	19.6

OR

The above listed are lands identified under Certificate 57891

☐ 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.): hazelnuts
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

MAY 16 2025
Date

State of Oregon County of Yamhill
Signed and sworn to (or affirmed) before me this 16 day of May, 2025.



[Signature]
Notary Public for Oregon
My Commission Expires: 08/04/2028

Supporting Documents	Examples
☐ 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
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Select accounts

Payment amounts

Payment method

Review

Complete

✓

Payment confirmation

Payment amount

\$2,309.16

applied to 1 account

On

July 28, 2021

using credit card

Account	Payment amount	Amount due*	Confirmation number
		\$2,309.16	1878379446

*Amount due includes payments and charges as of July 28, 2021.

Your confirmation numbers are listed above. Receipts of these payments have been sent to sharon@kckfarms.com. It may take up to 2 business days for your payment to be deducted from your account.

Done

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Salem, OR

Land Use Information Form



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

NAME Harvest Creations LLC			PHONE 503 209 7297 (Kevin Coleman)	
MAILING ADDRESS 11483 SE Amity Dayton Highway				
CITY Dayton	STATE OR	ZIP 97114	EMAIL Kevin@kckfarms.com	

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:
4S	4W	35		100, 500	EF 80	☒ Diverted	☒ Conveyed	☐ Used	Farm
4S	4W	36		1100	EF 80	☐ Diverted	☒ Conveyed	☒ Used	Farm/Nursery
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Yamhill County

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

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.09 ☒ 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:

Temporary transfer of water for use on lands being developed for nursery use.

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

See Page 4 →

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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 use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EF-80 402.02 (A)/402.10
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."

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

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

Name: Tiffanie Willis Title: Associate Planner

Signature: Tiffanie Willis Date: 5/16/2025

Governmental Entity: Yamhill County Planning Phone: 503-434-7516

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

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

Applicant Name: _____

Staff Name: _____ Title: _____

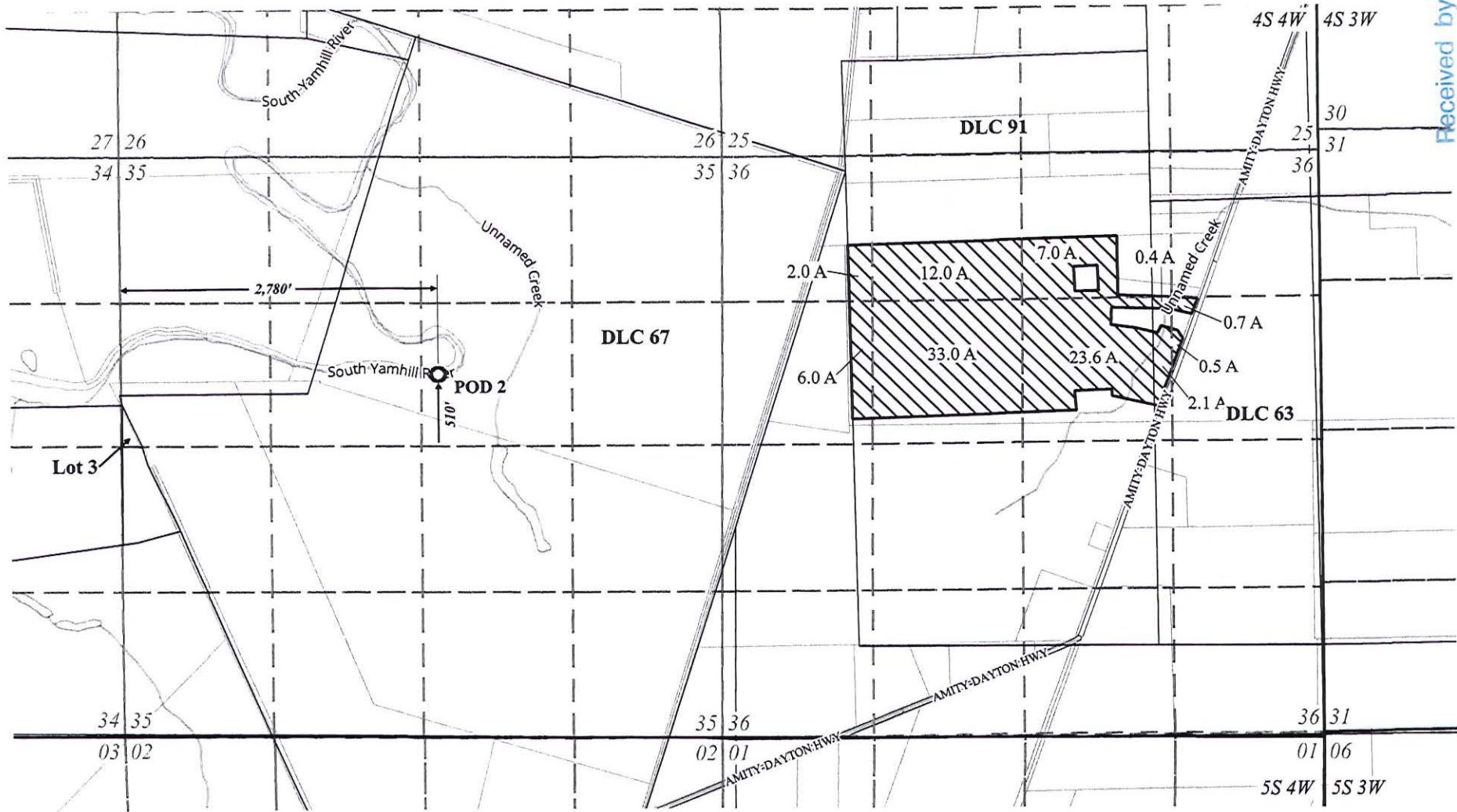
Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

