



April 16, 2025

Lisa Jaramillo
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Permanent Water Right Transfer Application – Lions Mane Farm, LLC

Dear Lisa:

GSI Water Solutions, Inc. (GSI) is submitting the enclosed Application for a Permanent Water Right Transfer on behalf of Lions Mane Farms, LLC. The Applicant is requesting to change the Character of Use for Certificate 49643 to allow the use of groundwater for commercial, irrigation and agricultural use for a mushroom production facility.

Enclosed is the required application fee of \$1,360.

Please contact me at 541-257-9004 if you have questions or concerns.

Sincerely,

A handwritten signature in dark ink that reads "Kimberly Grigsby". The signature is written in a cursive, flowing style.

Kimberly Grigsby
Principal Water Resources Consultant

Enclosures: Application for a Permanent Water Right Transfer
Check in the amount of \$1,360

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14645 -

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.

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

- ☒ 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? 1 List them here: Cert. 49643 (Attachment A)**
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. (**Attachment B**)
- ☒ Completed Evidence of Use Affidavit and supporting documentation. (**Attachment C**)
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) (**Attachment D**)
- ☐ ☒ 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 from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. (**Attachment E**)
- ☐ ☒ 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):

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ 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°).

Part 3 of 5 – Fee Worksheet

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: ☐ Place of Use ☒ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$1090 and enter »	2	0
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$610 and enter »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? ☒ No: enter 0 ☐ Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? ☒ No: enter 0 ☐ Yes: multiply the number of additional wells by \$410 _____ (4b)		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » »	4	0
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 ☒ Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>0.18 csf (5a)</u> 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		
5	5c by \$410, then enter on line 5 »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	1,360
	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 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	\$1,360

*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 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 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 ac x 0.0125 cfs/ac = 0.56 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
	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>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Lions Mane Farm LLC			PHONE NO. 503-223-4129	ADDITIONAL CONTACT NO.
ADDRESS 610 SW Alder Street, Suite 1221			FAX NO.	
CITY Portland	STATE OR	ZIP 97205	E-MAIL jonathan.mccall@schlesingercos.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 Kimberly Grigsby, GSI Water Solutions, Inc.			PHONE NO. 503-351-1912	ADDITIONAL CONTACT NO.
ADDRESS 1600 Western Boulevard, Suite 240			FAX NO.	
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL KGrigsby@gsiws.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
Certificate 49643 authorizes the use of groundwater for "commerical use in packing plant." The Applicant is requesting to change the character of use to commercial, irrigation and agricultural use.

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.

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: CANBY HERALD.
- 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

JOSHUA SCHLESINGER, MANAGER

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 the receiving landowner.**

- ☒ 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. the applicant is the receiving 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

RECEIVING LANDOWNER NAME Lions Mane Farm LLC		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 610 SW Alder Street, Suite 1221		FAX NO.	
CITY Portland	STATE OR	ZIP 97205	E-MAIL jonathan.mccall@schlesingercos.com
Describe any special ownership circumstances:			
The confirming Certificate shall be issued in the name of: ☒ Applicant ☒ Receiving Landowner			

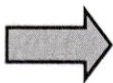
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Clackamas County	ADDRESS 150 Beavercreek Road, Room 225	
CITY Oregon City	STATE OR	ZIP 97045

ENTITY NAME NA	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 # **49643**

Description of Water Delivery System

System capacity: **0.18** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Groundwater is pumped from the well using a 7.5 HP pump and conveyed to a pressure tank via a 3-inch diameter pipeline. Water from the tank is used within the place of use for commercial purposes.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed		4 S	1 E	2	NW	SW		1700 Feet North and 240 Feet East from SW Corner, Section 2
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								

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

- | | |
|--|---|
| ☐ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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.

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 # 49643

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		
										USE	4	S	1	E 2 NW SW	602 and 700		N/A	Commercial uses	Well 1	Dec. 22, 1971		
										USE	4	S	1	E 2 NW SW	602 and 700		N/A	Nursery use	Well 1	Dec. 22, 1971		
TOTAL ACRES:											TOTAL ACRES:						NA					

Additional remarks: Certificate 49643 authorizes the use of groundwater for “commercial use in packing plant.” The Applicant is requesting a change in the character of use for the entire water right to allow the use of groundwater for commercial, and nursery use for a mushroom-production facility. The Applicant is requesting to change the character of use for a 0.018 cfs portion of the right (over the entire place of use) to commercial use, and to change the remaining 0.162 cfs portion of the right (also over the entire place of use) to nursery use.

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: NA.

 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 # NA;

Surface water primary Certificate # NA.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

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

- ☐ 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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Attachment A

Water Right Information

Application for Permanent Transfer – Lions Mane Farm, LLC

14645 -

STATE OF OREGON

COUNTY OF

CLACKAMAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

WEBBER AND SONS, INC.

of 24700 South Mulino Road, Canby, State of Oregon 97013, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Webber and Sons Packing Plant Well

a tributary of Milk Creek
commercial use in packing plant

for the purpose of

under Permit No. G-8348 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 22, 1971 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.18 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T. 4 S., R. 1 E., W.M.; 1700 feet North and 240 feet East from the SW Corner of Section 2

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 ----- of one cubic foot per second per acre,

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

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 2
T. 4 S., R. 1 E., W.M.

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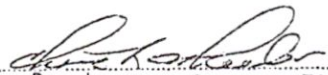
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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date.

October 28, 1980


Deputy Water Resources Director

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Attachment B

Transfer Application Map

Application for Permanent Transfer – Lions Mane Farm, LLC

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Attachment C

Evidence of Use

Application for Permanent Transfer – Lions Mane Farm, LLC

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 MULTNOMAH

I, RUSSELL ROTONDI, in my capacity as LEGAL COUNSEL,

mailing address 1355 NW EVERETT STREET, SUITE 100, PORTLAND, OR 97209

telephone number (503)327-6824, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 49643; **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)

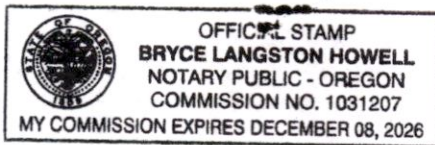
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): INDOOR CULTIVATION AND ASSOCIATED BUSINESS USE
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

4/3/2025
Date

Signed and sworn to (or affirmed) before me this 3rd day of April, 2025.




Notary Public for Oregon

My Commission Expires: December 08th, 2026

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.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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EXHIBIT A to Evidence of Use Affidavit

Attached power records for water meter #31043878AB.

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(503)228-6322 or 1-800-542-8818
portlandgeneral.com

Account # 2542502005

Service Address:
ECO FIRMA FARMS LLC
24700 S MULINO RD
CANBY, OR 97013-9749

Previous Amount Due 2,867.50
Payments 1,362.98 CR
Balance Forward 1,504.52
Current Charges 1,543.41
Addl Charges/Credits 30.09

Cycle: 05

AMOUNT DUE \$3,078.02
Due date for current bill 02/25/22

This month's charges (Turn over for details)

Meter # 31043878AB, Schedule 83 Secondary

Energy Charges (15360 kWh)	1,226.08
Adjustments	274.17
	<u>1,500.25</u>
Other Charges/Credits	5.67
Total Taxes and Fees	37.49
Current Energy Charges	<u>1,543.41</u>

Additional Charges/Credits 30.09

DISCONNECTION PENDING

Your energy service is scheduled for disconnection. You will stay connected if you've paid the full past-due balance or have made specific arrangements by 02/24/2022.

The Due Date on the payment stub is for your current charges only.

If you've already paid the balance forward amount, please subtract that from the total amount due when submitting your payment.

Thank you for your payment.

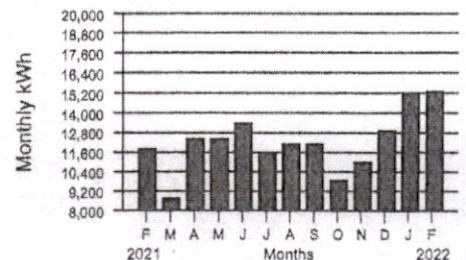
Your energy use

Meter # 31043878AB Schedule 83 Secondary Meter Multiplier 160

Service Period	Meter Reading
02/08/22	1869
01/07/22	1773
32 days of service	15360 kWh

Period Ending	Avg Daily Temperature*	Monthly kWh	Monthly Cost
Feb 2022	42	15360	1,543.41
Feb 2021	43	11840	1,248.92

*Temperature source: Aurora Municipal Airport

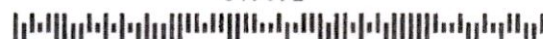


Please detach and return this portion with your payment.