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TO LANDS
T4S, R4W WM, Section 36
Yamhill County, Oregon



NAD 1983 HARN
 Datum of 1983
 Prepared February 12, 2025

Sources: BLM CadNSDI PLSS, roads, county lines & tax lots (Yamhill County), Oregon Spatial Data Library water features, DLC lines, et al. Locations of proposed wells and points of use provided by client.

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

EnviroLogic Resources, Inc.
 ENVIRONMENTAL - WATER RESOURCES SCIENTISTS

Explanation

- | | | |
|---|---------|-------------|
| Approximate To Land Boundary (87.3 Acres) | Section | Water Body |
| DLC | Qtr Qtr | Streams |
| Township | Taxlots | Major Roads |

POD 2



TEMPORARY TRANSFER
Certificate 57891

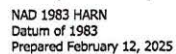
14657 -

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MAY 16 2025

Salem, OR

Salem, OR



Sources: BLM CadNSDI PLSS, roads, county lines & tax lots (Yamhill County), Oregon Spatial Data Library water features, DLC lines, et al. Locations of proposed wells and points of use provided by client.

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

EnviroLogic Resources, Inc.
ENVIRONMENTAL • WATER RESOURCES SCIENTISTS

 Approximate To Land Boundary (87.3 Acres)
 DLC
 Township
 Qtr Qtr
 Taxlots
 Water Body
 Streams
 Major Roads

POD 2



TEMPORARY TRANSFER
Certificate 57891

14657 -

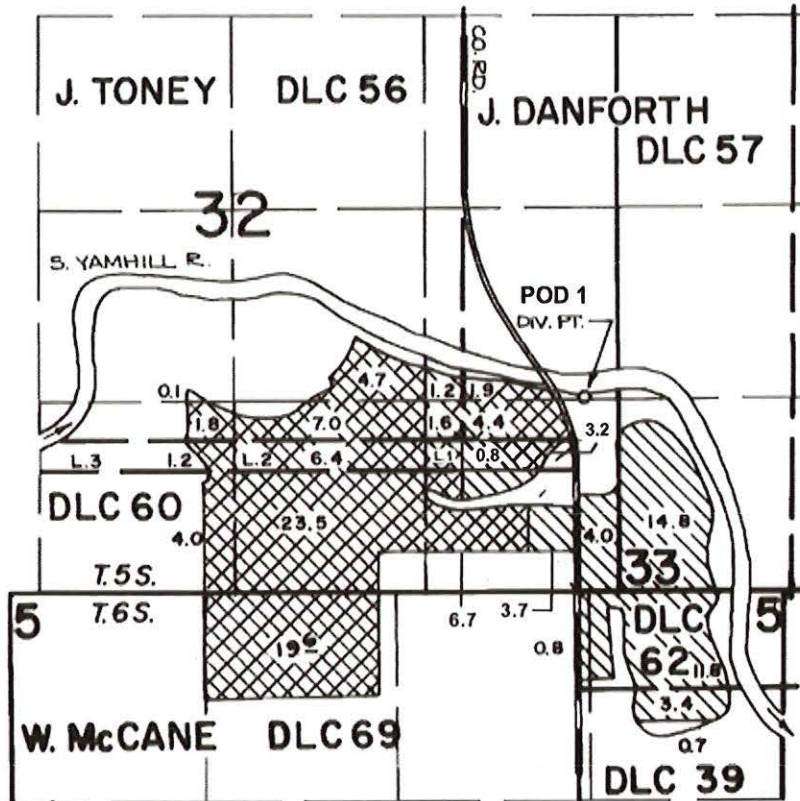
FROM LANDS
TEMPORARY TRANSFER
CERTIFICATE 57891
T. 5&6S., R. 5W., W.M.

Map Revisions for Temporary Transfer
by
EnviroLogic Resources, Inc.
02/06/2025

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Salem, OR



DIV. PT. LOCATION: 1240 FT. N. AND 220 FT. W. FROM THE
S.E. CORNER OF SECTION 32.



Temporary Transfer
Land (87.3 Acres)



Remaining Lands
(39.3 Acres)

○ POD 1

N

SCALE: 4" = 1 MILE

**FINAL PROOF SURVEY
UNDER**

Application No. 55106... Permit No. 41387.....
IN NAME OF

COYE M. MORRIS, JR.

Surveyed OCT. 1, 1984, by P. Patten

14657 -



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MAY 16 2025

Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Havist Creations LLC
11483 SE Amity Dayton Hwy, Dayton OR 97114

Transaction Type: Transfer

Fees Received: \$ 1185.71

☐ Cash, ☒ Check: Check No. 17767

Name(s) on Check: KCK Farms LLC

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by: Corie Lavin
(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 other slot.