P.O. Box 4438
Portland, OR 97208-4438

*019692



ECO FIRMA FARMS LLC
9455 DOUBLE R BLVD
RENO NV 89521-5904

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APR 24 2025

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PGE

2542502005

Account Number

05

Due Date: 02/25/22

Amount Due: \$3,078.02

Please Indicate amount paid below

\$

Questions? Call 1-800-542-8818 or
portlandgeneral.com



Certified Chain of Custody
Promoting Sustainable Forestry
www.sfi-program.org
SFI-001



Printed on recyclable paper using UV Inks



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12512542502005100000015434100000030780204

Details of this month's charges

Meter # 31043878AB, Schedule 83 Secondary, SPID 3480520216

Basic Charge	45.00
System Usage Charge (15,360.000 kWh x \$0.00731)	112.28
Off-Peak Usage (6,720.000 kWh x \$0.04835)	324.91
On-Peak Usage (8,640.000 kWh x \$0.06335)	547.34
Off-Peak Demand (24.000 KW x \$0.00)	0.00
On-Peak Demand (25.000 KW x \$2.61)	65.25
Reactive Demand Charge (0.000 x \$0.50) Billed KVAR (Reactive Demand of 3.000000 Actual KVAR)	0.00
Transmission Charge (25.000 KW x \$0.78)	19.50
Distribution Charge Facility Capacity (30.000 KW x \$3.50)	105.00
Distribution Charge Facility Capacity (2.000 KW x \$3.40)	6.80
Subtotal - Energy Charges	1,226.08
105 Regulatory Adjustments (15,360.000 kWh x \$-0.00003)	0.46 CR
109 Energy Efficiency Funding Adj (15,360.000 kWh x \$0.00464)	71.27
110 Energy Efficiency Customer Svc (15,360.000 kWh x \$0.00006)	0.92
112 Customer Engagement Transformation Adjustment (15,360.000 kWh x \$0.00006)	0.92
122 Renewable Resource Adjustment (15,360.000 kWh x \$0.00122)	18.74
123 Decoupling Adjustment (15,360.000 kWh x \$0.00211)	32.41
125 Annual Power Cost Update (15,360.000 kWh x \$0.00891)	136.86
135 Demand Response (15,360.000 kWh x \$0.00054)	8.29
136 Community Solar Cost Recovery (15,360.000 kWh x \$0.00006)	0.92
137 Solar Payment Option Cost Recov (15,360.000 kWh x \$0.00004)	0.61
150 Transportation Electrification (15,360.000 kWh x \$0.00024)	3.69
Subtotal - Adjusting Schedules	274.17
	1,500.25
Oregon Commercial Activities Tax Recovery (0.397%)	5.67
Subtotal - Other Charges/Credits	5.67
Low Income Assistance	15.97
Public Purpose Charge (1.5%)	21.52
Subtotal - Taxes and Fees	37.49
Current Energy Charges	1,543.41
Late Payment Charge	30.09
Additional Charges/Credits	30.09

Need help? We're here for you

Online: portlandgeneral.com

Phone:

- Customer Service: 800-542-8818
- Outages and downed lines: 800-544-1795
- Oregon Relay: (deaf, hard-of-hearing, blind-deaf, speech-disabled): 711

Choose your way to pay

- Online*: portlandgeneral.com
- On the PGE mobile app* (download at your app store)
- Automated phone system*: 800-542-8818
- By mail to: (include bill stub)
P.O. Box 4438
Portland, OR 97208-4438
- At Western Union or CheckFreePay locations
(find nearby locations at portlandgeneral.com/payinperson)
*24-hour options

Paying by check? When you pay by check, PGE will convert your check to an electronic debit.

Late payment: A late payment charge of 2% may be applied to past-due bills. If you're struggling to pay your bill, call us at 800-542-8818, or visit portlandgeneral.com. Energy assistance may also be available by calling 211.

Fraud alert: Beware of calls, texts or people at your door demanding immediate payment. All PGE employees carry photo identification. Call us to check.

Adjustments: Approved by the Oregon Public Utility Commission, adjustments are separate from your basic energy charges and often change. For details, call customer service.

Public Purpose Charge: The Public Purpose Charge funds energy-efficiency and renewable power programs as well as energy conservation assistance to schools and low-income residents. Energy Trust of Oregon, Oregon Housing and Community Services Dept. and various education service districts administer the money.

Thank you. We appreciate your business.

Need to stop or move service? Go online to portlandgeneral.com/startstopmove or call us at 800-542-8818.

Update your mailing or email address online at portlandgeneral.com/myaccount or call us at 800-542-8818.

Get this bill online. Our Paperless Bill is simple, secure and sustainable. Sign up at portlandgeneral.com/paperless.

Join us to support Oregon Energy Fund, a statewide charitable organization that provides energy assistance to thousands of Oregonians in times of financial crisis. To give a neighbor a helping hand, visit OregonEnergyFund.org.

We partner with Energy Trust to help you save. We share some customer information with Energy Trust of Oregon, a nonprofit organization that helps Oregonians save energy. Energy Trust only uses this information to design, evaluate and improve service to customers. For details, visit portlandgeneral.com/datashare.



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Attachment D

Consent by Deeded Landowner

Application for Permanent Transfer – Lions Mane Farm, LLC

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Multnomah)

I Russell R Rotondi on behalf of 320204 RE Holdings, LLC in my/our capacity as Legal Counsel,

mailing address 9455 Double R Blvd., Reno NV 89521,

telephone number _____, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 49643

described in a Water Right Transfer Application (T-_____),

(transfer number, if known)

submitted by Lions Mane Farms, LLC

on the property in tax lot number(s) 602 & 700,

Section 1E Township 4S North/South Range NW SW East/West, W.M.,

located at 24700 S Mulino Road, Canby OR 97013

(site address)

Signature of Affiant

4/3/2025
Date

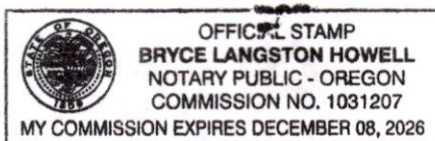
Signature of Affiant

Date

Received
APR 21 2025

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Subscribed and Sworn to before me this 3rd day of April, 2025.



Notary Public for Oregon

My commission expires December 08th 2026

Received
APR 4 2025

OWBD

Attachment E

Land Use Information Form

Application for Permanent Transfer – Lions Mane Farm, LLC

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 Lions Mane Farm, LLC			PHONE		
MAILING ADDRESS 610 SW Alder Street, Suite 1221					
CITY Portland		STATE OR	ZIP 97205	EMAIL	

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:
4 S	1 E	2	NWS W	602 & 700	EFU	☒ Diverted ☒ Conveyed ☒ Used	EFU
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

Clackamas 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) _____

Estimated quantity of water needed: 0.18 ☒ 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 Agricultural use

Briefly describe:

The Applicant is requesting to change the character of use for the water right to allow the use of water for irrigation and agricultural use, in addition to commercial use, for their mushroom production facility.

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

See Page 4 →

Received
APR 21 2023

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): ZDO 401 table 401-1, farming is an allowed use.
- ☐ 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: Max del Hierro Title: Planner 1

Signature: Max del Hierro Digitally signed by Max del Hierro Date: 2025.04.16 07:29:41 -07'00' Date: 4/16/2025

Governmental Entity: Clackamas County Phone: 503-742-4500

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: _____

SUPERSEDED

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 # 49643

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. 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	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
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													USE	4	S	1	E	2	NW	SW	602 and 700		N/A	Commercial Irrigation & Agricultural uses	Well 1	Dec. 22, 1971
TOTAL ACRES:													TOTAL ACRES:						NA							

Additional remarks: The Applicant is requesting a change in the character of use for the water right to allow the use of groundwater for commercial, irrigation and agricultural use for a mushroom-production facility.

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